COLLINS], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from Wyoming [Mr. THOMAS] were added as cosponsors of Senate Resolution 189, a resolution honoring the 150th anniversary of the United States Women's Rights Movement that was initiated by the 1848 Women's Rights Convention held in Seneca Falls, New York, and calling for a national celebration of women's rights in 1998.

SENATE RESOLUTION 207

At the request of Mr. JEFFORDS, the names of the Senator from Arizona [Mr. KYL] and the Senator from Maine [Ms. SNOWE] were added as cosponsors of Senate Resolution 207, a resolution commemorating the 20th anniversary of the founding of the Vietnam Veterans of America.

SENATE RESOLUTION 237

At the request of Mr. FEINGOLD, the names of the Senator from California [Mrs. BOXER] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of Senate Resolution 237, a resolution expressing the sense of the Senate regarding the situation in Indonesia and East Timor.

AMENDMENT NO. 2736

At the request of Mr. HUTCHINSON the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of amendment No. 2736 proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 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. 2737

At the request of Mr. HUTCHINSON the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of amendment No. 2737 proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 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.

AMENDMENTS SUBMITTED

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

FORD (AND McCONNELL) AMENDMENT NO. 2788

(Ordered to lie on the table.)

Mr. FORD (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by them to the bill (S. 2057) to authorize appropriations for the fiscal year 1999 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:

At the end of subtitle B of title I, insert the following:

SEC. 117. ALTERNATIVE TECHNOLOGIES FOR DESTRUCTION OF ASSEMBLED CHEMICAL WEAPONS.

(a) PROGRAM MANAGEMENT.—The program manager for the Assembled Chemical Weapons Assessment shall continue to manage the development and testing (including demonstration and pilot-scale testing) of technologies for the destruction of lethal chemical munitions that are potential or demonstrated alternatives to incineration. In performing such function, the program manager shall act independently of the program manager for the baseline chemical demilitarization program and shall report to the Under Secretary of Defense for Acquisition and Technology.

(b) POST-DEMONSTRATION ACTIVITIES.—(1) The program manager for the Assembled Chemical Weapons Assessment may undertake the activities that are necessary to ensure that an alternative technology for the destruction of lethal chemical munitions can be implemented immediately after—

(A) the technology has been demonstrated successful; and

(B) the Under Secretary of Defense for Acquisition and Technology has submitted a report on the demonstration to Congress.

(2) To prepare for the immediate implementation of any such technology, the program manager may, during fiscal years 1998 and 1999, take the following actions:

(A) Establish program requirements.

(B) Prepare procurement documentation.

(C) Develop environmental documentation.

(D) Identify and prepare to meet public outreach and public participation requirements.

(E) Prepare to award a contract for the design, construction, and operation of a pilot facility for the technology to the provider team for the technology not later than June 1, 1999.

(c) INDEPENDENT EVALUATION.—The Under Secretary of Defense for Acquisition and Technology shall provide for two evaluations of the cost and schedule of the Assembled Chemical Weapons Assessment to be performed, and for each such evaluation to be submitted to the Under Secretary, not later than September 30, 1999. One of the evaluations shall be performed by a nongovernmental organization qualified to make such an evaluation, and the other evaluation shall be performed separately by the Cost Analysis Improvement Group of the Department of Defense.

(d) PILOT FACILITIES CONTRACTS.—(1) The Under Secretary of Defense for Acquisition and Technology shall determine whether to proceed with pilot-scale testing of a technology referred to in paragraph (2) in time to award a contract for the design, construction, and operation of a pilot facility for the technology to the provider team for the technology not later than December 30, 1999. If the Under Secretary determines to proceed with such testing, the Under Secretary shall (exercising the acquisition authority of the Secretary of Defense) so award a contract not later than such date.

(2) Paragraph (1) applies to an alternative technology for the destruction of lethal chemical munitions, other than incineration, that the Under Secretary—

(A) certifies in writing to Congress is—

(i) as safe and cost effective for disposing of assembled chemical munitions as is incineration of such munitions; and

(ii) is capable of completing the destruction of such munitions on or before the later of the date by which the destruction of the munitions would be completed if incineration were used or the deadline date for completing the destruction of the munitions under the Chemical Weapons Convention; and

(B) determines as satisfying the Federal and State environmental and safety laws that are applicable to the use of the technology and to the design, construction, and operation of a pilot facility for use of the technology.

(3) The Under Secretary shall consult with the National Research Council in making determinations and certifications for the purpose of paragraph (2).

(4) In this subsection, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, opened for signature on January 13, 1993, together with related annexes and associated documents.

(e) FUNDING.—(1) Of the total amount authorized to be appropriated under section 107, $18,000,000 shall be available for the program manager for the Assembled Chemical Weapons Assessment for the following:

(A) Demonstrations of alternative technologies under the Assembled Chemical Weapons Assessment.

(B) Planning and preparation to proceed from demonstration of an alternative technology immediately into the development of a pilot-scale facility for the technology, including planning and preparation for—

(i) continued development of the technology leading to deployment of the technology for use;

(ii) satisfaction of requirements for environmental permits;

(iii) demonstration, testing, and evaluation;

(iv) initiation of actions to design a pilot plant;

(v) provision of support at the field office or depot level for deployment of the technology for use; and

(vi) educational outreach to the public to engender support for the deployment.

(C) The independent evaluation of cost and schedule required under subsection (c).

(2) Funds authorized to be appropriated under section 107(1) are authorized to be used for awarding contracts in accordance with subsection (d) and for taking any other action authorized in this section.

(f) AMENDMENTS NECESSARY FOR IMPLEMENTATION.—(1) Section 409 of Public Law 91–121 is amended—

(A) in subsection (b) (50 U.S.C. 1512)—

(i) by striking out ''warfare'' in the matter preceding paragraph (1);

(ii) by inserting ''or munition'' after ''agent'' each place it appears; and

(iii) in paragraph (4)(B), by inserting ''or munitions'' after ''agents'';

(B) in subsection (c) (50 U.S.C. 1513)—

(i) by striking out ''warfare'' in paragraph (1)(A) and the first sentence of paragraph (2);

(ii) by inserting ''or munition'' after ''agent'' each place it appears; and

(iii) by inserting ''agents or'' before munitions in the first sentence of paragraph (2);

(C) by striking out subsection (d) (50 U.S.C. 1514) and inserting in lieu thereof the following:

''(d) As used in this section, the term 'United States', unless otherwise indicated, means the several States, the District of Columbia, and the territories and possessions of the United States.''; and

(D) in subsection (g) (50 U.S.C. 1517), by striking out ''warfare agent'' both places it

appears and inserting in lieu thereof ''agent or munition''.

(2) Section 143 of Public Law 103–337 (50 U.S.C. 1512a) is amended—

(A) by striking out ''chemical weapons stockpile'' both places it appears and inserting in lieu thereof ''lethal chemical agents and munitions stockpile'';

(B) in subsection (a)—

(i) by inserting ''lethal'' before ''chemical munition'' both places it appears; and

(ii) by inserting ''agent or'' before ''munition'' each of the four places it appears; and

(C) in subsection (b)—

(i) by striking out ''any chemical munitions'' and inserting in lieu thereof ''any lethal chemical agents or munitions'';

(ii) by striking out ''such munitions'' both places it appears and inserting in lieu thereof ''such agents or munitions''; and

(iii) by striking out ''chemical munitions stockpile'' and inserting in lieu thereof ''lethal chemical agents and munitions stockpile''.

(g) ASSEMBLED CHEMICAL WEAPONS ASSESSMENT DEFINED.—In this section, the term ''Assembled Chemical Weapons Assessment'' means the pilot program carried out under section 8065 of the Department of Defense Appropriations Act, 1997 (section 101(b) of Public Law 104–208; 110 Stat. 3009–101; 50 U.S.C. 1521 note).

FORD AMENDMENTS NOS. 2789–2790

(Ordered to lie on the table.)

Mr. FORD submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2789

At the end of the bill, add the following new section:

SEC. . STUDY ON NON-RESIDENT WAGE EARNERS AT FEDERAL FACILITIES.

(a) The Secretary of the Treasury shall conduct a study which—

(1) identifies all federal facilities located within 50 miles of the border of an adjacent State;

(2) estimates the number of non-resident wage earners employed at such federal facilities; and

(3) compiles and describes all agreements or compacts between States regarding the taxation of non-resident wage earners employed at such facilities.

(b) The Secretary shall transmit the results of such study to the Congress not later than 180 days after the enactment of this Act.

AMENDMENT NO. 2790

In lieu of the matter proposed to be inserted, insert the following:

SEC. . STUDY ON NON-RESIDENT WAGE EARNERS AT FEDERAL FACILITIES.

(a) The Secretary of the Treasury shall conduct a study which—

(1) identifies all federal facilities located within 50 miles of the border of an adjacent State;

(2) estimates the number of non-resident wage earners employed at such federal facilities; and

(3) compiles and describes all agreements or compacts between States regarding the taxation of non-resident wage earners employed at such facilities.

(b) The Secretary shall transmit the results of such study to the Congress not later than 180 days after the enactment of this Act.

MIKULSKI (AND OTHERS) AMENDMENT NO. 2791

(Ordered to lie on the table.)

Ms. MIKULSKI (for herself, Mr. GLENN, and Mr. SARBANES) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1014. SHIP SCRAPPING PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of the Navy shall carry out a vessel scrapping pilot program within the United States during fiscal years 1999 and 2000. The scope of the program shall be that which the Secretary determines is sufficient to gather data on the cost of scrapping Government vessels domestically and to demonstrate cost effective technologies and techniques to scrap such vessels in a manner that is protective of worker safety and health and the environment.

(b) CONTRACT AWARD.—(1) The Secretary shall award a contract or contracts under subsection (a) to the offeror or offerors that the Secretary determines will provide the best value to the United States, taking into account such factors as the Secretary considers appropriate.

(2) In making a best value determination under this subsection, the Secretary shall give a greater weight to technical and performance-related factors than to cost and price-related factors.

(3) The Secretary shall give significant weight to the technical qualifications and past performance of the contractor and the major subcontractors or team members of the contractor in the following areas:

(A) Compliance with applicable Federal, State, and local laws and regulations for environmental and worker protection.

(B) Ability to safely remove handle and abate hazardous materials such as polychlorinated biphenyls, asbestos and lead.

(C) Experience with ship construction, conversion, repair or scrapping.

(D) Ability to manage workers safely in the following processes and procedures:

(i) Metal cutting and heating.

(ii) Working in confined and enclosed spaces.

(iii) Fire prevention and protection.

(iv) Health and sanitation.

(v) Handling and control of polychlorinated biphenyls, asbestos, lead, and other hazardous materials.

(vi) Operation and use of magnetic cranes or heavy lift cranes.

(vii) Use of personal protection equipment.

(viii) Emergency spill and containment capability;

(E) Ability to provide an overall plan and schedule to remove, tow, moor, demilitarize, dismantle, transport, and sell salvage materials and scrap in a safe and cost effective manner in compliance with applicable Federal, State, and local laws and regulations.

(F) Ability to provide an effective scrap site spill containment prevention and emergency response plan.

(G) The ability to ensure that subcontractors adhere to applicable Federal, State and local laws and regulations for environmental and worker safety.

(4) Nothing in this subsection shall be construed to require the Secretary to disclose the specific weight of evaluation factors to potential offerors or to the public.

(c) CONTRACT TERMS AND CONDITIONS.—The contract or contracts awarded by the Secretary pursuant to subsection (b) shall, at a minimum, provide for—

(1) the transfer of the vessel or vessels to the contractor or contractors;

(2) the sharing by any appropriate contracting method of the costs of scrapping the vessel or vessels between the government and the contractor or contractors;

(3) a performance incentive for a successful record of environmental and worker protection; and

(4) Government access to contractor records in accordance with the requirements of section 2313 of title 10, United States Code.

(d) REPORTS.—(1) Not later than September 30, 1999, the Secretary of the Navy shall submit an interim report on the pilot program to the congressional defense committees. The report shall contain the following:

(A) The procedures used for the solicitation and award of a contract or contracts under the pilot program.

(B) The contract or contracts awarded under the pilot program.

(2) Not later than September 30, 2000, the Secretary of the Navy shall submit a final report on the pilot program to the congressional defense committees. The report shall contain the following:

(A) The results of the pilot program and the performance of the contractors under such program.

(B) The Secretary's procurement strategy for future ship scrapping activities.

SARBANES AMENDMENT NO. 2792

(Ordered to lie on the table.)

Mr. SARBANES submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 347, below line 23, add the following:

SEC. 2833. EMERGENCY REPAIRS AND STABILIZATION MEASURES, FOREST GLEN ANNEX OF WALTER REED ARMY MEDICAL CENTER, MARYLAND.

Of the amounts authorized to be appropriated by this Act, $2,000,000 shall be available for the completion of roofing and other emergency repairs and stabilization measures at the historic district of the Forest Glen Annex of Walter Reed Army Medical Center, Maryland, in accordance with the plan submitted under section 2865 of the National Defense Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2806).

REID (AND OTHERS) AMENDMENT NO. 2793

(Ordered to lie on the table.)

Mr. REID (for himself, Mr. INOUYE, Mr. BRYAN, Mr. WYDEN, Mr. KERREY, and Mr. DURBIN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

Strike out page 348, line 1, and all that follows through page 366, line 13.

MURRAY (AND OTHERS) AMENDMENT NO. 2794

(Ordered to lie on the table.)

Mrs. MURRAY (for herself, Ms. SNOWE, Mr. ROBB, Ms. MIKULSKI, Mr. LAUTENBERG, Mr. KERREY, Ms. MOSELEY-BRAUN, and Mrs. BOXER) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of title VII add the following:

SEC. 708. RESTORATION OF PREVIOUS POLICY REGARDING RESTRICTIONS ON USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES.

Section 1093 of title 10, United States Code, is amended—

(1) by striking out subsection (b); and

(2) in subsection (a), by striking out ''(a) RESTRICTION ON USE OF FUNDS.—''.

WYDEN (AND SMITH) AMENDMENTS NOS. 2795–2797

(Ordered to lie on the table.)

Mr. WYDEN (for himself and Mr. SMITH of Oregon) submitted three amendments intended to be proposed by them to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2795

On page 219, between lines 8 and 9, insert the following:

(c) ADDITIONAL REPORT MATTERS.—The report shall also include an assessment of the current Department of Defense aviation accident investigation process, including the following:

(1) An assessment of the effectiveness of the current military aviation accident investigation process in identifying the cause of military aviation accidents and correcting problems so identified in a timely manner.

(2) An assessment whether or not the procedures for sharing the results of military aviation accident investigations among the military departments should be improved.

(3) An assessment of the advisability of a centralized training facility and course of instruction for military aviation accident investigators.

(4) An assessment of the advisability of continuing to ensure that military aviation safety investigation reports are afforded protection from public release and use in subsequent civil and criminal proceedings comparable to the protection currently provided National Transportation Safety Board investigation reports and accident investigation reports.

(5) An assessment of any costs or cost avoidances that would result from the elimination of any overlap in military aviation accident investigation activities conducted under the current so-called ''two-track'' investigation process.

(6) Any improvements or modifications in the current military aviation accident investigation process that the Secretary considers appropriate to reduce the potential for aviation accidents and increase public confidence in the process.

AMENDMENT NO. 2796

On page 398, between lines 9 and 10, insert the following:

SEC. 3144. SENSE OF SENATE REGARDING MEMORANDA OF UNDERSTANDING WITH THE STATE OF OREGON RELATING TO HANFORD.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Department of Energy and the State of Washington have entered into memoranda of understanding with the State of Oregon to provide the State of Oregon greater involvement in decisions regarding the Hanford Reservation.

(2) Hanford has an impact on the State of Oregon, and the State of Oregon has an interest in the decisions made regarding Hanford.

(3) The Department of Energy and the State of Washington are to be congratulated for entering into the memoranda of understanding with the State of Oregon regarding Hanford.

(b) SENSE OF SENATE.—It is the sense of the Senate to—

(1) encourage the Department of Energy and the State of Washington to implement the memoranda of understanding regarding Hanford in ways that result in continued involvement by the State of Oregon in decisions of concern to the State of Oregon regarding Hanford; and

(2) encourage the Department of Energy and the State of Washington to continue similar efforts to permit ongoing participation by the State of Oregon in the decisions regarding Hanford that may affect the environment or public health or safety of the citizens of the State of Oregon.

AMENDMENT NO. 2797

On page 196, between lines 18 and 19, insert the following:

SEC. 908. MILITARY AVIATION ACCIDENT INVESTIGATIONS.

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

(1) A February 1998 General Accounting Office review of military aircraft safety entitled ''Military Aircraft Safety: Serious Accidents Remain at Historically Low Levels'' noted that the military experienced fewer serious aviation mishaps in fiscal years 1996 and 1997 than in previous fiscal years, but there still remains a need for the Department of Defense to improve significantly its procedures for investigating military aviation accidents.

(2) This need was demonstrated by the aftermath of serious military aviation mishaps, including the tragic crash of a C–130 aircraft off the coast of Northern California that killed 10 Reservists from Oregon on November 22, 1996.

(3) The current Department investigation process for military aviation accidents (the so-called ''two-track'' investigation process), which involves privileged safety investigations and public legal investigations, continues to result in significant hardship for the families and relatives of members of the Armed Forces involved in military aviation accidents and a lack of overall public confidence in the investigation process and may result in a significant waste of resources due to overlapping activities in such investigations.

(4) Although the report required by section 1046 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1888) stated that ''DoD found no evidence that changing existing investigation processes to more closely resemble those of the NTSB would help DoD to find more answers more quickly, or accurately'', the Department can still improve its aviation safety by fully examining all options for improving or replacing its current aviation accident investigation processes.

(5) The inter-service working group formed as a result of that report has contributed to progress in military aviation accident investigations by identifying ways to improve family assistance, as has the formal policy direction coordinated by the Office of the Secretary of Defense.

(6) Such progress includes the issuance of Air Force Instruction 90–701 entitled ''Assistance to Families of Persons Involved in Air Force Aviation Mishaps'', that attempts to meet the need for a more timely flow of relevant information to families, a family liaison officer, and the establishment of the Air Force Office of Family Assistance. However, formal policy directions and Air Force instructions have not adequately addressed the failure to provide primary next of kin of members of the Armed Forces involved in military aviation accidents with interim reports regarding the course of investigations into such accidents, which failure causes much hardship for such kin and results in a loss of credibility regarding Air Force investigations into such accidents.

(7) The report referred to in paragraph (4) concluded that the Department would ''benefit from the disappearance of the misperception that the privileged portion of the safety investigation exists to hide unfavorable information''.

(8) That report further specified that ''[e]ach Military Department has procedures in place to provide redacted copies of the final [privileged] safety report to the families. However, families must formally request a copy of the final safety investigation report''.

(9) Current efforts to improve family notification would be enhanced by the issuance by the Secretary of Defense of uniform regulations to improve the timeliness and reliability of information provided to the primary next of kin of persons involved in military aviation accidents during and following both the legal investigation and safety investigation phases of such investigations.

(b) EVALUATION OF DEPARTMENT OF DEFENSE AVIATION ACCIDENT INVESTIGATION PROCEDURES.—(1) The Secretary of Defense shall establish a task force to—

(A) review the procedures employed by the Department of Defense to conduct military aviation accident investigations; and

(B) identify mechanisms for improving such investigations and the military aviation accident investigation process.

(2) The Secretary shall appoint to the task force the following:

(A) An appropriate number of members of the Armed Forces, including both members of the regular components and the reserve components, who have experience relating to military aviation or investigations into military aviation accidents.

(B) An appropriate number of former members of the Armed Forces who have such experience.

(C) With the concurrence of the member concerned, a member of the National Transportation Safety Board.

(3)(A) The task force shall submit to Congress an interim report and a final report on its activities under this subsection. The interim report shall be submitted on December 1, 1998, and the final report shall be submitted on March 31, 1999.

(B) Each report under subparagraph (A) shall include the following:

(i) An assessment of the advisability of conducting all military aviation accident investigations through an entity that is independent of the military departments.

(ii) An assessment of the effectiveness of the current military aviation accident investigation process in identifying the cause of military aviation accidents and correcting problems so identified in a timely manner.

(iii) An assessment whether or not the procedures for sharing the results of military aviation accident investigations among the military departments should be improved.

(iv) An assessment of the advisability of a centralized training facility and course of instruction for military aviation accident investigators.

(v) An assessment of the advisability of continuing to ensure that military aviation safety investigation reports are afforded protection from public release and use in subsequent civil and criminal proceedings comparable to the protection currently provided National Transportation Safety Board investigation reports and accident investigation reports.

(vi) An assessment of any costs or cost avoidances that would result from the elimination of any overlap in military aviation accident investigation activities conducted under the current so-called ''two-track'' investigation process.

(vii) Any improvements or modifications in the current military aviation accident investigation process that the task force considers appropriate to reduce the potential for aviation accidents and increase public confidence in the process.

(c) UNIFORM REGULATIONS FOR RELEASE OF INTERIM SAFETY INVESTIGATION REPORTS.—(1)(A) Not later than May 1, 1999, the Secretary of Defense shall prescribe regulations

that provide for the release to the family members of persons involved in military aviation accidents, and to members of the public, of reports referred to in paragraph (2).

(B) The regulations shall apply uniformly to each military department.

(2) A report under paragraph (1) is a report on the findings of any ongoing privileged safety investigation into an accident referred to in that paragraph. Such report shall be in a redacted form or other form appropriate to preserve witness confidentiality and to minimize the effects of the release of information in such report on national security.

(3) Reports under paragraph (1) shall be made available—

(A) in the case of family members, at least once every 14 days during the course of the investigation concerned; and

(B) in the case of members of the public, on request.

WYDEN (AND GRASSLEY) AMENDMENT NO. 2798

(Ordered to lie on the table.)

Mr. WYDEN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page ____, after line ____, insert the following:

SEC. ___. ELIMINATING SECRET SENATE HOLDS.

(a) STANDING ORDER.—It is a standing order of the Senate that a Senator who provides notice to leadership of his or her intention to object to proceeding to a motion or matter shall disclose the objection or hold in the Congressional Record not later than 2 session days after the date of the notice.

(b) RULEMAKING.—This section is adopted—

(1) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

LEVIN (AND BINGAMAN) AMENDMENT NO. 2799

(Ordered to lie on the table.)

Mr. LEVIN (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 398, between lines 9 and 10, insert the following:

SEC. 3144. REASSIGNMENT OF RESPONSIBILITY FOR DEFENSE PROGRAMS EMERGENCY RESPONSE PROGRAM.

Section 3158 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 626) is amended—

(1) by striking out ''The Office'' and inserting in lieu thereof ''(a) RETENTION OF RESPONSIBILITY.—Except as provided in subsection (b), the Office''; and

(2) by adding at the end the following:

''(b) REASSIGNMENT OF RESPONSIBILITY.—(1) The Secretary may reassign responsibility for the Program within the Department.

''(2) The Secretary may not exercise the authority in paragraph (1) until 30 days after the date on which the Secretary submits to the congressional defense committees a report setting forth the following:

''(A) The programs, funding, and personnel to be reassigned.

''(B) A description of the emergency response function of the Department, including the organizational structure of the function.

''(C) A position description for the director of emergency response of the Department and a plan for recruiting to fill the position.

''(D) A plan for establishing research and development requirements for the Program, including funding for the plan.

''(E) A description of the roles and responsibilities for emergency response of each headquarters office and field facility in the Department.

''(F) A plan for the implementation of operations of the emergency management center in the Department.''.

BINGAMAN (AND OTHERS) AMENDMENTS NOS. 2800–2801

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. SANTORUM, Mr. LIEBERMAN, Mr. LOTT, and Mr. FRIST) submitted two amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2800

At the end of subtitle D of title X add the following:

''SEC. 1064. DEFENSE SCIENCE AND TECHNOLOGY PROGRAM.

''(a) FUNDING REQUIREMENTS FOR THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM BUDGET.—For each of the fiscal years 2000 through 2008, it shall be an objective of the Secretary of Defense to increase the budget for the Defense Science and Technology Program for the fiscal year over the budget for that program for the preceding fiscal year by a percent that is at least two percent above the rate of inflation as determined by the Office of Management and Budget.

''(b) GUIDELINES FOR THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM.—

''(1) RELATIONSHIP OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAM TO UNIVERSITY RESEARCH.—The following shall be key objectives of the Defense Science and Technology Program—

''(A) the sustainment of research and capabilities in scientific and engineering disciplines critical to the Department of Defense;

''(B) the education and training of the next generation of scientists and engineers in disciplines that are relevant to future Defense systems, particularly through the conduct of basic research; and

''(C) the continued support of the Defense Experimental Program to Stimulate Competitive Research and research programs at historically black colleges and universities and minority institutions.

''(2) RELATIONSHIP OF THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM TO COMMERCIAL RESEARCH AND TECHNOLOGY.—

''(A) In supporting projects within the Defense Science and Technology Program, the Secretary of Defense shall attempt to leverage commercial research, technology, products, and processes for the benefit of the Department of Defense.

''(B) Funds made available for projects and programs of the Defense Science and Technology Program may be used only for the benefit of the Department of Defense, which includes—

''(i) the development of technology that has only military applications;

''(ii) the development of militarily useful, commercially viable technology; or

''(iii) the adaption of commercial technology, products, or processes for military purposes.

''(3) SYNERGISTIC MANAGEMENT OF RESEARCH AND DEVELOPMENT.—The Secretary of Defense may allocate a combination of funds available for the Department of Defense for basic and applied research and for advanced development to support any individual project or program within the Defense Science and Technology Program. This flexibility is not intended to change the allocation of funds in any fiscal year among basic and applied research and advanced development.

''(c) DEFINITIONS.—In this section:

''(1) The term ''Defense Science and Technology Program'' means basic and applied research and advanced development.

''(2) The term ''basic and applied research'' means work funded in program elements for defense research and development under Department of Defense category 6.1 or 6.2.

''(3) The term ''advanced development'' means work funded in program elements for defense research and development under Department of Defense category 6.3.''.

AMENDMENT NO. 2801

On page 398, between lines 9 and 10, insert the following:

''SEC. 3144. FUNDING REQUIREMENTS FOR THE NONPROLIFERATION SCIENCE AND TECHNOLOGY ACTIVITIES OF THE DEPARTMENT OF ENERGY.

''(a) FUNDING REQUIREMENTS FOR THE NONPROLIFERATION SCIENCE AND TECHNOLOGY ACTIVITIES BUDGET.—For each of the fiscal years 2000 through 2008, it shall be an objective of the Secretary of Energy to increase the budget for the nonproliferation science and technology activities for the fiscal year over the budget for those activities for the preceding fiscal year by a percent that is at least two percent above the rate of inflation as determined by the Office of Management and Budget.

''(b) NONPROLIFERATION SCIENCE AND TECHNOLOGY ACTIVITIES DEFINED.—In this section, the term ''nonproliferation science and technology activities'' means activities (including program direction activities) relating to preventing and countering the proliferation of weapons of mass destruction that are funded by the Department of Energy under the following programs and projects:

''(1) The Verification and Control Technology program within the Office of Nonproliferation and National Security;

''(2) Projects under the ''Technology and Systems Development'' element of the Nuclear Safeguard and Security program within the Office of Nonproliferation and National Security.

''(3) Projects relating to a national capability to assess the credibility of radiological and extortion threats, or to combat nuclear materials trafficking or terrorism, under the Emergency Management program within the Office of Nonproliferation and National Security.

''(4) Projects relating to the development or integration of new technology to respond to emergencies and threats involving the presence, or possible presence, of weapons of mass destruction, radiological emergencies, and related terrorist threats, under the Office of Defense Programs.''.

BUMPERS AMENDMENT NO. 2802

(Ordered to lie on the table.)

Mr. BUMPERS submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

Strike from line 1, page 25 through page 27, line 10, and insert in lieu there of the following:

SEC. 133. LIMITATION ON ADVANCE PROCUREMENT OF F–22 AIRCRAFT.—

Amounts available for the Department of Defense for any fiscal year for the F–22 aircraft program may not be obligated for advance procurement for the six Lot II F–22 aircraft before the date that is 30 days after

the date on which the Secretary of Defense submits a certification to the congressional defense committees that the Air Force has completed 601 hours of flight testing of F–22 flight test vehicles.

KENNEDY AMENDMENT NO. 2803

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. SENSE OF THE SENATE REGARDING DECLASSIFICATION OF CLASSIFIED INFORMATION OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF ENERGY.

It is the sense of the Senate that the Secretary of Defense and the Secretary of Energy should submit to Congress a request for funds in fiscal year 2000 for activities relating to the declassification of information under the jurisdiction of such Secretaries in order to fulfill the obligations and commitments of such Secretaries under Executive Order No. 12958 and the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq,) and to the stakeholders.

BAUCUS AMENDMENTS NOS. 2804–2807

(Ordered to lie on the table.)

Mr. BAUCUS submitted amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2804

At the end of subtitle B of title V, add the following:

SEC. 516. REPEAL OF DUAL STATUS REQUIREMENTS FOR MILITARY TECHNICIANS.

(a) REPEALS.—The following provisions of law are repealed:

(1) Subsections (d) and (e) of section 10216 of title 10, United States Code.

(2) Section 10217 of such title.

(3) Section 523 of the Public Law 105–85 (111 Stat. 1737).

(4) Section 8016 of Public Law 104–61 (109 Stat. 654; 10 U.S.C. 10101 note).

(b) PROHIBITION ON IMPLEMENTATION OF PLAN.—No plan submitted to Congress under section 523(d) of Public Law 105–85 (111 Stat. 1737) may be implemented.

(c) CONFORMING AMENDMENTS TO TITLE 10.—(1) Section 115(g) of title 10, United States Code, is amended by striking out ''(dual status)'' both places it appears.

(2) Section 115a(h) of such title is amended—

(A) by striking out ''(displayed in the aggregate and separately for military technicians (dual status) and non-dual status military technicians)'' in the matter preceding paragraph (1); and

(B) by adding at the end the following:

''(3) Within each of the numbers under paragraph (1), the numbers of military technicians who are not themselves members of a reserve component (so-called 'single-status' technicians), with a further display of such numbers as specified in paragraph (2).''.

(3) Section 10216 of such title is amended—

(A) by striking out ''(dual status)'' each place that it appears;

(B) in subsection (a), by striking out subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(C) in subsection (b)—

(i) by striking out ''MILITARY TECHNICIANS (DUAL STATUS).—'' in the subsection heading and inserting in lieu thereof ''DUAL STATUS MILITARY TECHNICIANS.—''; and

(ii) by inserting ''dual status'' after ''supporting authorizations for''; and

(D) in subsection (c)(1), by inserting ''dual status'' before ''military technicians'' each place that it appears in subparagraphs (A), (B), (C), and (D).

(4) The heading of such section is amended by striking out ''**(dual status)**''.

(5) The table of sections at the beginning of chapter 1007 of title 10, United States Code, is amended by striking out the items relating to section 10216 and 10217 and inserting in lieu thereof the following:

''10216. Military technicians.''.

(d) CONFORMING AMENDMENT TO TITLE 32.—Section 709(b) of title 32, United States Code, is amended by striking out ''A technician'' and inserting in lieu thereof ''Except as prescribed by the Secretary concerned, a technician''.

AMENDMENT NO. 2805

At the end of subtitle B of title V, add the following:

SEC. 516. PROHIBITION ON REQUIRING NATIONAL GUARD MILITARY TECHNICIANS TO WEAR MILITARY UNIFORMS WHILE PERFORMING CIVILIAN SERVICE.

(a) PROHIBITION.—(1) Subchapter I of chapter 59 of title 5, United States Code, is amended by adding at the end the following:

''§ 5904. National Guard military technicians: wearing of military uniforms not required

''(a) PROHIBITION.—A National Guard military technician may not be required, by regulation or otherwise, to wear a military uniform while performing civilian service.

''(b) DEFINITIONS.—For the purposes of this section—

''(1) the term 'National Guard military technician' means an employee appointed by an adjutant general designated by the Secretary concerned under section 709(c) of title 32;

''(2) the term 'military uniform' means the uniform, or a distinctive part of the uniform, of the Army or Air Force (as defined under regulations prescribed by the Secretary of Defense); and

''(3) the term 'civilian service' means service other than service compensable under chapter 3 of title 37.''.

(2) The table of sections at the beginning of chapter 59 of title 5, United States Code, is amended by inserting after the item relating to section 5903 the following:

''5904. National Guard military technicians: wearing of military uniforms not required.''.

(b) CONFORMING AMENDMENTS.—(1) Section 5903 of title 5, United States Code, is amended by striking ''this subchapter'' and inserting ''sections 5901 and 5902''.

(2) Section 709(b) of title 32, United States Code, is amended—

(A) by inserting ''and'' at the end of paragraph (1);

(B) by striking out ''; and'' at the end of paragraph (2) and inserting in lieu thereof a period; and

(C) by striking out paragraph (3).

(3) Section 417 of title 37, United States Code, is amended by striking out subsection (d).

(4) Section 418 of title 37, United States Code, is amended—

(A) by striking out ''(a)'' at the beginning of subsection (a); and

(B) by striking out subsections (b) and (c).

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

AMENDMENT NO. 2806

At the appropriate place, insert the following:

AGRICULTURAL RESEARCH SERVICE

For research efforts of the Agricultural Research Service of the Department of Agriculture for counter-narcotics research activities, $13,000,000, of which—

(1) $5,000,000 shall be used for chemical and biological crop eradication technologies;

(2) $2,000,000 shall be used for narcotics plant identification, chemistry, and biotechnology;

(3) $1,000,000 shall be used for worldwide crop identification, detection, tagging, and production estimation technology; and

(4) $5,000,000 shall be used for improving the disease resistance, yield, and economic competitiveness of commercial crops that can be promoted as alternatives to the production of narcotics plants.

For a contract with a commercial entity for the product development, environmental testing, registration, production, aerial distribution system development, product effectiveness monitoring, and modification of multiple mycoherbicides to control narcotic crops (including coca, poppy, and cannabis), $10,000,000, except that the entity shall—

(1) to be eligible to enter into the contract, have—

(A) long-term international experience with diseases of narcotic crops.

(B) intellectual property involving seedborne dispersal formulations;

(C) the availability of state-of-the-art containment or quarantine facilities;

(D) country-specific mycoherbicide formulations;

(E) specialized fungicide resistant formulations; and

(F) special security arrangements; and

(2) report to a member of the Senior Executive Service in the Department of Agriculture.

At the appropriate place, insert the following:

SEC. ___. MASTER PLAN FOR MYCOHERBICIDES TO CONTROL NARCOTIC CROPS.

(a) IN GENERAL.—The Secretary of Agriculture shall develop a 10-year master plan for the use of mycoherbicides to control narcotic crops (including coca, poppy, and cannabis).

(b) COORDINATION.—The Secretary shall develop the plan in coordination with—

(1) the Office of National Drug Control Policy (ONDCP);

(2) the Bureau for International Narcotics and Law Enforcement Activities (INL) of the Department of State;

(3) the Drug Enforcement Administration (DEA) of the Department of Justice;

(4) the Department of Defense;

(5) the United States Information Agency (USIA); and

(6) other appropriate agencies.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to Congress that describes the activities undertaken to carry out this section.

AMENDMENT NO. 2807

On page 18, before the period at the end of line 4, add the following: '': *Provided, further,* That, of the total amount appropriated under this heading, $10,500,000 shall be made available for a curatorial collections and processing facility at the Museum of the Rockies, a division of Montana State University-Bozeman.

FEINGOLD AMENDMENTS NOS. 2808–2809

(Ordered to lie on the table.)

Mr. FEINGOLD submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2809

At the end of subtitle B of title II, add the following:

SEC. . TERMINATION OF THE EXTREMELY LOW FREQUENCY COMMUNICATION SYSTEM PROGRAM.

(a) TERMINATION OF PROGRAM.—The Secretary of the Navy shall terminate the Extremely Low Frequency Communication System program.

(b) PAYMENT OF TERMINATION COSTS.—Funds that are available on or after the date of the enactment of this Act for the Department of Defense for obligation for the Extremely Low Frequency Communication System program of the Navy may be obligated for that program only for payment of the costs associated with the termination of the program.

(c) USE OF SAVINGS FOR NATIONAL GUARD.—Funds referred to in subsection (b) that are not necessary for terminating the program under this section shall be transferred (in accordance with such allocation between the Army National Guard and the Air National Guard as the Secretary of Defense shall direct) to funds available for the Army National Guard and the Air National Guard for operation and maintenance for the same fiscal year as the funds transferred, shall be merged with the funds to which transferred, and shall be available for the same period and purposes as the funds to which transferred.

AMENDMENT NO. 2809

At the end of subtitle C of title X, add the following:

SEC. 1031. ANNUAL GAO REVIEW OF F/A–18E/F AIRCRAFT PROGRAM.

(a) REVIEW AND REPORT REQUIRED.—Not later than June 15 of each year, the Comptroller General shall review the F/A–18E/F aircraft program and submit to Congress a report on the results of the review. The Comptroller General shall also submit to Congress with each report a certification regarding whether the Comptroller General has had access to sufficient information to make informed judgments on the matters covered by the report.

(b) CONTENT OF REPORT.—The report submitted on the program each year shall include the following:

(1) The extent to which engineering and manufacturing development and operational test and evaluation under the program are meeting the goals established for engineering and manufacturing development and operational test and evaluation under the program, including the performance, cost, and schedule goals.

(2) The status of modifications expected to have a significant effect on the cost or performance of the F/A–18E/F aircraft.

(c) DURATION OF REQUIREMENT.—The Comptroller General shall submit the first report under this section not later than June 15, 1999. No report is required under this section after the full rate production contract is awarded under the program.

(d) REQUIREMENT TO SUPPORT ANNUAL GAO REVIEW.—The Secretary of Defense and the prime contractors under the F/A–18E/F aircraft program shall timely provide the Comptroller General with such information on the program, including information on program performance, as the Comptroller General considers necessary to carry out the responsibilities under this section.

FEINSTEIN (AND BOXER) AMENDMENTS NOS. 2810–2811

(Ordered to lie on the table.)

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2810

At the end of subtitle B of title X, add the following:

SEC. 1014. HOMEPORTING OF ONE IOWA-CLASS BATTLESHIP IN SAN FRANCISCO.

One of the Iowa-class battleships on the Naval Vessel Register shall be homeported at the Port of San Francisco, California.

AMENDMENT NO. 2811

At the end of subtitle B of title X, add the following:

SEC. 1014. HOMEPORTING OF ONE IOWA-CLASS BATTLESHIP IN SAN FRANCISCO.

It is the sense of Congress that one of the Iowa-class battleships on the Naval Vessel Register should be homeported at the Port of San Francisco, California.

FRIST AMENDMENT NO. 2812

(Ordered to lie on the table.)

Mr. FRIST submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1013. SENSE OF CONGRESS CONCERNING THE NAMING OF AN LPD–17 VESSEL.

It is the sense of Congress that, consistent with section 1018 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 425), the next unnamed vessel of the LPD–17 class of amphibious vessels should be named the U.S.S. Clifton B. Cates, in honor of Marine General Clifton B. Cates (1893–1970), a native of Tennessee whose distinguished career of service in the Marine Corps included combat service in World War I so heroic that he became the most decorated Marine Corps officer of World War I, included exemplary combat leadership from Guadalcanal to Tinian and Iwo Jima and beyond in the Pacific Theater during World War II, and culminated in Lieutenant General Cates being appointed the 19th Commandant of the Marine Corps, a position in which he led the Marine Corps' efficient and alacritous response to the invasion of the Republic of South Korea by Communist North Korea.

THOMPSON (AND OTHERS) AMENDMENT NO. 2813

(Ordered to lie on the table.)

Mr. THOMPSON (for himself, Mr. FRIST, Mr. GORTON, Mrs. MURRAY, Mr. DASCHLE, and Mr. JOHNSON) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. LIMITATION ON STATE AUTHORITY TO TAX COMPENSATION PAID TO INDIVIDUALS PERFORMING SERVICES AT FORT CAMPBELL, KENTUCKY.

(a) IN GENERAL.—Chapter 4 of title 4, United States Code, is amended by adding at the end the following:

"§ 115. Limitation on State authority to tax compensation paid to individuals performing services at Fort Campbell, Kentucky

"Pay and compensation paid to an individual for personal services at Fort Campbell, Kentucky, shall be subject to taxation by the State or any political subdivision thereof of which such employee is a resident.".

(b) CONFORMING AMENDMENT.—The table of sections for chapter 4 of title 4, United States Code, is amended by adding at the end the following:

"115. Limitation on State authority to tax compensation paid to individuals performing services at Fort Campbell, Kentucky.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to pay and compensation paid after the date of the enactment of this Act.

SEC. 1065. CLARIFICATION OF STATE AUTHORITY TO TAX COMPENSATION PAID TO CERTAIN FEDERAL EMPLOYEES.

(a) IN GENERAL.—Section 111 of title 4, United States Code, is amended—

(1) by inserting "(a) GENERAL RULE.—" before "The United States" the first place it appears, and

(2) by adding at the end the following:

"(b) TREATMENT OF CERTAIN FEDERAL EMPLOYEES EMPLOYED AT FEDERAL HYDROELECTRIC FACILITIES LOCATED ON THE COLUMBIA RIVER.—Pay or compensation paid by the United States for personal services as an employee of the United States at a hydroelectric facility—

"(1) which is owned by the United States,

"(2) which is located on the Columbia River, and

"(3) portions of which are within the States of Oregon and Washington,

shall be subject to taxation by the State or any political subdivision thereof of which such employee is a resident.

"(c) TREATMENT OF CERTAIN FEDERAL EMPLOYEES EMPLOYED AT FEDERAL HYDROELECTRIC FACILITIES LOCATED ON THE MISSOURI RIVER.—Pay or compensation paid by the United States for personal services as an employee of the United States at a hydroelectric facility—

"(1) which is owned by the United States,

"(2) which is located on the Missouri River, and

"(3) portions of which are within the States of South Dakota and Nebraska,

shall be subject to taxation by the State or any political subdivision thereof of which such employee is a resident.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to pay and compensation paid after the date of the enactment of this Act.

INOUYE AMENDMENTS NOS. 2814–2815

(Ordered to lie on the table.)

Mr. INOUYE submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2814

On page 76, between lines 7 and 8, insert the following:

SEC. 349. AUTHORITY TO PAY CLAIMS OF CERTAIN CONTRACTOR EMPLOYEES.

Of the amount authorized to be appropriated by section 301, $300,000 shall be available to the Secretary of the Navy for the purpose of paying claims of former employees of Airspace Technology Corporation for unpaid back wages and benefits for work performed by the employees of that Corporation under Department of the Navy contracts N000600–89–C–0958, N000600–89–0959, N000600–90–C–0894, and DAAB–07–89–C–B917.

At the appropriate place, insert:

SEC. 2833. Not later than December 1, 1998, the Secretary of Defense shall submit to the President and the Congressional Defense Committees a report regarding the potential for development of Ford Island within the Pearl Harbor Naval Complex, Oahu, Hawaii through an integrated resourcing plan incorporating both appropriated funds and one or more public-private ventures. This report shall consider innovative resource development measures, including but not limited to,

an enhanced-use leasing program similar to that of the Department of Veterans Affairs as well as the sale or other disposal of land in Hawaii under the control of the Navy as part of an overall program for Ford Island development. The report shall include proposed legislation for carrying out the measures recommended therein.

ROCKEFELLER (AND OTHERS) AMENDMENT NO. 2816

(Ordered to lie on the table.)

Mr. ROCKEFELLER (for himself, Mr. DURBIN, and Mr. HARKIN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 41, below line 23, add the following:

SEC. 219. DOD/VA COOPERATIVE RESEARCH PROGRAM.

(a) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated by section 201(4), $20,000,000 shall be available for the Dod/VA Cooperative Research Program.

(b) EXECUTIVE AGENT.—The Secretary of Defense shall be the executive agent for the utilization of the funds made available by subsection (a).

● Mr. ROCKEFELLER. Mr. President, as Ranking Member of the Senate Committee on Veterans' Affairs, I have an especially strong interest in the history of illnesses and health concerns that follow military deployments. We have all observed the effects of post-conflict illnesses among our Gulf War veterans who returned with poorly understood, undiagnosed illnesses, and our Vietnam veterans with health problems related to exposure to Agent Orange. This legacy is not just a problem of our most recent conflicts; our Atomic-era veterans are still fighting for recognition of health conditions related to radiation exposures they experienced in service to their country 50 years ago.

If there is any single lesson to be learned from this history, it is that the Department of Defense and the Department of Veterans Affairs have not always been aggressive enough in pursuing the immediate health consequences of military conflicts. Too many times our veterans have had to wait years before post-conflict illnesses are recognized as real problems that require firm commitments of research and treatment programs. These delays have come at a cost to the veterans who have had to fight for this recognition, and they have come at a cost to the government's credibility on this important issue.

I believe it is time to consider establishing an independent entity with the capacity to evaluate government efforts to monitor the health of servicemembers following military conflicts, and to evaluate whether servicemembers are being effectively treated for illnesses that occur following such deployments. There have been suggestions for the need for such an entity within DoD and VA, but I believe that important health expertise outside these agencies is required as well. Indeed, it may be that the best approach is one that pulls together expertise from VA, DoD, and health care professionals and researchers from centers of medical excellence in fields such as toxicology, occupational medicine, and other disciplines.

Therefore, I would like to submit an amendment to the Department of Defense Authorization to require the Secretary to enter into an agreement with the National Academy of Sciences to assess the feasibility of establishing, as an independent entity, a National Center for the Study of Military Health.

The proposed Center for the Study of Military Health would evaluate and monitor interagency coordination on issues relating to post-deployment health concerns of members of the Armed Forces, including outreach and risk communication, recordkeeping, research, utilization of new technologies, international cooperation and research, health surveillance, and other health related activities.

In addition, this center would evaluate the health care provided to members of the Armed Services both before and after their deployment on military operations. The proposed center would monitor and direct government efforts to evaluate the health of servicemembers upon their return from military deployments, for purposes of ensuring the rapid identification of any trends in diseases or injuries that result from such operations. Such an independent health center could also serve an important role in providing training of health care professionals in DoD and VA in the evaluation and treatment of post-conflict diseases and health conditions, including nonspecific and unexplained illnesses.

While some have argued that it is time to take some of these responsibilities away from existing agencies, I would suggest that this is a matter for careful study and thoughtful deliberation. Therefore, this amendment would require the National Academy of Sciences to assess the feasibility of such an independent health entity. In their report to the Secretary of Defense, the Academy should provide a recommendation of the feasibility of such an entity and justification for such a recommendation. If such a center is recommended by the Academy, their report should also provide recommendations regarding the organizational placement of the entity; the health and science expertise that would be necessary; the scope and nature of the activities and responsibilities of the entity; and mechanisms for ensuring that the recommendations of the entity are carried out by DoD and VA.

Mr. President, as Ranking Member of the Committee on Veterans' Affairs, there have been too many times when I have heard agency officials testify that poorly understood, unexplained illnesses are a common, inevitable occurrence of every military conflict. With the tremendous advances achieved elsewhere in medical and military technologies, I find the acceptance of these illnesses as an inevitability to be unacceptable. I hope that this amendment will offer an initial step to better prevention and treatment of these post-conflict illnesss.●

ROCKEFELLER AMENDMENT NO. 2817

(Ordered to lie on the table.)

Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 157, between lines 13 and 14, insert the following:

SEC. 708. ASSESSMENT OF ESTABLISHMENT OF INDEPENDENT ENTITY TO EVALUATE POST-CONFLICT ILLNESSES AMONG MEMBERS OF THE ARMED FORCES AND HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS BEFORE AND AFTER DEPLOYMENT OF SUCH MEMBERS.

(a) AGREEMENT FOR ASSESSMENT.—The Secretary of Defense shall seek to enter into an agreement with the National Academy of Sciences, or other appropriate independent organization, under which agreement the Academy shall carry out the assessment referred to in subsection (b).

(b) ASSESSMENT.—(1) Under the agreement, the Academy shall assess the need for and feasibility of establishing an independent entity to—

(A) evaluate and monitor interagency coordination on issues relating to the post-deployment health concerns of members of the Armed Forces, including coordination relating to outreach and risk communication, recordkeeping, research, utilization of new technologies, international cooperation and research, health surveillance, and other health-related activities;

(B) evaluate the health care (including preventive care and responsive care) provided to members of the Armed Forces both before and after their deployment on military operations;

(C) monitor and direct government efforts to evaluate the health of members of the Armed Forces upon their return from deployment on military operations for purposes of ensuring the rapid identification of any trends in diseases or injuries among such members as a result of such operations;

(D) provide and direct the provision of ongoing training of health care personnel of the Department of Defense and the Department of Veterans Affairs in the evaluation and treatment of post-deployment diseases and health conditions, including nonspecific and unexplained illnesses; and

(E) make recommendations to the Department of Defense and the Department of Veterans Affairs regarding improvements in the provision of health care referred to in subparagraph (B), including improvements in the monitoring and treatment of members referred to in that subparagraph.

(2) The assessment shall cover the health care provided by the Department of Defense and, where applicable, by the Department of Veterans Affairs.

(c) REPORT.—(1) The agreement shall require the Academy to submit to the committees referred to in paragraph (3) a report on the results of the assessment under this section not later than one year after the date of enactment of this Act.

(2) The report shall include the following:

(A) The recommendation of the Academy as to the need for and feasibility of establishing an independent entity as described in subsection (b) and a justification of such recommendation.

(B) If the Academy recommends that an entity be established, the recommendations of the Academy as to—

(i) the organizational placement of the entity;

(ii) the personnel and other resources to be allocated to the entity;

(iii) the scope and nature of the activities and responsibilities of the entity; and

(iv) mechanisms for ensuring that any recommendations of the entity are carried out by the Department of Defense and the Department of Veterans Affairs.

(3) The report shall be submitted to the following:

(A) The Committee on Armed Services and the Committee on Veterans' Affairs of the Senate.

(B) The Committee on National Security and the Committee on Veterans' Affairs of the House of Representatives.

TORRICELLI AMENDMENTS NOS. 2818–2821

(Ordered to lie on the table.)

Mr. TORRICELLI submitted four amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2818

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. PROHIBITIONS RELATING TO EXPLOSIVE MATERIALS.

(a) PROHIBITION OF SALE, DELIVERY, OR TRANSFER OF EXPLOSIVE MATERIALS TO CERTAIN INDIVIDUALS.—Section 842 of title 18, United States Code, is amended by striking subsection (d) and inserting the following:

''(d) PROHIBITION OF SALE, DELIVERY, OR TRANSFER OF EXPLOSIVE MATERIALS TO CERTAIN INDIVIDUALS.—It shall be unlawful for any licensee to knowingly sell, deliver, or transfer any explosive materials to any individual who—

''(1) is less than 21 years of age;

''(2) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

''(3) is a fugitive from justice;

''(4) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(5) has been adjudicated as a mental defective or has been committed to any mental institution;

''(6) being an alien—

''(A) is illegally or unlawfully in the United States; or

''(B) except as provided in subsection (*l*), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));

''(7) has been discharged from the Armed Forces under dishonorable conditions;

''(8) having been a citizen of the United States, has renounced his citizenship;

''(9) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

''(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

''(B)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; and

''(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

''(10) has been convicted in any court of a misdemeanor crime of domestic violence.''.

(b) PROHIBITION ON SHIPPING, TRANSPORTING, POSSESSION, OR RECEIPT OF EXPLOSIVES BY CERTAIN INDIVIDUALS.—Section 842 of title 18, United States Code, is amended by striking subsection (p) and inserting the following:

''(p) PROHIBITION ON SHIPPING, TRANSPORTING, POSSESSION, OR RECEIPT OF EXPLOSIVES BY CERTAIN INDIVIDUALS.—It shall be unlawful for any person to ship or transport in interstate or foreign commerce, or possess, in or affecting commerce, any explosive, or to receive any explosive that has been shipped or transported in interstate or foreign commerce, if that person—

''(1) is less than 21 years of age;

''(2) has been convicted in any court, of a crime punishable by imprisonment for a term exceeding 1 year;

''(3) is a fugitive from justice;

''(4) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(5) has been adjudicated as a mental defective or who has been committed to a mental institution;

''(6) being an alien—

''(A) is illegally or unlawfully in the United States; or

''(B) except as provided in subsection (*l*), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));

''(7) has been discharged from the Armed Forces under dishonorable conditions;

''(8) having been a citizen of the United States, has renounced his citizenship; or

''(9) is subject to a court order that—

''(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

''(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

''(C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; and

''(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

''(10) has been convicted in any court of a misdemeanor crime of domestic violence.''.

(c) EXCEPTIONS AND WAIVER FOR CERTAIN INDIVIDUALS.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

''(*l*) EXCEPTIONS AND WAIVER FOR CERTAIN INDIVIDUALS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'alien' has the same meaning as in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)); and

''(B) the term 'nonimmigrant visa' has the same meaning as in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)).

''(2) EXCEPTIONS.—Subsections (d)(5)(B) and (p)(5)(B) do not apply to any alien who has been lawfully admitted to the United States pursuant to a nonimmigrant visa, if that alien is—

''(A) admitted to the United States for lawful hunting or sporting purposes;

''(B) a foreign military personnel on official assignment to the United States;

''(C) an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or

''(D) a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

''(3) WAIVER.—

''(A) IN GENERAL.—Any individual who has been admitted to the United States under a nonimmigrant visa and who is not described in paragraph (2), may receive a waiver from the applicability of subsection (d)(5)(B) or (p)(5)(B), if—

''(i) the individual submits to the Attorney General a petition that meets the requirements of subparagraph (B); and

''(ii) the Attorney General approves the petition.

''(B) PETITIONS.—Each petition under subparagraph (A)(i) shall—

''(i) demonstrate that the petitioner has resided in the United States for a continuous period of not less than 180 days before the date on which the petition is submitted under this paragraph; and

''(ii) include a written statement from the embassy or consulate of the petitioner, authorizing the petitioner to engage in any activity prohibited under subsection (d) or (p), as applicable, and certifying that the petitioner would not otherwise be prohibited from engaging in that activity under subsection (d) or (p), as applicable.''.

AMENDMENT NO. 2819

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. PROHIBITIONS RELATING TO EXPLOSIVE MATERIALS.

(a) PROHIBITION OF SALE, DELIVERY, OR TRANSFER OF EXPLOSIVE MATERIALS TO CERTAIN INDIVIDUALS.—Section 842 of title 18, United States Code, is amended by striking subsection (d) and inserting the following:

''(d) PROHIBITION OF SALE, DELIVERY, OR TRANSFER OF EXPLOSIVE MATERIALS TO CERTAIN INDIVIDUALS.—It shall be unlawful for any licensee to knowingly sell, deliver, or transfer any explosive materials to any individual who—

''(1) is less than 21 years of age;

''(2) is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

''(3) is a fugitive from justice;

''(4) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(5) has been adjudicated as a mental defective or has been committed to any mental institution;

''(6) being an alien—

''(A) is illegally or unlawfully in the United States; or

''(B) except as provided in subsection (*l*), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));

''(7) has been discharged from the Armed Forces under dishonorable conditions;

''(8) having been a citizen of the United States, has renounced his citizenship;

''(9) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or

child, except that this paragraph shall only apply to a court order that—

''(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

''(B)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; and

''(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

''(10) has been convicted in any court of a misdemeanor crime of domestic violence.''.

(b) PROHIBITION ON SHIPPING, TRANSPORTING, POSSESSION, OR RECEIPT OF EXPLOSIVES BY CERTAIN INDIVIDUALS.—Section 842 of title 18, United States Code, is amended by striking subsection (p) and inserting the following:

''(p) PROHIBITION ON SHIPPING, TRANSPORTING, POSSESSION, OR RECEIPT OF EXPLOSIVES BY CERTAIN INDIVIDUALS.—It shall be unlawful for any person to ship or transport in interstate or foreign commerce, or possess, in or affecting commerce, any explosive, or to receive any explosive that has been shipped or transported in interstate or foreign commerce, if that person—

''(1) is less than 21 years of age;

''(2) has been convicted in any court, of a crime punishable by imprisonment for a term exceeding 1 year;

''(3) is a fugitive from justice;

''(4) is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(5) has been adjudicated as a mental defective or who has been committed to a mental institution;

''(6) being an alien—

''(A) is illegally or unlawfully in the United States; or

''(B) except as provided in subsection (*l*), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));

''(7) has been discharged from the Armed Forces under dishonorable conditions;

''(8) having been a citizen of the United States, has renounced his citizenship; or

''(9) is subject to a court order that—

''(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

''(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

''(C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; and

''(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

''(10) has been convicted in any court of a misdemeanor crime of domestic violence.''.

(c) EXCEPTIONS AND WAIVER FOR CERTAIN INDIVIDUALS.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

''(*l*) EXCEPTIONS AND WAIVER FOR CERTAIN INDIVIDUALS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'alien' has the same meaning as in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)); and

''(B) the term 'nonimmigrant visa' has the same meaning as in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)).

''(2) EXCEPTIONS.—Subsections (d)(5)(B) and (p)(5)(B) do not apply to any alien who has been lawfully admitted to the United States pursuant to a nonimmigrant visa, if that alien is—

''(A) admitted to the United States for lawful hunting or sporting purposes;

''(B) a foreign military personnel on official assignment to the United States;

''(C) an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or

''(D) a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

''(3) WAIVER.—

''(A) IN GENERAL.—Any individual who has been admitted to the United States under a nonimmigrant visa and who is not described in paragraph (2), may receive a waiver from the applicability of subsection (d)(5)(B) or (p)(5)(B), if—

''(i) the individual submits to the Attorney General a petition that meets the requirements of subparagraph (B); and

''(ii) the Attorney General approves the petition.

''(B) PETITIONS.—Each petition under subparagraph (A)(i) shall—

''(i) demonstrate that the petitioner has resided in the United States for a continuous period of not less than 180 days before the date on which the petition is submitted under this paragraph; and

''(ii) include a written statement from the embassy or consulate of the petitioner, authorizing the petitioner to engage in any activity prohibited under subsection (d) or (p), as applicable, and certifying that the petitioner would not otherwise be prohibited from engaging in that activity under subsection (d) or (p), as applicable.''.

AMENDMENT NO. 2820

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. DEATH OR LIFE IN PRISON FOR CERTAIN OFFENSES WHOSE VICTIMS ARE CHILDREN.

Section 3559 of title 18, United States Code, is amended by adding at the end the following:

''(d) DEATH OR LIFE IMPRISONMENT FOR CRIMES AGAINST CHILDREN.—Notwithstanding any other provision of law, a person who is convicted of a Federal offense that is a serious violent felony (as defined in subsection (c)) or a violation of section 2251 shall, unless a sentence of death is imposed, be sentenced to imprisonment for life, if the victim of the offense—

''(1) is less than 14 years of age at the time of the offense; and

''(2) dies as a result of the offense.''.

AMENDMENT NO. 2821

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. DEATH OR LIFE IN PRISON FOR CERTAIN OFFENSES WHOSE VICTIMS ARE CHILDREN.

Section 3559 of title 18, United States Code, is amended by adding at the end the following:

''(d) DEATH OR LIFE IMPRISONMENT FOR CRIMES AGAINST CHILDREN.—Notwithstanding any other provision of law, a person who is convicted of a Federal offense that is a serious violent felony (as defined in subsection (c)) or a violation of section 2251 shall, unless a sentence of death is imposed, be sentenced to imprisonment for life, if the victim of the offense—

''(1) is less than 14 years of age at the time of the offense; and

''(2) dies as a result of the offense.''.

GRASSLEY AMENDMENT NO. 2822

(Ordered to lie on the table.)

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. DEMILITARIZATION AND EXPORTATION OF DEFENSE PROPERTY.

(a) CENTRALIZED ASSIGNMENT OF DEMILITARIZATION CODES FOR DEFENSE PROPERTY.—(1) Chapter 153 of title 10, United States Code, is amended by inserting after section 2572 the following:

''§ 2573. Demilitarization codes for defense property

''(a) AUTHORITY.—The Secretary of Defense shall—

''(1) assign the demilitarization codes to the property (other than real property) of the Department of Defense; and

''(2) take any action that the Secretary considers necessary to ensure that the property assigned demilitarization codes is demilitarized in accordance with the assigned codes.

''(b) SUPREMACY OF CODES.—A demilitarization code assigned to an item of property by the Secretary of Defense under this section shall take precedence over any demilitarization code assigned to the item before the date of enactment of the National Defense Authorization Act for Fiscal Year 1999 by any other official in the Department of Defense.

''(c) ENFORCEMENT.—The Secretary of Defense shall commit the personnel and resources to the exercise of authority under subsection (a) that are necessary to ensure that—

''(1) appropriate demilitarization codes are assigned to property of the Department of Defense; and

''(2) property is demilitarized in accordance with the assigned codes.

''(d) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report submitted to Congress under section 113(c)(1) of this title a discussion of the following:

''(1) The exercise of the authority under this section during the fiscal year preceding the fiscal year in which the report is submitted.

''(2) Any changes in the exercise of the authority that are taking place in the fiscal year in which the report is submitted or are planned for that fiscal year or any subsequent fiscal year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'demilitarization code', with respect to property, means a code that identifies the extent to which the property must be demilitarized before disposal.

''(2) The term 'demilitarize', with respect to property, means to destroy the military offensive or defensive advantages inherent in the property, by mutilation, cutting, crushing, scrapping, melting, burning, or altering the property so that the property cannot be used for the purpose for which it was originally made.''.

(2) The table of sections at the beginning of such chapter 153 is amended by inserting after the item relating to section 2572 the following:

''2573. Demilitarization codes for defense property.''.

(b) CRIMINAL OFFENSE.—(1) Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

''§ 554. Violations of regulated acts involving the exportation of United States property

''(a) Any person who—

''(1) fraudulently or knowingly exports or otherwise sends from the United States (as defined in section 545 of this title), or attempts to export or send from the United States any merchandise contrary to any law of the United States; or

''(2) receives, conceals, buys, sells, or in any manner facilitates, the transportation, concealment, or sale of any merchandise prior to exportation, knowing that the merchandise is intended for exportation in violation of Federal law;

shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) The penalties under this section shall be in addition to any other applicable criminal penalty.''.

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

''554. Violations of regulated acts involving the exportation of United States property.''.

COATS AMENDMENTS NOS. 2823–2825

(Ordered to lie on the table.)

Mr. COATS submitted three amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2823

At the end of subtitle D of title X, add the following:

SEC. 1064. CHEMICAL STOCKPILE EMERGENCY PREPAREDNESS PROGRAM.

Section 1412 of the Department of Defense Authorization Act, 1986 (Public Law 99–145; 50 U.S.C. 1521) is amended by adding at the end of subsection (c) the following:

''(4)(A) The Director of the Federal Emergency Management Agency shall carry out a program to provide assistance to State and local governments in developing capabilities to respond to emergencies involving risks to the public health or safety within their jurisdictions that are identified by the Secretary as being risks resulting from—

''(i) the storage of any such agents and munitions at military installations in the continental United States; or

''(ii) the destruction of such agents and munitions at facilities referred to in paragraph (1)(B).

''(B) No assistance may be provided under this paragraph after the completion of the destruction of the United States stockpile of lethal chemical agents and munitions.''.

AMENDMENT NO. 2824

At the end of title XXXV, add the following:

SEC. 3513. DESIGNATION OF OFFICER OF THE DEPARTMENT OF DEFENSE AS A MEMBER AND CHAIRMAN OF THE PANAMA CANAL COMMISSION SUPERVISORY BOARD.

Section 1102(a) (22 U.S.C. 3612(a)) is amended—

(1) by striking out the first sentence and inserting in lieu thereof the following: ''The Commission shall be supervised by a Board composed of nine members. An official of the Department of Defense, or an officer of the Armed Forces, designated by the Secretary of Defense shall be one of the members and the Chairman of the Board.''; and

(2) in the last sentence, by striking out ''Secretary of Defense or a designee of the Secretary of Defense'' and inserting in lieu thereof ''Chairman of the Board''.

AMENDMENT NO. 2825

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. DEBARMENT OF COMPANIES TRANSFERRING SENSITIVE TECHNOLOGY TO THE PEOPLE'S REPUBLIC OF CHINA FROM CONTRACTING WITH THE DEPARTMENT OF DEFENSE.

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

(1) The People's Republic of China is an authoritarian state that has acted and continues to act in a manner threatening to her neighbors and the United States.

(2) A nuclear-capable power, China is believed to have strategic missiles targeted at the United States.

(3) China launched ballistic missiles during the Spring of 1996 over portions of Taiwan in a show of force calculated to influence the presidential elections in Taiwan

(4) Responding to United States affirmation of support for Taiwan, a Chinese official in 1996 reportedly threatened a United States city with destruction should the United States act to defend Taiwan from an attack.

(5) Despite denials of hegemonic intent and criticism of other nations for allegedly pursuing hegemony in the region, China has attacked her neighbors, India and Vietnam, and threatened others, notably the Philippines, over disputed territory.

(6) Having brutally subjugated a long-independent nation, Tibet, in 1950, China continues to pursue policies that are clearly inimical to the Tibetan people. China systematically violates the most basic human rights though the denial of religious freedom, the jailing and persecution of the political opposition, and the immoral policy of forced abortion to control population growth.

(7) China is a proliferator of ballistic missile technology and nuclear technology.

(8) China supported the development by Pakistan of ballistic missiles and nuclear weapons.

(9) China supports missile development programs in Libya and Iran.

(10) China provided cruise missiles to Iran that currently threaten commercial shipping and United States naval vessels in the Persian Gulf.

(11) China appears to have a policy aimed at coercing United States companies as well as companies in over countries to transfer technology in order to obtain market access. According to a 1997 press report, ''no country makes such demands across as wide a variety of industries as China does.''. This has led one Administration official to characterize as blackmail the insistence of China that ''to sell here, you have to locate here, and give us technology.''.

(12) A number of questionable transfers of sensitive United States technology to China have occurred.

(13) In 1993, an American-backed joint venture transferred sensitive communications technology to a Chinese company headed by an official of the People's Liberation Army, reportedly over the objection of various officials of the Department of Defense and the National Security Agency.

(14) Advanced dual-use machine tools were sold to China in 1994 over the objections of a senior analyst of the Defense Technology Security Agency. These machine tools subsequently were found at a Chinese missile plant in violation of the export license.

(15) Two United States defense contractors appear to have transferred sensitive technical information to China in 1996 that may have enabled China to dramatically increase the reliability and capabilities of its space launch vehicles and strategic missiles.

(b) DEBARMENT.—(1) The Secretary of Defense shall debar from contracting with the Department of Defense, for a period of time provided for under paragraph (2), any company that has transferred sensitive technology to the People's Republic of China without the prior authorization of the United States Government.

(2) Debarment under paragraph (1) shall be for a period determined appropriate by the Secretary, but not less than five years.

(3) Debarment shall commence under paragraph (1) as of the first day of the fiscal year commencing after the later of the date of the determination by the Secretary that the transfer in question occurred without prior authorization of the United States Government.

(c) DEFINITIONS.—In this section:

(1) The term ''debar'' has the meaning given that term in section 2393(c) of title 10, United States Code.

(2) The term ''sensitive technology'' means any military or dual-use technologies or hardware covered by the Export Administration Act of 1979, and the regulations implementing that Act.

DEWINE AMENDMENT NO. 2826

(Ordered to lie on the table.)

Mr. DEWINE submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 204, below line 22, add the following:

SEC. 1014. CONVEYANCE OF NDRF VESSEL EX-USS LORAIN COUNTY.

(a) AUTHORITY TO CONVEY.—The Secretary of Transportation may convey all right, title, and interest of the Federal Government in and to the vessel ex-USS LORAIN COUNTY (LST–1177) to the Ohio War Memorial, Inc., located in Sandusky, Ohio (in this section referred to as the ''recipient''), for use as a memorial to Ohio veterans.

(b) TERMS OF CONVEYANCE.—

(1) DELIVERY OF VESSEL.—In carrying out subsection (a), the Secretary shall deliver the vessel—

(A) at the place where the vessel is located on the date of conveyance;

(B) in its condition on that date; and

(C) at no cost to the Federal Government.

(2) REQUIRED CONDITIONS.—The Secretary may not convey a vessel under this section unless—

(A) the recipient agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos and polychlorinated biphenyls, after conveyance of the vessel, except for claims arising before the date of the conveyance of from use of the vessel by the Government after that date; and

(B) the recipient has available, for use to restore the vessel, in the form of cash, liquid assets, or a written loan commitment, financial resources of at least $100,000.

(3) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by this section as the Secretary considers appropriate.

(c) OTHER UNNEEDED EQUIPMENT.—The Secretary may convey to the recipient of the vessel conveyed under this section any unneeded equipment from other vessels in the National Defense Reserve Fleet, for use to restore the vessel conveyed under this section to museum quality.

FAIRCLOTH AMENDMENT NO. 2827

(Ordered to lie on the table.)

Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 321, between lines 16 and 17, insert the following:

SEC. 2603. NATIONAL GUARD MILITARY EDUCATIONAL FACILITY, FORT BRAGG, NORTH CAROLINA.

(a) AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 2601(1)(A) is hereby increased by $8,300,000.

(b) AVAILABILITY OF FUNDS.—Funds available as a result of the increase in the authorization of appropriations made by subsection (a) shall be available for purposes of construction of the National Guard Military Educational Facility at Fort Bragg, North Carolina.

(c) OFFSET.—The amount authorized to be appropriated by section 2502 is hereby reduced by $8,300,000.

WARNER AMENDMENTS NOS. 2828–2830

(Ordered to lie on the table.)

Mr. WARNER submitted three amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2828

At the end of title VIII, add the following:

SEC. 812. CLARIFICATION OF RESPONSIBILITY FOR SUBMISSION OF INFORMATION ON PRICES PREVIOUSLY CHARGED FOR PROPERTY OR SERVICES OFFERED.

(a) ARMED SERVICES PROCUREMENTS.—Section 2306a(d)(1) of title 10, United States Code is amended—

(1) by striking out ''the data submitted shall'' in the second sentence and inserting in lieu thereof the following: ''the contracting officer shall require that the data submitted''; and

(2) by adding at the end the following: ''Submission of data required of an offeror under the preceding sentence in the case of a contract or subcontract shall be a condition for the eligibility of the offeror to enter into the contract or subcontract.''.

(b) CIVILIAN AGENCY PROCUREMENTS.—Section 304A(d)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b(d)(1)), is amended—

(1) by striking out ''the data submitted shall'' in the second sentence and inserting in lieu thereof the following: ''the contracting officer shall require that the data submitted''; and

(2) by adding at the end the following: ''Submission of data required of an offeror under the preceding sentence in the case of a contract or subcontract shall be a condition for the eligibility of the offeror to enter into the contract or subcontract.''.

(c) CRITERIA FOR CERTAIN DETERMINATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to include criteria for contracting officers to apply for determining the specific price information that an offeror should be required to submit under section 2306(d) of title 10, United States Code, or section 304A(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b(d)).

AMENDMENT NO. 2829

At the end of subtitle D of title X, add the following:

SEC. 1064. DESIGNATION OF AMERICA'S NATIONAL MARITIME MUSEUM.

(a) DESIGNATION OF AMERICA'S NATIONAL MARITIME MUSEUM.—The Mariners' Museum building located at 100 Museum Drive, Newport News, Virginia, and the South Street Seaport Museum buildings located at 207 Front Street, New York, New York, shall be known and designated as ''America's National Maritime Museum''.

(b) REFERENCE TO AMERICA'S NATIONAL MARITIME MUSEUM.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the buildings referred to in subsection (a) shall be deemed to be a reference to America's National Maritime Museum.

AMENDMENT NO. 2830

At the end of subtitle D of title X, add the following:

SEC. 1064. TRANSFER OF DEFENSE AUTOMATED PRINTING SERVICE FUNCTIONS.

(b) REPORT.—Not later than March 31, 1999, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report on the printing functions of the Defense Automated Printing Service. The report shall contain the following:

(1) The functions that the Secretary determines are inherently national security functions and, as such, need to be performed within the Department of Defense, together with a detailed justification for the determination for each such function.

(2) The functions that the Secretary determines are appropriate for transfer to the General Services Administration or the Government Printing Office.

(3) A plan to transfer to the General Services Administration, the Government Printing Office, or other entity, the printing functions of the Defense Automated Printing Service that are not identified under paragraph (1) as being inherently national security functions.

(4) Any recommended legislation and any administrative action that is necessary for transferring the functions in accordance with the plan.

(5) A discussion of the costs or savings associated with the transfers provided for in the plan.

(b) EXTENSION OF REQUIREMENT FOR COMPETITIVE PROCUREMENT OF SERVICES.—Section 351(a) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 266), as amended by section 351(a) of Public Law 104–201 (110 Stat. 2490) and section 387(a)(1) of Public Law 105–85 (111 Stat. 1713), is further amended by striking out ''1998'' and inserting in lieu thereof ''1999''.

MURKOWSKI AMENDMENT NO. 2831

(Ordered to lie on the table.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

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

SEC. . Between November 1 and February 29 of each year, when ice conditions in Cook Inlet can threaten physical deliveries of fuel by barge, a refiner that qualifies as a small, disadvantaged business shall, without diminishing any of the benefits that accrue as a result of such status, be permitted to use barrel-for-barrel fuel exchange agreements with other refiners to meet the terms of any contractual arrangement with the Defense Energy Supply Center for the delivery of fuel to Defense Energy Supply Point-Anchorage.

DOMENICI AMENDMENTS NOS. 2832–2833

(Ordered to lie on the table.)

Mr. DOMENICI submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2832

At the end of subtitle B of title II, add the following:

SEC. 219. SCORPIUS LOW COST LAUNCH DEVELOPMENT PROGRAM.

(a) AMOUNT FROM DEFENSE-WIDE FUNDING.—Of the total amount authorized to be appropriated under section 201(4), $20,000,000 is available for the Scorpius Low Cost Launch Development program.

(b) OFFSETTING REDUCTIONS.—(1) Of the amount authorized to be appropriated by section 201(3), $13,383,993,000 is available for the Air Space Technology program.

(2) Of the total amount authorized to be appropriated under section 201(4), $9,832,764,000 is available for the Ballistic Missile Defense Organization Follow-on and Support Technology program.

AMENDMENT NO. 2833

On page 29 strike section 214 and insert the following:

SEC. 214. AIRBORNE LASER PROGRAM—FUNDING FOR THE PROGRAM.

Of the amount authorized to be appropriated under section 201(3), $292,000,000 shall be available for the Airborne Laser Program.

GORTON (AND SMITH) AMENDMENT NO. 2834

(Ordered to lie on the table.)

Mr. GORTON (for himself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. ___. PRESIDENTIAL AUTHORITY TO IMPOSE NUCLEAR NONPROLIFERATION CONTROLS.

(a) AMENDMENT OF THE ARMS EXPORT CONTROL ACT.—

(1) REPROCESSING TRANSFERS; ILLEGAL EXPORTS.—Section 102(a) of the Arms Export Control Act (22 U.S.C. 2799aa–1(a)) is amended by striking ''no funds'' and all that follows through ''making guarantees,'' and inserting the following: ''the President may suspend or terminate the provision of economic assistance under the Foreign Assistance Act of 1961 (including economic support fund assistance under chapter 4 of part II of that Act) or military assistance, grant military education and training, or peacekeeping assistance under part II of that Act, or the extension of military credits or the making of guarantees under the Arms Export Control Act,''.

(2) TRANSFER OR USE OF NUCLEAR EXPLOSIVE DEVICES.—Section 102(b) of the Arms Export Control Act (22 U.S.C. 2799aa–1(b)) is amended—

(A) in paragraph (1), by striking ''shall forthwith impose'' and inserting ''may impose'';

(B) by striking paragraphs (4), (5), and (7);

(C) by redesignating paragraphs (6) and (8) as paragraphs (4) and (5), respectively; and

(D) by amending paragraph (4) (as redesignated) to read as follows:

''(4) If the President decides to impose any sanction against a country under paragraph (1)(C) or (1)(D), the President shall forthwith so inform that country and shall impose the sanction beginning 30 days after submitting to Congress the report required by paragraph (1) unless, and to the extent that, there is enacted during the 30-day period a law prohibiting the imposition of that sanction.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to determinations made by the President before, on, or after the date of enactment of this Act.

THOMAS (AND ENZI) AMENDMENT NO. 2835

(Ordered to lie on the table.)

Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 320, line 25, strike out ''$95,395,000'' and insert in lieu thereof ''$108,979,000''.

KYL (AND MURKOWSKI) AMENDMENT NO. 2836

(Ordered to lie on the table.)

Mr. KYL (for himself and Mr. MURKOWSKI) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. INCREASED MISSILE THREAT IN ASIA-PACIFIC REGION.

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

(1) United States forces and allies in the Asia-Pacific region face a growing missile threat from China and North Korea.

(2) China has embarked on a program to modernize its theater and strategic missile programs and has shown a willingness to use ballistic missiles to intimidate its neighbors. During Taiwan's national legislative elections in 1995, China fired six M–9 ballistic missiles to an area about 100 miles north of Taiwan. Less than a year later, on the eve of Taiwan's first democratic presidential election, China again launched M–9 missiles to areas within 30 miles north and south of Taiwan, thereby establishing a virtual blockade of the two primary ports of Taiwan.

(3) North Korea's missile program is becoming more advanced. According to a recent Department of Defense report, North Korea has deployed several hundred Scud missiles that are capable of reaching targets in South Korea. North Korea has started to deploy the No Dong missile, which will have sufficient range to target nearly all of Japan, and is continuing to develop a longer-range ballistic missile that will be capable of reaching Alaska and Hawaii.

(4) Theater missile defenses are vitally needed to protect American forces and interests in the Asia-Pacific region.

(5) The sale of United States ballistic missile defense items to Taiwan is consistent with the provisions of the Taiwan Relations Act, which states that ''the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.''.

(b) SENSE OF CONGRESS REGARDING RESTRICTIONS ON DEPLOYMENT OF UNITED STATES THEATER MISSILE DEFENSES.—It is the sense of Congress that the President should not adopt any policies or negotiate any agreements that restrict the deployment of theater missile defense systems operated by United States forces or allies.

(c) STUDY AND REPORT.—(1) The Secretary of Defense shall carry out a study of the architecture requirements for the establishment and operation of a theater ballistic missile defense system in the Asia-Pacific region that would have the capability to protect Taiwan, South Korea, and Japan from ballistic missile attack. The study shall include a description of appropriate measures by which the United States would cooperate with Taiwan, South Korea, and Japan and provide them with an advanced local-area ballistic missile defense system.

(2) Not later than January 1, 1999, the Secretary shall submit to the Committee on National Security of the House of Representatives and the Committee on Armed Services of the Senate a report containing—

(A) the results of the study conducted under paragraph (1);

(B) the factors used to obtain such results; and

(C) a description of any existing United States missile defense system that could be transferred to Taiwan and Japan in accordance with the Taiwan Relations Act in order to allow Taiwan and Japan to provide for their self-defense against limited ballistic missile attacks.

(3) The report shall be submitted in both classified and unclassified form.

(d) SENSE OF CONGRESS REGARDING TRANSFER OF BALLISTIC MISSILE DEFENSE SYSTEMS.—It is the sense of Congress that the President, if requested by the Government of Taiwan, South Korea, or Japan and in accordance with the results of the study conducted under subsection (c), should sell, at full market value, to the requesting nation appropriate defense articles or defense services under the foreign military sales program under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) for the purpose of establishing and operating a local-area ballistic missile defense system to protect Taiwan, including the Penghu Islands, Kinmen, and Matsu, South Korea, or Japan, as the case may be, against limited ballistic missile attack.

(e) STATEMENT OF POLICY RELATING TO UNITED STATES THEATER MISSILE DEFENSES FOR THE ASIA-PACIFIC REGION.—Congress declares that it is in the national interest of the United States that Taiwan be included in any effort at ballistic missile defense cooperation, networking, or interoperability with friendly and allied nations in the Asia-Pacific region.

(f) SENSE OF CONGRESS URGING THE PRESIDENT TO DECLARE TO THE PEOPLE'S REPUBLIC OF CHINA THE COMMITMENT OF THE AMERICAN PEOPLE TO SECURITY AND DEMOCRACY IN TAIWAN.—It is the sense of Congress that the President should make clear to the leadership of the People's Republic of China the firm commitment of the American people to security and democracy for the people of Taiwan and that the United States fully expects that security issues on both sides of the Taiwan Strait will be resolved by peaceful means.

(g) SENSE OF CONGRESS REGARDING TAIWAN.—It is the sense of Congress that—

(1) the transfer of Hong Kong to the People's Republic of China does not alter the current and future status of Taiwan;

(2) the future of Taiwan should be determined by peaceful means through a democratic process; and

(3) the United States, in accordance with the Taiwan Relations Act and the constitutional processes of the United States, should assist in the defense of Taiwan in case of threats or military attack by the People's Republic of China against Taiwan.

HUTCHISON AMENDMENT NO. 2837

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, S. 2057, supra; as follows:

At the end of Title II, Subtitle B, (page 41, after line 23) insert the following new Section:

SEC. . ACCELERATION OF H–1 UPGRADE PROGRAM.

(a) Of the amounts authorized to be appropriated under Section 201(2), $121,942,000 shall be available only for the upgrade of H–1 rotary wing aircraft.

KYL AMENDMENT NO. 2838

(Ordered to lie on the table.)

Mr. KYL submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. COMMISSION TO ASSESS THE RELIABILITY SAFETY AND SECURITY OF THE UNITED STATES NUCLEAR DETERRENT.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission for Assessment of the Reliability, Safety, and Security of the United States Nuclear Deterrent''.

(b) COMPOSITION.—(1) The Commission shall be composed of six members who shall be appointed from among private citizens of the United States with knowledge and expertise in the technical aspects of design, maintenance, and deployment of nuclear weapons, as follows:

(A) Two members appointed by the Majority Leader of the Senate.

(B) One member appointed by the Minority Leader of the Senate.

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

(D) One member appointed by the Minority Leader of the House of Representatives.

(2) The Senate Majority Leader and the Speaker of the House of Representatives shall each appoint one member to serve for five years and one member to serve for two years. The Minority Leaders of the Senate and House of Representatives shall each appoint one member to serve for five years. A member may be reappointed.

(3) Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(4) All members of the Commission shall hold appropriate security clearances.

(c) CHAIRMAN.—The Majority Leader of the Senate, after consultation with the Speaker of the House of Representatives and the Minority Leaders of the Senate and House of Representatives, shall designate one of the members of the Commission, without regard to the term of appointment of that member, to serve as Chairman of the Commission.

(d) DUTIES OF COMMISSION.—(1) Each year the Commission shall assess, for Congress—

(A) the safety, security, and reliability of the nuclear deterrent forces of the United States; and

(B) the annual certification on the safety, security, and reliability of the nuclear weapons stockpile of the United States that is provided by the directors of the national weapons laboratories through the Secretary of Energy to the President.

(2) The Commission shall submit to Congress an annual report, in classified form, setting forth the findings and conclusions resulting from each assessment.

(e) COOPERATION OF OTHER AGENCIES.—(1) The Commission may secure directly from the Department of Energy, the Department of Defense, or any of the national weapons laboratories or plants or any other Federal department or agency information that the Commission considers necessary for the Commission to carry out its duties.

(2) For carrying out its duties, the Commission shall be provided full and timely cooperation by the Secretary of Energy, the Secretary of Defense, the Commander of United States Strategic Command, the Directors of the Los Alamos National Laboratory, the Lawrence Livermore National Laboratory, the Sandia National Laboratories, the Savannah River Site, the Y–12 Plant, the Pantex Facility, and the Kansas City Plant, and any other official of the United States that the Chairman determines as having information described in paragraph (1).

(3) The Secretary of Energy and the Secretary of Defense shall each designate at least one officer or employee of the Department of Energy and the Department of Defense, respectively, to serve as a liaison officer between the department and the Commission.

(f) COMMISSION PROCEDURES.—(1) The Commission shall meet at the call of the Chairman.

(2) Four members of the Commission shall constitute a quorum, except that the Commission may designate a lesser number of members as a quorum for the purpose of holding hearings. The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(3) Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this section.

(4) The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties. Findings and conclusions of a panel of the Commission may not be considered findings and conclusions of the Commission unless approved by the Commission.

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

(g) PERSONNEL MATTERS.—(1) A member of the Commission shall be compensated at the daily equivalent of the rate of basic pay established for level V of the Executive Schedule under 5316 of title 5, United States Code, for each day on which the member is engaged in any meeting, hearing, briefing, or other work in the performance of duties of the Commission.

(2) A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Commission.

(3) The Chairman of the Commission may, without regard to the provisions of the title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The Chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) Upon the request of the Chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(5) The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule and under section 5316 of such title.

(h) MISCELLANEOUS ADMINISTRATIVE PROVISIONS.—(1) The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(2) The Secretary of Defense and the Secretary of Energy shall furnish the Commission with any administrative and support services requested by the Commission and with office space within the Washington, District Columbia, metropolitan area that is sufficient for the administrative offices of the Commission and for holding general meetings of Commission.

(i) FUNDING.—The Secretary of Defense and the Secretary of Energy shall each contribute 50 percent of the amount of funds that are necessary for the Commission to carry out its duties. Upon receiving from the Chairman of the Commission a written certification of the amount of funds that is necessary for funding the activities of the Commission for a period, the Secretaries shall promptly make available to the Commission funds in the total amount specified in the certification. Funds available for the Department of Defense for Defense-wide research, development, test, and evaluation shall be available for the Department of Defense contribution. Funds available for the Department of Energy for atomic energy defense activities shall be available for the Department of Energy contribution.

(j) TERMINATION OF THE COMMISSION.—The Commission shall terminate three years after the date of the appointment of the member designated as Chairman.

(k) INITIAL IMPLEMENTATION.—All appointments to the Commission shall be made not later than 45 days after the date of the enactment of this Act. The Commission shall convene its first meeting not later than 30 days after the date as of which all members of the Commission have been appointed.

JEFFORDS (AND LEAHY) AMENDMENT NO. 2839

(Ordered to lie on the table.)

Mr. JEFFORDS (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

Strike out section 413, and insert in lieu thereof the following:

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

(a) MINIMUM STRENGTHS.—The number of military technicians (dual status) of each of the reserve components of the Army and the Air Force as of September 30, 1999, shall be at least the following:

(1) For the Army Reserve, 5,395.

(2) For the Army National Guard of the United States, 23,125.

(3) For the Air Force Reserve, 9,761.

(4) For the Air National Guard of the United States, 22,408.

(b) NON-DUAL STATUS MILITARY TECHNICIANS NOT INCLUDED.—In this section, the term ''military technician (dual status)'' has the meaning given the term in section 10216(a) of title 10, United State Code, and does not include a non-dual status technician (within the meaning of section 10217 of such title).

At the end of subtitle C of title X, add the following:

SEC. 1031. REVIEW AND REPORT REGARDING THE DISTRIBUTION OF NATIONAL GUARD RESOURCES AMONG STATES.

(a) REQUIREMENT FOR REVIEW.—The Chief of the National Guard Bureau shall review the process used for planning for an appropriate distribution of resources among the States for the National Guard of the States.

(b) PURPOSE OF REVIEW.—The purpose of the review is to determine whether the process provides for adequately funding the National Guard of the States that have within the National Guard no unit or few units categorized in readiness tiers I, II, and III.

(c) MATTERS REVIEWED.—The matters reviewed shall include the following:

(1) The factors considered for the process of determining the distribution of resources, including the weights assigned to the factors.

(2) The extent to which the process results in planning for the units of the States described in subsection (b) to be funded at the levels necessary to optimize the preparedness of the units to meet the mission requirements applicable to the units.

(3) The effects that funding at levels determined under the process will have on the National Guard of those States in the future, including the effects on unit readiness, recruitment, and continued use of existing National Guard armories and other facilities.

(d) REPORT.—Not later than March 15, 1999, the Chief of the National Guard Bureau shall submit a report on the results of the review to the congressional defense committees.

COVERDELL (AND OTHERS) AMENDMENT NO. 2840

(Ordered to lie on the table.)

Mr. COVERDELL (for himself, Mr. BREAUX, and Mr. DEWINE) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. FEDERAL FACILITIES CLEAN WATER COMPLIANCE.

(a) APPLICATION OF CERTAIN PROVISIONS TO FEDERAL FACILITIES.—Section 313 of the Federal Water Pollution Control Act (33 U.S.C. 1323) is amended—

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

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

''(a) COMPLIANCE.—

''(1) DEFINITION OF REASONABLE SERVICE CHARGE.—In this subsection, the term 'reasonable service charge' includes but is not limited to—

''(A) a fee or charge assessed in connection with the processing, issuance, renewal, or amendment of a permit, review of a plan, study, or other document, or inspection or monitoring of a facility; and

''(B) any other nondiscriminatory charge that is assessed in connection with a Federal, State, interstate, or local regulatory program concerning the control and abatement of water pollution.

''(2) REQUIREMENT.—Each department, agency, and instrumentality of the executive, legislative, or judicial branch of the Federal Government that has jurisdiction over any property or facility, or is engaged in any activity that results, or that may result, in the discharge or runoff of a pollutant shall be subject to, and shall comply with, all Federal, State, interstate, and local substantive and procedural requirements (including any requirement for a permit or reporting, any provision for injunctive relief and such sanctions as are imposed by a Federal or State court to enforce the relief, and any requirement for the payment of a reasonable service charge) concerning the control and abatement of water pollution in the same manner, and to the same extent, as any other person is subject to the requirements.

''(3) WAIVER OF SOVEREIGN IMMUNITY.—The United States waives any immunity otherwise applicable to the United States with respect to any substantive or procedural requirement described in paragraph (2), including but not limited to immunity from process in an administrative or court action seeking—

''(A) injunctive relief;

''(B) imposition of a sanction referred to in this subsection;

''(C) enforcement of an administrative order;

''(D) imposition of an administrative penalty or fine; or

''(E) payment of a reasonable service charge.

''(4) ADMINISTRATIVE ORDERS AND PENALTIES.—The substantive and procedural requirements described in paragraph (2) include but are not limited to all administrative orders and all civil and administrative penalties or fines, regardless of whether the penalties or fines are punitive or coercive in nature or are imposed for isolated, intermittent, or continuing violations.

''(5) INJUNCTIVE RELIEF.—The United States (including any agent, employee, or officer of the United States) shall not be immune or exempt from any process or sanction of any State or Federal court with respect to the enforcement of any injunctive relief referred to in paragraph (2).

''(6) CIVIL PENALTIES.—No agent, employee, or officer of the United States shall be personally liable for any civil penalty under any Federal, State, interstate, or local law concerning the control and abatement of water pollution with respect to any act or omission within the scope of the official duties of the agent, employee, or officer.

''(7) CRIMINAL PENALTIES.—

''(A) AGENTS, EMPLOYEES, AND OFFICERS.—An agent, employee, or officer of the United States shall be subject to a criminal sanction (including but not limited to a fine or imprisonment) under any Federal or State law concerning the control and abatement of water pollution.

''(B) DEPARTMENTS, AGENCIES, AND INSTRUMENTALITIES.—No department, agency, or instrumentality of the executive, legislative, or judicial branch of the Federal Government shall be subject to a sanction referred to in subparagraph (A).

''(b) ADMINISTRATIVE ENFORCEMENT ACTIONS.—

''(1) IN GENERAL.—

''(A) COMMENCEMENT.—The Administrator, the Secretary of the Army, and the Secretary of the department in which the Coast Guard is operating may commence an administrative enforcement action against any department, agency, or instrumentality of the executive, legislative, or judicial branch of the Federal Government pursuant to the enforcement authorities authorized by this Act.

''(B) MANNER AND CIRCUMSTANCES.—The Administrator or Secretary, as applicable, shall initiate an administrative enforcement action against such a department, agency, or instrumentality in the same manner and under the same circumstances as the Administrator or Secretary would initiate such an action against another person.

''(C) CONSENT ORDERS.—Any voluntary resolution or settlement of an action described in subparagraph (B) shall be set forth in a consent order.

''(2) OPPORTUNITY TO CONFER.—An administrative order issued to a department, agency, or instrumentality under paragraph (1) shall not become final until the department, agency, or instrumentality has had the opportunity to confer with the Administrator or Secretary, as applicable.

''(c) LIMITATION ON STATE USE OF FUNDS COLLECTED FROM THE FEDERAL GOVERNMENT.—Unless a State law in effect on the date of enactment of this subsection or a State constitution requires the funds to be used in a different manner, all funds collected by a State from the Federal Government from penalties and fines imposed for violation of a substantive or procedural requirement described in subsection (a) shall be used by the State only for projects designed to improve or protect the environment or to defray the costs of environmental protection or enforcement.''.

(b) DEFINITION OF PERSON.—

(1) GENERAL DEFINITIONS.—Section 502(5) of the Federal Water Pollution Control Act (33 U.S.C. 1362(5)) is amended—

(A) by striking ''or any'' and inserting ''an''; and

(B) by inserting before the period at the end the following: ''or a department, agency, or instrumentality of the United States''.

(2) OIL AND HAZARDOUS SUBSTANCE LIABILITY PROGRAM.—Section 311(a)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(7)) is amended—

(A) by striking ''a''; and

(B) by inserting before the semicolon at the end the following: ''and a department, agency, or instrumentality of the United States''.

COVERDELL AMENDMENT NO. 2841

(Ordered to lie on the table.)

Mr. COVERDELL submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. COVERAGE OF FEDERAL FACILITIES UNDER THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986.

Section 329(7) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11049(7)) is amended by inserting ''or the United States'' before the period at the end.

GRAMS AMENDMENT NO. 2842

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 634. PRESENTATION OF UNITED STATES FLAG TO MEMBERS OF THE ARMED FORCES.

(a) ARMY.—(1) Chapter 353 of title 10, United States Code, is amended by inserting after the table of sections the following:

''§ 3681. Presentation of flag upon retirement at end of active duty service

''(a) REQUIREMENT.—The Secretary of the Army shall present a United States flag to a member of any component of the Army upon the release of the member from active duty for retirement.

''(b) MULTIPLE PRESENTATIONS NOT AUTHORIZED.—A member is not eligible for a presentation of a flag under subsection (a) if the member has previously been presented a flag under this section or section 6141 or 8681 of this title.

''(c) NO COST TO RECIPIENT.—The presentation of a flag under his section shall be at no cost to the recipient.''.

(2) The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 3684 the following:

''3681. Presentation of flag upon retirement at end of active duty service.''.

(b) NAVY AND MARINE CORPS.—(1) Chapter 561 of title 10, United States Code, is amended by inserting after the table of sections the following:

''§ 6141. Presentation of flag upon retirement at end of active duty service

''(a) REQUIREMENT.—The Secretary of the Navy shall present a United States flag to a member of any component of the Navy or Marine Corps upon the release of the member from active duty for retirement or for transfer to the Fleet Reserve or the Fleet Marine Corps Reserve.

''(b) MULTIPLE PRESENTATIONS NOT AUTHORIZED.—A member is not eligible for a presentation of a flag under subsection (a) if the member has previously been presented a flag under this section or section 3681 or 8681 of this title.

''(c) NO COST TO RECIPIENT.—The presentation of a flag under his section shall be at no cost to the recipient.''.

(2) The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 6151 the following:

''6141. Presentation of flag upon retirement at end of active duty service.''.

(c) AIR FORCE.—(1) Chapter 853 of title 10, United States Code, is amended by inserting after the table of sections the following:

''§ 8681. Presentation of flag upon retirement at end of active duty service

''(a) REQUIREMENT.—The Secretary of the Air Force shall present a United States flag to a member of any component of the Air Force upon the release of the member from active duty for retirement.

''(b) MULTIPLE PRESENTATIONS NOT AUTHORIZED.—A member is not eligible for a presentation of a flag under subsection (a) if the member has previously been presented a flag under this section or section 3681 or 6141 of this title.

''(c) NO COST TO RECIPIENT.—The presentation of a flag under his section shall be at no cost to the recipient.''.

(2) The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 8684 the following:

''8681. Presentation of flag upon retirement at end of active duty service.''.

(d) REQUIREMENT FOR ADVANCE APPROPRIATIONS.—The Secretary of a military department may present flags under authority provided the Secretary in section 3681, 6141, or 8681 title 10, United States Code (as added by this section), only to the extent that funds for such presentations are appropriated for that purpose in advance.

(e) EFFECTIVE DATE.—Sections 3681, 6141, and 8681 of title 10, United States Code (as added by this section shall take effect on October 1, 1998, and shall apply with respect to releases described in those sections on or after that date.

HUTCHISON AMENDMENT NO. 2843

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill, S. 2057, supra; as follows:

On page 222, below line 21, add the following:

SEC. 1031. REPORT ON REDUCTION OF INFRASTRUCTURE COSTS AT BROOKS AIR FORCE BASE, TEXAS.

(a) REQUIREMENT.—Not later than December 31, 1998, the Secretary of the Air Force shall, in consultation with the Secretary of

Defense, submit to the congressional defense committees a report on means of reducing significantly the infrastructure costs at Brooks Air Force Base, Texas, while also maintaining or improving the support for Department of Defense missions and personnel provided through Brooks Air Force Base.

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

(1) A description of any barriers (including barriers under law and through policy) to improved infrastructure management at Brooks Air Force Base.

(2) A description of means of reducing infrastructure management costs at Brooks Air Force Base through cost-sharing arrangements and more cost-effective utilization of property.

(3) A description of any potential public partnerships or public-private partnerships to enhance management and operations at Brooks Air Force Base.

(4) An assessment of any potential for expanding infrastructure management opportunities at Brooks Air Force Base as a result of initiative considered at the Base or at other installations.

(5) An analysis (including appropriate data) on current and projected costs of the ownership or lease of Brooks Air Force Base under a variety of ownership or leasing scenarios, including the savings that would accrue to the Air Force under such scenarios and a schedule for achieving such savings.

(6) Any recommendations relating to reducing the infrastructure costs at Brooks Air Force Base that the Secretary considers appropriate.

THURMOND AMENDMENT NO. 2844

(Ordered to lie on the table.)

Mr. THURMOND submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. SENSE OF CONGRESS REGARDING CONTINUED PARTICIPATION OF UNITED STATES FORCES IN OPERATIONS IN BOSNIA AND HERZEGOVINA.

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

(1) The contributions of the people of the United States and other nations have, in large measure, resulted in the suspension of fighting and alleviated the suffering of the people of Bosnia and Herzegovina since December 1995.

(2) the people of the United States have expended approximately $9,500,000,000 in tax dollars between 1992 and mid-1998 just in support of the United States military operations in Bosnia to achieve those results.

(3) Efforts to restore the economy and political structure in Bosnia and Herzegovina have achieved some success in accordance with the Dayton Agreement.

(4) In February 1998, the President certified to Congress that the continued presence of United States forces in Bosnia and Herzegovina after June 30, 1998, was necessary in order to meet national security interests of the United States.

(5) There is, however, no accurate estimate of the time needed to accomplish the civilian implementation tasks outlined in the Dayton Agreement.

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

(1) United States ground combat forces should not remain in Bosnia and Herzegovina indefinitely in view of the world-wide commitments of the Armed Forces of the United States;

(2) the President should work with NATO allies and the other nations whose military forces are participating in the NATO-led Stabilization Force to remove United States ground combat forces from Bosnia and Herzegovina within a reasonable period of time, consistent with the safety of those forces and the accomplishment of the Stabilization Force's military tasks;

(3) a NATO-led force without the participation of United States ground combat forces in Bosnia and Herzegovina might be suitable for a European follow-on force for Bosnia and Herzegovina;

(4) United States leaders potentially could decide to provide appropriate support to a European or NATO-led follow-on force for Bosnia and Herzegovina, including command and control, intelligence, logistics, and, if necessary, a ready reserve force in the region;

(5) the President should inform the European NATO allies of this expression of the sense of Congress and should strongly urge them to undertake preparations for establishing a European or a NATO-led force as a follow-on force to the NATO-led Stabilization Force if needed to maintain peace and stability in Bosnia and Herzegovina; and

(6) the President should consult closely with the congressional leadership and the congressional defense committees with respect to the progress being made toward achieving a sustainable peace in Bosnia and Herzegovina and the progress being made toward a reduction and ultimate withdrawal of United States ground combat forces from Bosnia and Herzegovina.

(c) DAYTON AGREEMENT DEFINED.—In this section, the term ''Dayton Agreement'' means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

THURMOND (AND LEVIN) AMENDMENT NO. 2845

(Ordered to lie on the table.)

Mr. THURMOND (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. SENSE OF CONGRESS REGARDING CONTINUED PARTICIPATION OF UNITED STATES FORCES IN OPERATIONS IN BOSNIA AND HERZEGOVINA.

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

(1) The contributions of the people of the United States and other nations have, in large measure, resulted in the suspension of fighting and alleviated the suffering of the people of Bosnia and Herzegovina since December 1995.

(2) the people of the United States have expended approximately $9,500,000,000 in tax dollars between 1992 and mid-1998 just in support of the United States military operations in Bosnia to achieve those results.

(3) Efforts to restore the economy and political structure in Bosnia and Herzegovina have achieved some success in accordance with the Dayton Agreement.

(4) In February 1998, the President certified to Congress that the continued presence of United States forces in Bosnia and Herzegovina after June 30, 1998, was necessary in order to meet national security interests of the United States.

(5) There is, however, no accurate estimate of the time needed to accomplish the civilian implementation tasks outlined in the Dayton Agreement.

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

(1) United States ground combat forces should not remain in Bosnia and Herzegovina indefinitely in view of the world-wide commitments of the Armed Forces of the United States;

(2) the President should work with NATO allies and the other nations whose military forces are participating in the NATO-led Stabilization Force to withdraw United States ground combat forces from Bosnia and Herzegovina within a reasonable period of time, consistent with the safety of those forces and the accomplishment of the Stabilization Force's military tasks;

(3) a NATO-led force without the participation of United States ground combat forces in Bosnia and Herzegovina might be suitable for a follow-on force for Bosnia and Herzegovina if the European Security and Defense Identity is not sufficiently developed or is otherwise considered inappropriate for such a mission;

(4) United States leaders potentially could decide to provide appropriate support to a Western European Union-led or NATO-led follow-on force for Bosnia and Herzegovina, including command and control, intelligence, logistics, and, if necessary, a ready reserve force in the region;

(5) the President should inform the European NATO allies of this expression of the sense of Congress and should strongly urge them to undertake preparations for establishing a Western European Union-led or a NATO-led force as a follow-on force to the NATO-led Stabilization Force if needed to maintain peace and stability in Bosnia and Herzegovina; and

(6) the President should consult closely with the congressional leadership and the congressional defense committees with respect to the progress being made toward achieving a sustainable peace in Bosnia and Herzegovina and the progress being made toward a reduction and ultimate withdrawal of United States ground combat forces from Bosnia and Herzegovina.

(c) DAYTON AGREEMENT DEFINED.—In this section, the term ''Dayton Agreement'' means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

THURMOND AMENDMENT NO. 2846

(Ordered to lie on the table.)

Mr. THURMOND submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 347, below line 23, add the following:

SEC. 2833. REPORT ON LEASING AND OTHER ALTERNATIVE USES OF NON-EXCESS MILITARY PROPERTY.

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

(1) The Secretary of Defense, with the support of the chiefs of staff of the Armed Forces, is calling for the closure of additional military installations in the United States as a means of eliminating excess capacity in such installations.

(2) The Secretary has stated that the closure of additional military installations in the United States is essential if the United States is to have the funds required to buy critically needed new weapons and equipment.

(3) The prospect of redevelopment of military installations closed under the Defense Base Closure and Realignment Act of 1990 has provoked significant private sector interest in military installations as potential locations for commercial development.

(4) Excess capacity in Department of Defense installations is a valuable asset, and the utilization of such capacity presents a potential economic benefit for the Department and the Nation.

(5) The experiences of the Department have demonstrated that the military departments and private businesses can carry out activities at the same military installation simultaneously.

(6) Section 2667 of title 10, United States Code, authorizes the Secretaries of the military departments to lease, upon terms that promote the national defense or are in the public interest, real property that is—

(A) under the control of such departments;

(B) not for the time needed for public use; and

(C) not excess to the requirements of the United States.

(b) REPORT.—Not later than February 1, 1999, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report setting forth the following:

(1) The number and purpose of the leases entered into under section 2667 of title 10, United States Code, during the five-year period ending on the date of enactment of this Act.

(2) The types and amounts of payments received under the leases specified in paragraph (1).

(3) The costs, if any, foregone as a result of the leases specified in paragraph (1).

(4) A discussion of the positive and negative aspects of leasing real property and surplus capacity at military installations to the private sector, including the potential impact on force protection.

(5) A description of the current efforts of the Department of Defense to identify for the private sector any surplus capacity at military installations that could be leased or otherwise used by the private sector.

(6) A proposal for any legislation that the Secretary considers appropriate to enhance the ability of the Department to utilize surplus capacity in military installations in order to improve military readiness, achieve cost savings with respect to such installations, or decrease the cost of operating such installations.

(7) An estimate of the amount of income that could accrue to the Department as a result of the enhanced authority proposed under paragraph (6) during the five-year period beginning on the effective date of such enhanced authority.

(8) A discussion of the extent to which any such income should be reserved for the use of the installations exercising such authority and of the extent to which installations are likely to enter into such leases if they cannot retain such income.

WARNER AMENDMENT NO. 2847

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. TRANSFER OF DEFENSE AUTOMATED PRINTING SERVICE FUNCTIONS.

(b) REPORT.—Not later than March 31, 1999, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report on the printing functions of the Defense Automated Printing Service. The report shall contain the following:

(1) The functions that the Secretary determines are inherently national security functions and, as such, need to be performed within the Department of Defense, together with a detailed justification for the determination for each such function.

(2) The functions that the Secretary determines are appropriate for transfer to the General Services Administration or the Government Printing Office.

(3) A plan to transfer to the General Services Administration or the Government Printing Office the printing functions of the Defense Automated Printing Service that are not identified under paragraph (1) as being inherently national security functions.

(4) Any recommended legislation and any administrative action that is necessary for transferring the functions in accordance with the plan.

(5) A discussion of the costs or savings associated with the transfers provided for in the plan.

(b) EXTENSION OF REQUIREMENT FOR COMPETITIVE PROCUREMENT OF SERVICES.—Section 351(a) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 266), as amended by section 351(a) of Public Law 104–201 (110 Stat. 2490) and section 387(a)(1) of Public Law 105–85 (111 Stat. 1713), is further amended by striking out ''1998'' and inserting in lieu thereof ''1999''.

THURMOND AMENDMENT NO. 2848

(Ordered to lie on the table.)

Mr. THURMOND submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. AUTHORITY FOR WAIVER OF MORATORIUM ON ARMED FORCES USE OF ANTIPERSONNEL LANDMINES.

Section 580 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104–107; 110 Stat. 751) is amended—

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

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

''(b) WAIVER AUTHORITY.—(1) The President may waive the moratorium set forth in subsection (a) if the President determines that the waiver is necessary in the national security interests of the United States.

''(2) The President shall notify the President pro tempore of the Senate and the Speaker of the House of Representatives of the exercise of the authority provided by paragraph (1).''.

SANTORUM AMENDMENT NO. 2849

(Ordered to lie on the table.)

Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 14, line 23, increase the amount by $17,000,000.

On page 42, line 23, reduce the amount by $17,000,000.

THURMOND AMENDMENTS NOS. 2850–2851

(Ordered to lie on the table.)

Mr. THURMOND submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2850

On page 64, line 7, strike out ''(d)'', and insert in lieu thereof the following:

(3) The waiver authority under paragraph (1) does not apply to the limitation in subsection (d) or the limitation in section 2208(*l*)(3) of title 10, United States Code (as added by subsection (e)).

(d) FISCAL YEAR 1999 LIMITATION ON ADVANCE BILLINGS.—(1) The total amount of the advance billings rendered or imposed for the working-capital funds of the Department of Defense and the Defense Business Operations Fund in fiscal year 1999—

(A) for the Department of the Navy, may not exceed $500,000,000; and

(B) for the Department of the Air Force, may not exceed $500,000,000.

(2) In paragraph (1), the term ''advance billing'' has the meaning given such term in section 2208(*l*) of title 10, United States Code.

(e) PERMANENT LIMITATION ON ADVANCE BILLINGS.—(1) Section 2208(*l*) of title 10, United States Code, is amended—

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

(B) by inserting after paragraph (2) the following new paragraph (3):

''(3) The total amount of the advance billings rendered or imposed for all working-capital funds of the Department of Defense in a fiscal year may not exceed $1,000,000,000.''.

(2) Section 2208(*l*)(3) of such title, as added by paragraph (1), applies to fiscal years after fiscal year 1999.

(f)

AMENDMENT NO. 2851

Beginning on page 400, line 10, strike out ''$100,000,000'' and all that follows through page 401, line 12, and insert in lieu thereof the following:

$103,000,000 by the end of fiscal year 1999 and $377,000,000 by the end of fiscal year 2003.

(b) LIMITATION ON DISPOSAL QUANTITY.—The total quantities of materials authorized for disposal by the President under subsection (a) may not exceed the amounts set forth in the following table:

Authorized Stockpile Disposals

Material for disposal	Quantity
Beryllium Metal, vacuum cast	227 short tons
Chromium Metal—EL	8,511 short tons
Columbium Carbide Powder	21,372 pounds contained
Columbium Ferro	249,395 pounds contained
Columbium Concentrates	1,733,454 pounds contained

Authorized Stockpile Disposals—Continued

Material for disposal	Quantity
Chromium Ferroalloy	92,000 short tons
Diamond, Stones	3,000,000 carats
Germanium Metal	28,198 kilograms
Indium	14,248 troy ounces
Palladium	1,227,831 troy ounces
Platinum	439,887 troy ounces
Tantalum Carbide Powder	22,681 pounds contained
Tantalum Metal Powder	50,000 pounds contained
Tantalum Minerals	1,751,364 pounds contained
Tantalum Oxide	122,730 pounds contained
Tungsten Ferro	2,024,143 pounds
Tungsten Carbide Powder	2,032,954 pounds
Tungsten Metal Powder	1,898,009 pounds
Tungsten Ores & Concentrates	76,358,230 pounds.

(c) MINIMIZATION OF DISRUPTION AND LOSS.—The President may not dispose of materials under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of the materials proposed for disposal; or

(2) avoidable loss to the United States.

(d) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the materials specified in such subsection.

(e) AUTHORIZATION OF SALE.—The authority provided by this section to dispose of materials contained in the National Defense Stockpile so as to result in receipts of $100,000,000 of the amount specified for fiscal year 1999 in subsection (a) by the end of that fiscal year shall be effective only to the extent provided in advance in appropriation Acts.

SEC. 3304. USE OF STOCKPILE FUNDS FOR CERTAIN ENVIRONMENTAL REMEDIATION, RESTORATION, WASTE MANAGEMENT, AND COMPLIANCE ACTIVITIES.

Section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(b)(2)) is amended—

(1) by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L), respectively; and

(2) by inserting after subparagraph (I) the following new subparagraph (J):

''(J) Performance of environmental remediation, restoration, waste management, or compliance activities at locations of the stockpile that are required under a Federal law or are undertaken by the Government under an administrative decision or negotiated agreement.''.

LOTT AMENDMENT NO. 2852

(Ordered to lie on the table.)

Mr. LOTT submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. APPOINTMENT OF DIRECTOR AND DEPUTY DIRECTOR OF THE NAVAL HOME.

(a) APPOINTMENT AND QUALIFICATIONS OF DIRECTOR AND DEPUTY DIRECTOR.—Subsection (a) of section 1517 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 417) is amended—

(1) in paragraph (2)—

(A) by striking out ''Each Director'' and inserting in lieu thereof ''The Director of the United States Soldiers' and Airmen's Home''; and

(B) by striking out subparagraph (B) and inserting in lieu thereof the following:

''(B) meet the requirements of paragraph (4).'';

(2) by redesignating paragraph (3) as paragraph (5); and

(3) by inserting after paragraph (2) the following new paragraphs (3) and (4):

''(3) The Director, and any Deputy Director, of the Naval Home shall be appointed by the Secretary of Defense from among persons recommended by the Secretaries of the military departments who—

''(A) in the case of the position of Director, are commissioned officers of the Armed Forces serving on active duty in a pay grade above 0–5;

''(B) in the case of the position of Deputy Director, are commissioned officers of the Armed Forces serving on active duty in a pay grade above 0–4; and

''(C) meet the requirements of paragraph (4).

''(4) Each Director shall have appropriate leadership and management skills, an appreciation and understanding of the culture and norms associated with military service, and significant military background.''.

(b) TERM OF DIRECTOR AND DEPUTY DIRECTOR.—Subsection (c) of such section is amended—

(1) by striking out ''(c) TERM OF DIRECTOR.—'' and all that follows through ''A Director'' in the second sentence and inserting in lieu thereof ''(c) TERMS OF DIRECTORS.—(1) The term of office of the Director of the United States Soldiers' and Airmen's Home shall be five years. The Director''; and

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

''(2) The Director and the Deputy Director of the Naval Home shall serve at the pleasure of the Secretary of Defense.''.

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

''(g) DEFINITIONS.—In this section:

''(1) The term 'United States Soldiers' and Airmen's Home' means the separate facility of the Retirement Home that is known as the United States Soldiers' and Airmen's Home.

''(2) The term 'Naval Home' means the separate facility of the Retirement Home that is known as the Naval Home.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1998.

D'AMATO AMENDMENT NO. 2853

(Ordered to lie on the table.)

Mr. D'AMATO submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 342, below line 22, add the following:

SEC. 2827. LAND CONVEYANCE, SKANEATELES, NEW YORK.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Town of Skaneateles, New York (in this section referred to as the ''Town''), all right, title, and interest of the United States in and to a parcel of real property, together with any improvements thereon, consisting of approximately 147.10 acres in Skaneateles, New York, and commonly known as the ''Federal Farm''. The purpose of the conveyance is to permit the Town to develop the parcel for public benefit, including for recreational purposes.

(b) REVERSION.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used by the Town in accordance with that subsection, all right, title, and interest in and to the real property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(c) 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 Town.

(d) 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 interest of the United States.

BOND AMENDMENT NO. 2854

(Ordered to lie on the table.)

Mr. BOND submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 323, in the third table following line 9, insert after the item relating to Camp Shelby, Mississippi, the following new item:

Missouri	National Guard Training Site, Jefferson City	Multi-Purpose Range	$2,236,000

GRAMS AMENDMENT NO. 2855

(Ordered to lie on the table.)

Mr. GRAMS submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 342, below line 22, add the following:

SEC. 2827. LAND CONVEYANCE, NAVAL AIR RESERVE CENTER, MINNEAPOLIS, MINNESOTA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without any consideration other than the consideration provided for under subsection (c), to the Minneapolis-St. Paul Metropolitan Airports Commission, Minnesota (in this section referred to as the ''Commission''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 32 acres located in Minneapolis, Minnesota, and comprising the Naval Air Reserve Center, Minneapolis, Minnesota. The purpose of the conveyance is to facilitate expansion of the Minneapolis-St. Paul International Airport.

(b) ALTERNATIVE LEASE AUTHORITY.—(1) The Secretary may, in lieu of the conveyance authorized by subsection (a), elect to lease the property referred to in that subsection to the Commission if the Secretary determines that a lease of the property would better serve the interests of the United States.

(2) Notwithstanding any other provision of law, the term of the lease under this subsection may not exceed 99 years.

(3) The Secretary may not require any consideration as part of the lease under this subsection other than the consideration provided for under subsection (c).

(c) CONSIDERATION.—As consideration for the conveyance under subsection (a), or the lease under subsection (b), the Commission shall—

(1) provide for such facilities as the Secretary considers appropriate for the Naval Reserve to replace the facilities conveyed or leased under this section—

(A) by—

(i) conveying to the United States, without any consideration other than the consideration provided for under subsection (a), all right, title, and interest in and to a parcel of real property determined by the Secretary to be an appropriate location for such facilities, if the Secretary elects to make the conveyance authorized by subsection (a); or

(ii) leasing to the United States, for a term of 99 years and without any consideration other than the consideration provided for under subsection (b), a parcel of real property determined by the Secretary to be an appropriate location for such facilities, if the Secretary elects to make the lease authorized by subsection (b); and

(B) assuming the costs of designing and constructing such facilities on the parcel conveyed or leased under subparagraph (A); and

(2) assume any reasonable costs incurred by the Secretary in relocating the operations of the Naval Air Reserve Center to the facilities constructed under paragraph (1)(B).

(d) REQUIREMENT RELATING TO CONVEYANCE.—The Secretary may not make the conveyance authorized by subsection (a), or enter into the lease authorized by subsection (b), until the facilities to be constructed under subsection (c) are available for the relocation of the operations of the Naval Air Reserve Center.

(e) AGREEMENT RELATING TO CONVEYANCE.—If the Secretary determines to proceed with the conveyance authorized by subsection (a), or the lease authorized by subsection (b), the Secretary and the Commission shall enter into an agreement specifying the terms and conditions under which the conveyance or lease will occur.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a), or leased under subsection (b), and to be conveyed or leased under subsection (c)(1)(A), shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the Commission.

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

THOMAS (AND ENZI) AMENDMENT NO. 2856

(Ordered to lie on the table.)

Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. PROHIBITION ON RETURN OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

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

(b) DEFINITIONS.—In this section:

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

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

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

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

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

JEFFORDS (AND LEAHY) AMENDMENT NO. 2857

(Ordered to lie on the table.)

Mr. JEFFORDS (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

Strike out section 413, and insert in lieu thereof the following:

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

(a) MINIMUM STRENGTHS.—The number of military technicians (dual status) of each of the reserve components of the Army and the Air Force as of September 30, 1999, shall be at least the following:

(1) For the Army Reserve, 5,395.

(2) For the Army National Guard of the United States, 23,125.

(3) For the Air Force Reserve, 9,761.

(4) For the Air National Guard of the United States, 22,408.

(b) NON-DUAL STATUS MILITARY TECHNICIANS NOT INCLUDED.—In this section, the term ''military technician (dual status)'' has the meaning given the term in section 10216(a) of title 10, United State Code, and does not include a non-dual status technician (within the meaning of section 10217 of such title).

At the end of subtitle C of title X, add the following:

SEC. 1031. REVIEW AND REPORT REGARDING THE DISTRIBUTION OF NATIONAL GUARD RESOURCES AMONG STATES.

(a) REQUIREMENT FOR REVIEW.—The Chief of the National Guard Bureau shall review the process used for planning for an appropriate distribution of resources among the States for the National Guard of the States.

(b) PURPOSE OF REVIEW.—The purpose of the review is to determine whether the process provides for adequately funding the National Guard of the States that have within the National Guard no unit or few units categorized in readiness tiers I, II, and III.

(c) MATTERS REVIEWED.—The matters reviewed shall include the following:

(1) The factors considered for the process of determining the distribution of resources, including the weights assigned to the factors.

(2) The extent to which the process results in planning for the units of the States described in subsection (b) to be funded at the levels necessary to optimize the preparedness of the units to meet the mission requirements applicable to the units.

(3) The effects that funding at levels determined under the process will have on the National Guard of those States in the future, including the effects on unit readiness, recruitment, and continued use of existing National Guard armories and other facilities.

(d) REPORT.—Not later than March 15, 1999, the Chief of the National Guard Bureau shall submit a report on the results of the review to the congressional defense committees.

BINGAMAN (AND OTHERS) AMENDMENT NO. 2858

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. SANTORUM, Mr. LIEBERMAN, Mr. LOTT, and Mr. FRIST) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

''SEC. 1064. DEFENSE SCIENCE AND TECHNOLOGY PROGRAM

''(a) FUNDING REQUIREMENTS FOR THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM BUDGET.—For each of the fiscal years 2000 through 2008, it shall be an objective of the Secretary of Defense to increase the budget for the Defense Science and Technology Program for the fiscal year over the budget for that program for the preceding fiscal year by a percent that is at least two percent above the rate of inflation as determined by the Office of Management and Budget.

''(b) GUIDELINES FOR THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM

''(1) RELATIONSHIP OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAM TO UNIVERSITY RESEARCH—The following shall be key objectives of the Defense Science and Technology Program—

''(A) the sustainment of research capabilities in scientific and engineering disciplines critical to the Department of Defense;

''(B) the education and training of the next generation of scientists and engineers in disciplines that are relevant to future Defense systems, particularly through the conduct of basic research; and

''(C) the continued support of the Defense Experimental Program to Stimulate Competitive Research and research programs at historically black colleges and universities and minority institutions.

''(2) RELATIONSHIP OF THE DEFENSE SCIENCE AND TECHNOLOGY PROGRAM TO COMMERCIAL RESEARCH AND TECHNOLOGY.

''(A) In supporting projects within the Defense Science and Technology Program, the Secretary of Defense shall attempt to leverage commercial research, technology, products, and processes for the benefit of the Department of Defense.

''(B) Funds made available for projects and programs of the Defense Science and Technology Program may be used only for the benefit of the Department of Defense, which includes—

''(i) the development of technology that has only military applications;

''(ii) the development of militarily useful, commercially viable technology; or

''(iii) the adaption of commercial technology, products, or processes for military purposes.

''(3) SYNERGISTIC MANAGEMENT OF RESEARCH AND DEVELOPMENT.—The Secretary of Defense may allocate a combination of funds available for the Department of Defense for basic and applied research and for advanced development to support any individual project or program within the Defense Science and Technology Program. This flexibility is not intended to change the allocation of funds in any fiscal year among basic and applied research and advanced development.

''(c) DEFINITIONS.—In this section:

''(1) The term ''Defense Science and Technology Program'' means basic and applied research and advanced development.

''(2) The term ''basic and applied research'' means work funded in program elements for defense research and development under the Department of Defense category 6.1 or 6.2.

''(3) The term ''advanced development'' means work funded in program elements for defense research and development under Department of Defense category 6.3.''.

On page 398, between lines 9 and 10, insert the following:

''SEC. 3144. FUNDING REQUIREMENTS FOR THE NONPROLIFERATION SCIENCE AND TECHNOLOGY ACTIVITIES OF THE DEPARTMENT OF ENERGY

''(a) FUNDING REQUIREMENTS FOR THE NONPROLIFERATION SCIENCE AND TECHNOLOGY ACTIVITIES BUDGET.—For each of the fiscal years 2000 through 2008, it shall be an objective of the Secretary of Energy to increase the budget for the nonproliferation science and technology activities for the fiscal year over the budget for those activities for the preceding fiscal year by a percent that is at least two percent above the rate of inflation as determined by the Office of Management and Budget.

''(b) NONPROLIFERATION SCIENCE AND TECHNOLOGY ACTIVITIES DEFINED.—In this section, the term ''nonproliferation science and technology activities'' means activities (including program direction activities) relating to preventing and countering the proliferation of weapons of mass destruction that are funded by the Department of Energy under the following programs and projects:

''(1) The Verification and Control Technology program within the Office of Nonproliferation and National Security;

''(2) Projects under the ''Technology and Systems Development'' element of the Nuclear Safeguards and Security program within the Office of Nonproliferation and National Security.

''(3) Projects relating to a national capability to assess the credibility of radiological and extortion threats, or to combat nuclear materials trafficking or terrorism, under the Emergency Management program within the Office of Nonproliferation and National Security.

''(4) Projects relating to the development or integration of new technology to respond to emergencies and threats involving the presence, or possible presence, of weapons of mass destruction, radiological emergencies, and related terrorist threats, under the Office of Defense Programs.''.

BYRD AMENDMENTS NOS. 2859–2860

(Ordered to lie on the table.)

Mr. BYRD submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2859

At the end of title VII, add the following:

SEC. 708. WAIVER OF INFORMED CONSENT REQUIREMENT FOR ADMINISTRATION OF CERTAIN DRUGS TO MEMBERS OF ARMED FORCES.

(a) REQUIREMENT FOR CONCURRENCE OF PRESIDENT IN WAIVER DETERMINATION.—Section 1107 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) WAIVER OF CONSENT REQUIREMENT.—The Secretary of Defense may waive the requirement for prior consent imposed under the regulations required under section 505(i)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)(4)) if the Secretary determines that obtaining consent is not feasible or is contrary to the best interests of the members involved and the President provides to the Secretary a written statement that the President concurs in the determination.''.

(b) TIME AND FORM OF NOTICE.—(1) Subsection (b) of such section is amended by striking out '', if practicable'' and all that follows through ''first administered to the member''.

(2) Subsection (c) of such section is amended by striking out ''unless the Secretary of Defense determines'' and all that follows through ''alternative method''.

(c) CLARIFICATION OF AUTHORITY.—Subsection (a)(1) of such section is amended by inserting after ''Whenever'' the following: '', under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)),''.

AMENDMENT NO. 2860

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

SEC. 349. PROHIBITIONS REGARDING EVALUATION OF MERIT OF SELLING MALT BEVERAGES AND WINE IN COMMISSARY STORES AS EXCHANGE SYSTEM MERCHANDISE.

Neither the Secretary of Defense nor any other official of the Department of Defense may—

(1) by contract or otherwise, conduct a survey of eligible patrons of the commissary store system to determine patron interest in having commissary stores sell malt beverages and wine as exchange store merchandise; or

(2) conduct a demonstration project to evaluate the merit of selling malt beverages and wine in commissary stores as exchange store merchandise.

GRAHAM AMENDMENT NO. 2861

(Ordered to lie on the table.)

Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 213, between lines 21 and 22, insert the following:

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

(1) Because of the way computers store and process dates, most computers will not function properly, or at all, after January 1, 2000, a problem that is commonly referred to as the year 2000 problem.

(2) The United States Government is currently conducting a massive program to identify and correct computer systems that suffer from the year 2000 problem.

(3) The cost to the Department of Defense of correcting this problem in its computer systems has been estimated to be more than $1,000,000,000.

(4) Other nations have failed to initiate aggressive action to identify and correct the year 2000 problem within their own computers.

(5) Unless other nations initiate aggressive actions to ensure the reliability and stability of certain communications and strategic systems, United States nationally security may be jeopardized.

On page 213, line 22, strike out ''(a)'' and insert in lieu thereof ''(b)''.

On page 214, line 7, strike out ''(b)'' and insert in lieu thereof ''(c)''.

On page 215, between lines 20 and 21, insert the following:

(9) The countries that have critical computer-based systems any disruption of which, due to not being year 2000 compliant, would cause a significant potential national security risk to the United States.

(10) A discussion of the cooperative agreements between the United States and other nations to assist those nations in identifying and correcting (to the extent necessary to meet national security interests of the United States) any problems in their communications and strategic systems, or other systems identified by the Secretary of Defense, that make the systems not year 2000 compliant.

(11) A discussion of the threat posed to the national security interests of the United States from any potential failure of strategic systems of foreign countries that are not year 2000 compliant.

On page 215, line 21, strike out ''(c)'' and insert in lieu thereof ''(d)''.

On page 215, between lines 23 and 24, insert the following:

(e) INTERNATIONAL COOPERATIVE AGREEMENTS.—(1) The Secretary of Defense may enter into a cooperative agreement with a

representative of any foreign government to provide for the United States to assist the foreign government in identifying and correcting (to the extent necessary to meet national security interests of the United States) any problems in communications, strategic, or other systems of that foreign government that make the systems not year 2000 compliant; and

(2) Funds authorized to be appropriated under section 301(24) shall be available for carrying out any such agreement for fiscal year 1999.

On page 215, line 24, strike out ''(d)'' and insert in lieu thereof ''(f)''.

DODD AMENDMENTS NOS. 2862–2863

(Ordered to lie on the table.)

Mr. DODD submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2862

On page 157, between lines 13 and 14, insert the following:

SEC. 708. PUBLIC HEALTH GOALS REGARDING LYME DISEASE; FIVE-YEAR PLAN.

(a) IN GENERAL.—

(1) GOALS.—After consultation with the Secretary of Health and Human Services, the Secretary of Defense (in this section referred to as the ''Secretary'') shall—

(A) establish the goals described in paragraphs (3) through (5);

(B) through the medical and health care components of the Department of Defense, carry out activities toward achieving the goals, which may include activities carried out directly by the Secretary and activities carried out through awards of grants or contracts to public or nonprofit private entities; and

(C) in carrying out subparagraph (B), give priority—

(i) first, to achieving the goal under paragraph (3);

(ii) second, to achieving the goal under paragraph (4); and

(iii) third, to achieving the goal under paragraph (5).

(2) FIVE-YEAR PLAN.—In carrying out paragraph (1), the Secretary shall establish a plan that, for the five fiscal years following the date of enactment of this Act, provides for the activities that are to be carried out during such fiscal years toward achieving the goals under paragraphs (3) through (5). The plan shall, as appropriate to such goals, provide for the coordination of programs and activities regarding Lyme disease and related tick-borne infections that are conducted or supported by the Federal Government.

(3) FIRST GOAL: DIRECT DETECTION TEST.—For purposes of paragraph (1), the goal described in this paragraph is the development of—

(A) a test for accurately determining whether an individual who has been bitten by a tick has Lyme disease; and

(B) a test for accurately determining whether a patient with such disease has been cured of the disease, thereby eliminating the bacterial infection.

(4) SECOND GOAL: INDICATOR REGARDING ACCURATE DIAGNOSIS.—For purposes of paragraph (1), the goal described in this paragraph is to determine the average number of visits to physicians that, under medical and health care programs of the Department of Defense, are made by patients with Lyme disease or related tick-borne infections before a diagnosis of the infection involved is made. In carrying out activities toward such goal, the Secretary shall conduct a study of patients and physicians in two or more geographic areas in which there is a significant incidence or prevalence of cases of Lyme disease and related tick-borne infections.

(5) THIRD GOAL: PHYSICIAN KNOWLEDGE.—For purposes of paragraph (1), the goals described in this paragraph are, with respect to physicians in medical and health care programs of the Department of Defense, to make a significant increase in the number of such physicians who have an appropriate level of knowledge regarding Lyme disease and related tick-borne infections, and to develop and apply an objective method of determining the number of such physicians who have such knowledge.

(b) LYME DISEASE TASK FORCE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, there shall be established in accordance with this subsection an advisory committee to be known as the Lyme Disease Task force (in this section referred to as the ''Task Force'').

(2) DUTIES.—The Task Force shall provide advice to the Secretary with respect to achieving the goals under subsection (a), including advice on the plan under paragraph (2) of such subsection.

(3) COMPOSITION.—The Task Force shall be composed of 11 members with appropriate knowledge or experience regarding Lyme disease and related tick-borne infections. Of such members—

(A) two shall be appointed by the Secretary of Defense;

(B) three shall be appointed by the Secretary of Health and Human Services, after consultation with the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health;

(C) three shall be appointed by the Speaker of the House of Representatives, after consultation with the Minority Leader of the House; and

(D) three shall be appointed by the President Pro Tempore of the Senate, after consultation with the Minority Leader of the Senate.

(4) CHAIR.—The Task Force shall, from among the members of the Task Force, designate an individual to serve as the chair of the Task Force.

(5) MEETINGS.—The Task Force shall meet at the call of the Chair or a majority of the members.

(6) TERM OF SERVICE.—The term of service of a member of the Task Force is the duration of the Task Force.

(7) VACANCIES.—Any vacancy in the membership of the Task Force shall be filled in the manner in which the original appointment was made and does not affect the power of the remaining members to carry out the duties of the Task Force.

(8) COMPENSATION; REIMBURSEMENT OF EXPENSES.—Members of the Task Force may not receive compensation for service on the Task Force. Such members may, in accordance with chapter 57 of title 5, United States Code, be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Task Force.

(9) STAFF; ADMINISTRATIVE SUPPORT.—The Secretary shall, on a reimbursable basis, provide to the Task Force such staff, administrative support, and other assistance as may be necessary for the Task Force to carry out the duties under paragraph (2) effectively.

(10) TERMINATION.—The Task Force shall terminate 90 days after the end of the fifth fiscal year that begins after the date of enactment of this Act.

(c) ANNUAL REPORTS.—The Secretary shall submit to Congress periodic reports on the activities carried out under this section and the extent of progress being made toward the goals established under subsection (a). The first such report shall be submitted not later than 18 months after the date of enactment of this Act, and subsequent reports shall be submitted annually thereafter until the goals are met.

(d) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated by this Act for Defense Health Programs, $3,000,000 shall be available for carrying out this section.

AMENDMENT NO. 2863

At the end of subtitle D of title X, add the following:

SEC. 1064. COMPUTER SECURITY AND INFORMATION MANAGEMENT COORDINATOR.

(a) IN GENERAL.—Section 5131 of the Information Technology Management Reform Act of 1996 (40 U.S.C. 1441) is amended by adding at the end the following:

''(f) COMPUTER SECURITY AND INFORMATION MANAGEMENT COORDINATOR.—

''(1) IN GENERAL.—In carrying out the functions under section 3504(g) of title 44, United States Code, the Director, acting through the Administrator of the Office of Information and Regulatory Affairs and the Computer Security and Information Management Coordinator appointed under paragraph (3), shall serve as the primary coordinator for computer security policies and practices of agencies listed in section 901(b) of title 31, United States Code (referred to in this subsection as 'covered agencies').

''(2) DUTIES.—In carrying out paragraph (1), the Director, acting through the Administrator of the Office of Information and Regulatory Affairs and the Computer Security and Information Management Coordinator appointed under paragraph (3), shall—

''(A) ensure that the each Chief Information Officer appointed under section 3506 of title 44, United States Code, for a covered agency, has—

''(i) primary responsibility for ensuring that the agency is carrying out an effective computer security policy that meets the requirements of this section; and

''(ii) authority to assist the agency head in the enforcement of such an effective computer security policy;

''(B) coordinate the computer security activities of all covered agencies;

''(C) as necessary, cooperate with appropriate Federal officials to ensure that the Federal Government is capable of protecting the security of Federal computer systems, including detecting intrusions, and prosecuting persons who gain unauthorized access to computer systems of covered agencies;

''(D) ensure the coordination of budget requests for computer security programs of covered agencies;

''(E) with the assistance of the Secretary of Commerce, advise chief information officers or the heads of covered agencies concerning improvements that may be made to computer security;

''(F) with the cooperation of the Attorney General, assist the heads of covered agencies in initiating enforcement actions to address violations of computer security; and

''(G) serve as a liaison with representatives of private industry with respect to the coordination of computer security matters between the Federal Government and private industry.

''(3) INFORMATION MANAGEMENT AND COMPUTER SECURITY COORDINATOR.—Not later than 60 days after the date of enactment of this subsection, the Director shall appoint a Computer Security and Information Management Coordinator.

''(4) REPORTS.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Director, in cooperation with the Chief Information Officers Council established under Executive Order No. 13011, shall prepare, and submit to Congress, a report that contains—

''(A) a summary of the activities of the Office of Management and Budget in carrying out paragraph (2); and

''(B) for each covered agency, an evaluation of the effectiveness of computer security of that agency.''.

(b) CONFORMING AMENDMENT.—Section 5141(b)(1) of the Information Technology Management Reform Act of 1996 (40 U.S.C. 1451(b)(1)) is amended by inserting ''5131(f),'' after ''5125,''.

HOLLINGS AMENDMENTS NOS. 2864–2866

(Ordered to lie on the table.)

Mr. HOLLINGS submitted three amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2864

On page 397, between lines 6 and 7, insert the following:

SEC. 3137. PROHIBITION ON USE OF FUNDS FOR COMMERCIAL LIGHT WATER REACTORS FOR PRODUCTION OF TRITIUM.

(a) PROHIBITION.—Notwithstanding any other provision of law, no funds appropriated or otherwise made available for the Department of Energy for any fiscal year after fiscal year 1998 may be obligated or expended for the design, construction, or acquisition of facilities or services related to the use of a commercial light water reactor for the production of tritium.

(b) EXCEPTION.—Subsection (a) shall not apply to the use of funds for the completion of the current demonstration project at the Watts Bar Nuclear Plant.

AMENDMENT NO. 2865

On page 398, between lines 9 and 10, insert the following:

SEC. 3144. PROHIBITION ON USE OF TRITIUM PRODUCED IN FACILITIES LICENSED UNDER THE ATOMIC ENERGY ACT FOR NUCLEAR EXPLOSIVE PURPOSES.

Section 57(e) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(e)) is amended by inserting ''or tritium'' after ''section 11,''.

AMENDMENT NO. 2866

On page 397, between lines 6 and 7, insert the following:

SEC. 3137. PROHIBITION ON USE OF FUNDS FOR USE OF TRITIUM PRODUCED IN FACILITIES LICENSED UNDER ATOMIC ENERGY ACT FOR NUCLEAR EXPLOSIVE PURPOSES.

Notwithstanding any other provision of law, no funds authorized to be appropriated by this Act, or otherwise available under any other Act, may be used by any instrumentality of the United States or any other person to transfer, reprocess, use, or otherwise make available any tritium produced in a facility licensed under section 103 or 104 of the Atomic Energy Act of 1954 (42 U.S.C. 2133, 2134) for nuclear explosives purposes.

BIDEN AMENDMENTS NOS. 2867–2869

(Ordered to lie on the table.)

Mr. BIDEN submittted three amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2867

On page 397, between lines 6 and 7, insert the following:

SEC. 3137. NONPROLIFERATION ACTIVITIES.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 3103(1)(B) is hereby increased by $45,000,000.

(b) OFFSET.—The amount authorized to be appropriated by section 103(2) is hereby decreased by $45,000,000.

(c) INITIATIVES FOR PROLIFERATION PREVENTION PROGRAM.—Of the amount authorized to be appropriated by section 3103(1)(B), as increased by subsection (a), $30,000,000 shall be available for the Initiatives for Proliferation Prevention program.

(d) NUCLEAR CITIES INITIATIVE.—Of the amount authorized to be appropriated by section 3103(1)(B), as increased by subsection (a), $30,000,000 shall be available for the purpose of implementing the initiative arising pursuant to the March 1998 discussions between the Vice President of the United States and the Prime Minister of the Russian Federation and between the Secretary of Energy of the United States and the Minister of Atomic Energy of the Russian Federation (the so-called ''nuclear cities'' initiative).

AMENDMENT NO. 2868

At the end of subtitle B of title III, add the following:

SEC. 314. COOPERATIVE THREAT REDUCTION PROGRAMS TO PROVIDE RESEARCH OPPORTUNITIES FOR FORMER SOVIET EXPERTS.

(a) TREATMENT OF ASSISTANCE.—Assistance described in subsection (b) shall not be considered assistance to promote defense conversion for the purposes of section 1403(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1960) and any other provision of law that limits authority to provide assistance to Russia or any other former state of the Soviet Union to promote defense conversion.

(b) ASSISTANCE COVERED.—Subsection (a) applies to assistance that is provided under any of the Cooperative Threat Reduction programs in order to enable former Soviet personnel with expertise on weapons of mass destruction to pursue full-time research activities that do not involve—

(1) nuclear weapons or components of nuclear weapons;

(2) chemical weapons or precursors of chemical weapons; or

(3) biological weapons or dangerous pathogens that have been used in biological weapons programs.

AMENDMENT NO. 2869

On page 76, between lines 7 and 8, insert the following:

SEC. 349. SAFEGUARDING OF CHEMICAL AND BIOLOGICAL WEAPONS MATERIALS OF THE FORMER SOVIET UNION.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 301(24) is hereby increased by $10,000,000.

(b) OFFSET.—The amount authorized to be appropriated by section 103(2) is hereby reduced by $10,000,000.

(c) SAFEGUARDING OF CHEMICAL AND BIOLOGICAL WEAPONS MATERIALS OF FORMER SOVIET UNION.—Of the amount authorized to be appropriated by section 301(24), as increased by subsection (a), $10,000,000 shall be available for the purpose of programs to safeguard chemical and biological weapons materials in the former Soviet Union that would otherwise be at risk of diversion to other countries or to terrorist or criminal groups.

BIDEN (AND LEVIN) AMENDMENT NO. 2870

(Ordered to lie on the table.)

Mr. BIDEN (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra, as follows:

At the end of subtitle C of title X, add the following:

SEC. 1031. REPORT ON THE PEACEFUL EMPLOYMENT OF FORMER SOVIET EXPERTS ON WEAPONS OF MASS DESTRUCTION.

(a) REPORT REQUIRED.—Not later than January 31, 1999, the Secretary of Defense shall submit to the congressional defense committees a report on the need for and the feasibility of programs, other than those involving the development or promotion of commercially viable proposals, to further United States nonproliferation objectives regarding former Soviet experts in ballistic missiles or weapons of mass destruction. The report shall contain an analysis of the following:

(1) The number of such former Soviet experts who are, or are likely to become within the coming decade, unemployed, underemployed, or unpaid and, therefore, at risk of accepting export orders, contracts, or job offers from countries developing weapons of mass destruction.

(2) The extent to which the development of nonthreatening, commercially viable products and services, with or without United States assistance, can reasonably be expected to employ such former experts.

(3) The extent to which noncommercial research and development or environmental remediation projects could usefully employ additional such former experts.

(4) The likely cost and benefits of a 10-year program of United States or international assistance to such noncommercial projects.

(b) CONSULTATION REQUIREMENT.—The report shall be prepared in consultation with the Secretary of State, the Secretary of Energy, and such other officials as the Secretary of Defense considers appropriate.

ASHCROFT AMENDMENT NO. 2871

(Ordered to lie on the table.)

Mr. ASHCROFT submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

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

SEC. ___. NUCLEAR COOPERATION AMENDMENT.

(a)(1) No goods or services may be transferred to China under the 1985 United States-China nuclear cooperation agreement, unless the President certifies to the Majority Leader of the Senate, the Speaker of the House of Representatives, and the appropriate congressional committees that China is not assisting, attempting to assist, or encouraging any other country in the development of a nuclear explosive device and has not engaged in such activity for a period of two years prior to the date of the certification.

(2) Each certification under paragraph (1) shall be effective only through April 30 of the following year.

(b)(1) For each year after the year of initial certification under subsection (a), no goods or services may be transferred to China under the 1985 United States-China nuclear cooperation agreement on or after May 1 of that year unless before that date the President has certified to the Majority Leader of the Senate, the Speaker of the House of Representatives, and the appropriate congressional committees that—

(A) China is not and has not engaged in any effort, since the President's last certification, to assist, attempt to assist, or encourage any other country in the development of a nuclear explosive device (as defined in section 830 of the Nuclear Proliferation Prevention Act of 1994); and

(B) China has not diverted nuclear equipment or technology of United States origin for use in its nuclear weapons program and that China is fully cooperating with United

States efforts to verify China's peaceful use of nuclear equipment and technology of United States origin.

(2) The President's certification under paragraph (1)(B) shall include a report in classified form with an unclassified summary documenting the procedures and processes of United States verification of China's peaceful use of nuclear equipment and technology of United States origin and the degree of China's cooperation with such verification efforts, particularly China's allowance or refusal of post-shipment verification inspections.

(3) A certification under this subsection shall be effective only through April 30 of the year following the year in which the certification is made.

(c) As used in this section, the term ''appropriate congressional committees'' means the Foreign Relations Committee, the Select Committee on Intelligence, the Armed Services Committee of the Senate, the International Relations Committee, the National Security Committee, and the Intelligence Committee of the House of Representatives.

SNOWE AMENDMENT NO. 2872

(Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, S. 2057, supra; as follows:

At the appropriate place, insert:

SEC. . FEDERAL TASK FORCE ON REGIONAL THREATS TO INTERNATIONAL SECURITY.

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

(1) On May 11, 1998 and May 13, 1998, the Government of India broke a 24-year voluntary moratorium by conducting five underground nuclear tests.

(2) The Secretary of Defense predicted thereafter that these tests by the Government of India could induce other nations to obtain nuclear weapons technologies.

(3) On May 28, 1998, the Government of Pakistan announced that for the first time, it had conducted five underground nuclear tests and acknowledged ongoing efforts to place nuclear warheads on missiles capable of striking any target in India.

(4) The Director of Central Intelligence has accepted the June 2, 1998 findings of an independent investigation revealing that the Central Intelligence Agency lacked adequate analytical capabilities to detect the explosions in India despite satellite-generated evidence to the contrary and repeated declarations by Indian government representatives of an intent to improve the country's nuclear arsenal.

(5) 1997 assessments by the United States Air Force and the Central Intelligence Agency conflicted on the issue of whether the May 10, 1996 transmission to the Government of China of a private industry report exploring the potential causes of an earlier rocket crash contained information that may advance Chinese nuclear launch capabilities.

(6) The president did not receive or review the Air Force assessment prior to his February 18, 1998 approval of a license for the export of a commercial satellite to China.

(7) A March 11, 1998 report by the National Air Intelligence Center concluded that Chinese strategic missiles with nuclear warheads pose a threat to the United States.

(b) CREATION OF THE FEDERAL TASK FORCE ON REGIONAL THREATS TO INTERNATIONAL SECURITY.

The president shall create from among all appropriate federal agencies, including the Departments of State, Defense, and Commerce, as well as military and foreign intelligence organizations, a standing Task Force on Regional Threats to International Security. The Task Force, with the approval of the president, shall develop and execute plans, in cooperation with foreign allied governments when appropriate, for;

(1) the active mediation of the United States to foster negotiations between or among foreign governments engaged in civil, ethnic, or geographic conflicts that increase the risk of the acquisition, testing, or the deployment of Weapons of Mass Destruction.

(2) trade, economic reform, and investment programs to promote the market-based development of nations to reduce incentives for the pursuit or use of such weapons.

(3) a revised and integrated intelligence network that gathers, analyzes, and transmit all vital data to the president in advance of policy decisions related to such weapons.

(c) REPORTING REQUIREMENTS.—The Task Force shall issue bi-annual reports to Congress on the progress made in executing its responsibilities pursuant to Subsections (1), (2), and (3) of Section (b).

(d) EFFECTIVE DATE OF THE TASK FORCE.—The president must establish the Task Force no later than 60 days after the effective date of this act.

(e) RENEWAL OF TASK FORCE AUTHORITY.—Unless extended by an act of Congress or an executive order of the president, the statutory authority of the Task Force shall expire on October 1, 2000.

DOMENICI (AND BINGAMAN) AMENDMENT NO. 2873

(Ordered to lie on the table.)

Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 397, between lines 6 and 7, insert the following:

SEC. 3137. ACTIVITIES OF THE CONTRACTOR-OPERATED FACILITIES OF THE DEPARTMENT OF ENERGY.

(a) RESEARCH AND ACTIVITIES ON BEHALF OF NON-DEPARTMENT PERSONS AND ENTITIES.—(1) The Secretary of Energy may conduct research and other activities referred to in paragraph (2) through contractor-operated facilities of the Department of Energy on behalf of other departments and agencies of the Government, agencies of State and local governments, and private persons and entities.

(2) The research and other activities that may be conducted under paragraph (1) are those which the Secretary is authorized to conduct by law, and include, but are not limited to, research and activities authorized under the following:

(A) Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053).

(B) Section 107 of the Energy Reorganization Act of 1974 (42 U.S.C. 5817).

(C) The Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5901 et seq.).

(b) CHARGES.—(1) The Secretary shall impose on the department, agency, or person or entity for whom research and other activities are carried out under subsection (a) a charge for such research and activities equal to not more than the full cost incurred by the contractor concerned in carrying out such research and activities, which cost shall include—

(A) the direct cost incurred by the contractor in carrying out such research and activities; and

(B) the overhead cost associated with such research and activities.

(2)(A) Subject to subparagraph (B), the Secretary shall also impose on the department, agency, or person or entity concerned a Federal administrative charge (which includes any depreciation and imputed interest charges) in an amount not to exceed 3 percent of the full cost incurred by the contractor concerned in carrying out the research and activities concerned.

(B) The Secretary shall waive the imposition of the Federal administrative charge required by subparagraph (A) in the case of research and other activities conducted on behalf of small business concerns, institutions of higher education, non-profit entities, and State and local governments.

(3) Not later than 2 years after the date of enactment of this Act, the Secretary shall terminate any waiver of charges under section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) that were made before such date, unless the Secretary determines that such waiver should be continued.

(c) PILOT PROGRAM OF REDUCED FACILITY OVERHEAD CHARGES.—(1) The Secretary may, with the cooperation of participating contractors of the contractor-operated facilities of the Department, carry out a pilot program under which the Secretary and such contractors reduce the facility overhead charges imposed under this section for research and other activities conducted under this section.

(2) The Secretary shall carry out the pilot program at contractor-operated facilities selected by the Secretary in consultation with the contractors concerned.

(3) The Secretary and the contractor concerned shall determine the facility overhead charges to be imposed under the pilot program based on their joint review of all items included in the overhead costs of the facility concerned in order to determine which items are appropriately incurred as facility overhead charges by the contractor in carrying out research and other activities at such facility under this section.

(4) The Secretary shall commence carrying out the pilot program not later than October 1, 1999, and shall terminate the pilot program on September 30, 2003.

(5) Not later than January 31, 2003, the Secretary shall submit to the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and other appropriate committees of the House of Representatives an interim report on the results of the pilot program under this subsection. The report shall include any recommendations for the extension or expansion of the pilot program, including the establishment of multiple rates of overhead charges for various categories of persons and entities seeking research and other activities in contractor-operated facilities of the Department.

(d) PARTNERSHIPS AND INTERACTIONS.—(1) The Secretary of Energy shall encourage partnerships and interactions between each contractor-operated facility of the Department of Energy and universities and private businesses.

(2) The Secretary may take into account the progress of each contractor-operated facility of the Department in developing and expanding partnerships and interactions under paragraph (1) in evaluating the annual performance of such contractor-operated facility.

(e) SMALL BUSINESS TECHNOLOGY PARTNERSHIP PROGRAM.—(1) The Secretary may require that each contractor operating a facility of the Department establish a program at such facility under which the contractor shall enter into partnerships with small businesses at such facility relating to technology.

(2) The amount of funds expended by a contractor under a program under paragraph (1) at a particular facility may not exceed an amount equal to 0.25 percent of the total operating budget of the facility.

(3) Amounts expended by a contractor under a program—

(A) shall be used to cover the costs (including research and development costs and technical assistance costs) incurred by the contractor in connection with activities under the program; and

(B) may not be used for direct grants to small businesses.

(4) The Secretary shall submit to the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and the appropriate committee of the House of Representatives, together with the budget of the President for each fiscal year that is submitted to Congress under section 1105 of title 31, United States Code, an assessment of the program under this subsection during the preceding year, including the effectiveness of the program in providing opportunities for small businesses to interact with and use the resources of the contractor-operated facilities of the Department.

WYDEN AMENDMENT NO. 2874

(Ordered to lie on the table.)

Mr. WYDEN submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 398, between lines 9 and 10, insert the following:

SEC. 3144. REVIEW OF CALCULATION OF OVERHEAD COSTS OF CLEANUP AT DEPARTMENT OF ENERGY SITES.

(a) REVIEW.—(1) The Comptroller General shall—

(A) carry out a review of the methods currently used by the Department of Energy for calculating overhead costs (including direct overhead costs and indirect overhead costs) associated with the cleanup of Department sites; and

(B) pursuant to the review, identify how such costs are allocated among different program and budget accounts of the Department.

(2) The review shall include the following:

(A) All activities whose costs are spread across other accounts of a Department site or of any contractor performing work at a site.

(B) Support service overhead costs, including activities or services which are paid for on a per-unit-used basis.

(C) All fees, awards, and other profit on indirect and support service overhead costs or fees that are not attributed to performance on a single project.

(D) Any portion of contractor costs for which there is no competitive bid.

(E) All computer service and information management costs that have been previously reported as overhead costs.

(F) Any other costs that the Comptroller General considers appropriate to categorize as direct or indirect overhead costs.

(b) REPORT.—Not later than January 31, 1999, the Comptroller General shall submit to Congress a report setting forth the findings of the Comptroller as a result of the review under subsection (a). The report shall include the recommendations of the Comptroller regarding means of standardizing the methods used by the Department for allocating and reporting overhead costs associated with the cleanup of Department sites.

THOMAS AMENDMENT NO. 2875

(Ordered to lie on the table.)

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 320, line 25, strike out ''$95,395,000'' and insert in lieu thereof ''$108,979,000''.

KERRY (AND MCCAIN) AMENDMENTS NOS. 2876–2878

(Ordered to lie on the table.)

Mr. KERRY (for himself and Mr. MCCAIN) submitted three amendments intended to be proposed by them to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2876

At the end of subtitle D of title X, add the following:

SEC. 1064. SENSE OF CONGRESS REGARDING THE HEROISM, SACRIFICE, AND SERVICE OF FORMER SOUTH VIETNAMESE COMMANDOS IN CONNECTION WITH UNITED STATES ARMED FORCES DURING THE VIETNAM CONFLICT.

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

(1) South Vietnamese commandos were recruited by the United States as part of OPLAN 34A or its predecessor or OPLAN 35 from 1961 to 1970.

(2) The commandos conducted covert operations in North Vietnam during the Vietnam conflict.

(3) Many of the commandos were captured and imprisoned by North Vietnamese forces, some for as long as 20 years.

(4) The commandos served and fought proudly during the Vietnam conflict.

(5) Many of the commandos lost their lives serving in operations conducted by the United States during the Vietnam conflict.

(6) Many of the Vietnamese commandos now reside in the United States.

(b) SENSE OF CONGRESS—Congress recognizes and honors the former South Vietnamese commandos for their heroism, sacrifice, and service in connection with United States armed forces during the Vietnam conflict.

AMENDMENT NO. 2877

On page 127, between lines 12 and 13, insert the following:

SEC. 634. CLARIFICATION OF RECIPIENT OF PAYMENTS TO PERSONS CAPTURED OR INTERNED BY NORTH VIETNAM.

Section 657(f)(1) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2585) is amended by striking out ''The actual disbursement'' and inserting in lieu thereof ''Notwithstanding any agreement (including a power of attorney) to the contrary, the actual disbursement''.

AMENDMENT NO. 2878

On page 127, between lines 12 and 13, insert the following:

SEC. 634. ELIGIBILITY FOR PAYMENTS OF CERTAIN SURVIVORS OF CAPTURED AND INTERNED VIETNAMESE OPERATIVES WHO WERE UNMARRIED AND CHILDLESS AT DEATH.

Section 657(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2585) is amended by adding at the end the following:

''(3) In the case of a decedent who had not been married at the time of death—

''(A) to the surviving parents; or

''(B) if there are no surviving parents, to the surviving siblings by blood of the decedent, in equal shares.''.

ROCKFELLER AMENDMENTS NOS. 2879–2880

(Ordered to lie on the table.)

Mr. ROCKEFELLER submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2879

On page 412, below line 2, add the following:

DIVISION D—TRANSPORTATION PROGRAM TECHNICAL CORRECTIONS

SEC. 4001. SHORT TITLE.

This division may be cited as the ''TEA 21 Restoration Act''.

SEC. 702. AUTHORIZATION AND PROGRAM SUBTITLE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1101(a) of the Transportation Equity Act for the 21st Century is amended—

(1) in paragraph (13)—

(A) by striking ''$1,025,695,000'' and inserting ''$1,029,473,500'';

(B) by striking ''$1,398,675,000'' and inserting ''$1,403,827,500'';

(C) by striking ''$1,678,410,000'' the first place it appears and inserting ''$1,684,593,000'';

(D) by striking ''$1,678,410,000'' the second place it appears and inserting ''$1,684,593,000'';

(E) by striking ''$1,771,655,000'' the first place it appears and inserting ''$1,778,181,500''; and

(F) by striking ''$1,771,655,000'' the second place it appears and inserting ''$1,778,181,500''; and

(2) in paragraph (14)—

(A) by striking ''1998'' and inserting ''1999''; and

(B) by inserting before ''$5,000,000'' the following: ''$10,000,000 for fiscal year 1998''.

(b) OBLIGATION LIMITATIONS.—

(1) GENERAL LIMITATION.—Section 1102(a) of such Act is amended—

(A) in paragraph (2) by striking ''$25,431,000,000'' and inserting ''$25,511,000,000'';

(B) in paragraph (3) by striking ''$26,155,000,000'' and inserting ''$26,245,000,000'';

(C) in paragraph (4) by striking ''$26,651,000,000'' and inserting ''$26,761,000,000'';

(D) in paragraph (5) by striking ''$27,235,000,000'' and inserting ''$27,355,000,000''; and

(E) in paragraph (6) by striking ''$27,681,000,000'' and inserting ''$27,811,000,000''.

(2) TRANSPORTATION RESEARCH PROGRAMS.—Section 1102(e) of such Act is amended—

(A) by striking ''3'' and inserting ''5'';

(B) by striking ''VI'' and inserting ''V''; and

(C) by inserting before the period at the end the following: ''; except that obligation authority made available for such programs under such limitations shall remain available for a period of 3 fiscal years''.

(3) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Section 1102(f) of such Act is amended by striking ''(other than the program under section 160 of title 23, United States Code)''.

(c) APPORTIONMENTS.—Section 1103 of such Act is amended—

(1) in subsection (l) by adding at the end the following:

''(5) Section 150 of such title, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.'';

(2) in subsection (n) by inserting ''of title 23, United States Code'' after ''206''; and

(3) by adding at the end the following:

''(o) TECHNICAL ADJUSTMENTS.—Section 104 of title 23, United States Code, is amended—

''(1) in subsection (a)(1) (as amended by subsection (a) of this section) by striking 'under section 103';

''(2) in subsection (b) (as amended by subsection (b) of this section)—

''(A) in paragraph (1)(A) by striking '1999 through 2003' and inserting '1998 through 2002'; and

''(B) in paragraph (4)(B)(i) by striking 'on lanes on Interstate System' and all that follows through 'in each State' and inserting

'on Interstate System routes open to traffic in each State'; and

''(3) in subsection (e)(2) (as added by subsection (d)(6) of this section) by striking '104, 144, or 157' and inserting '104, 105, or 144'.''.

(d) MINIMUM GUARANTEE.—Section 1104 of such Act is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 105 of title 23, United States Code (as amended by subsection (a) of this section), is amended—

''(1) in subsection (a) by adding at the end the following: 'The minimum amount allocated to a State under this section for a fiscal year shall be $1,000,000.';

''(2) in subsection (c)(1) by striking '50 percent of';

''(3) in subsection (c)(1)(A) by inserting '(other than metropolitan planning, minimum guarantee, high priority projects, Appalachian development highway system, and recreational trails programs)' after 'subsection (a)';

''(4) in subsection (c)(1)(B) by striking 'all States' and inserting 'each State';

''(5) in subsection (c)(2)—

''(A) by striking 'apportion' and inserting 'administer'; and

''(B) by striking 'apportioned' and inserting 'administered'; and

''(6) in subsection (f)—

''(A) by inserting 'percentage' before 'return' each place it appears;

''(B) in paragraph (2) by striking 'for the preceding fiscal year was equal to or less than' and inserting 'in the table in subsection (b) was equal to'; and

''(C) in paragraph (3)—

''(i) by inserting 'proportionately' before 'adjust';

''(ii) by striking 'set forth'; and

''(iii) by striking 'do not exceed' and inserting 'is equal to'.''.

(e) REVENUE ALIGNED BUDGET AUTHORITY.—Section 1105 of such Act is amended by adding at the end the following:

''(c) TECHNICAL CORRECTIONS.—Section 110 of such title (as amended by subsection (a)) is amended—

''(1) by striking subsection (a) and inserting the following:

'(a) IN GENERAL.—

'(1) ALLOCATION.—On October 15 of fiscal year 2000 and each fiscal year thereafter, the Secretary shall allocate for such fiscal year an amount of funds equal to the amount determined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C 901(b)(2)(B)(ii)(I)(cc)) if the amount determined pursuant to such section for such fiscal year is greater than zero.

'(2) REDUCTION.—If the amount determined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C 901(b)(2)(B)(ii)(I)(cc)) for fiscal year 2000 or any fiscal year thereafter is less than zero, the Secretary on October 1 of the succeeding fiscal year shall reduce proportionately the amount of sums authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out each of the Federal-aid highway and highway safety construction programs (other than emergency relief) by an aggregate amount equal to the amount determined pursuant to such section.';

''(2) in subsections (b)(2) and (b)(4) by striking 'subsection (a)' and inserting 'subsection (a)(1)'; and

''(3) in subsection (c) by striking 'Maintenance program, the' and inserting 'and'.''.

(f) INTERSTATE MAINTENANCE PROGRAM.—Section 1107 of such Act is amended by adding at the end the following:

''(d) TECHNICAL AMENDMENTS.—Section 119 of such title (as amended by subsection (a)) is amended—

''(1) in subsection (b)—

''(A) by striking '104(b)(5)(B)' and inserting '104(b)(4)'; and

''(B) by striking '104(b)(5)(A)' each place it appears and inserting '104(b)(5)(A) (as in effect on the date before the date of enactment of the Transportation Equity Act for the 21st Century)'; and

''(2) in subsection (c) by striking '104(b)(5)(B)' each place it appears and inserting '104(b)(4)'.''.

(g) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—Section 1110(d)(2) of such Act is amended—

(1) by striking ''149(c)'' and inserting ''149(e)''; and

(2) by striking ''that reduce'' and inserting ''reduce''.

(h) HIGHWAY USE TAX EVASION PROJECTS.—Section 1114 of such Act is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 143 of title 23, United States Code (as amended by subsection (a) of this section), is amended—

''(1) in subsection (c)(1) by striking 'April 1' and inserting 'August 1';

''(2) in subsection (c)(3) by inserting 'PRIORITY' after 'FUNDING'; and

''(3) in subsection (c)(3) by inserting 'and prior to funding any other activity under this section,' after '2003,'.''.

(i) FEDERAL LANDS HIGHWAYS PROGRAM.—Section 1115 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(f) CONFORMING AMENDMENTS.—

''(1) FEDERAL SHARE.—Subsections (j) and (k) of section 120 of title 23, United States Code (as added by subsection (a) of this section), are redesignated as subsections (k) and (l), respectively.

''(2) RESERVATION OF FUNDS.—Section 202(d)(4)(B) of such title (as added by subsection (b)(4) of this section) is amended by striking 'to, apply sodium acetate/formate de-icer to,' and inserting ', sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions'.

''(3) ELIMINATION OF DUPLICATIVE PROVISION.—Section 144(g) of such title is amended by striking paragraph (4).''.

(j) WOODROW WILSON MEMORIAL BRIDGE CORRECTION.—Section 1116 of such Act is amended by adding at the end the following:

''(e) TECHNICAL CORRECTION.—Sections 404(5) and 407(c)(2)(C)(iii) of such Act (as amended by subsections (a)(2) and (b)(2), respectively) are amended by striking 'the record of decision' each place it appears and inserting 'a record of decision'.''.

(k) TECHNICAL CORRECTION.—Section 1117 of such Act is amended in subsections (a) and (b) by striking ''section 102'' each place it appears and inserting ''section 1101(a)(6)''.

SEC. 703. RESTORATIONS TO GENERAL PROVISIONS SUBTITLE.

(a) IN GENERAL.—Subtitle B of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''SEC. 1224. NATIONAL HISTORIC COVERED BRIDGE PRESERVATION.

''(a) HISTORIC COVERED BRIDGE DEFINED.—In this section, the term 'historic covered bridge' means a covered bridge that is listed or eligible for listing on the National Register of Historic Places.

''(b) HISTORIC COVERED BRIDGE PRESERVATION.—Subject to the availability of appropriations under subsection (d), the Secretary shall—

''(1) collect and disseminate information concerning historic covered bridges;

''(2) foster educational programs relating to the history and construction techniques of historic covered bridges;

''(3) conduct research on the history of historic covered bridges; and

''(4) conduct research, and study techniques, on protecting historic covered bridges from rot, fire, natural disasters, or weight-related damage.

''(c) DIRECT FEDERAL ASSISTANCE.—

''(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall make a grant to a State that submits an application to the Secretary that demonstrates a need for assistance in carrying out 1 or more historic covered bridge projects described in paragraph (2).

''(2) TYPES OF PROJECT.—A grant under paragraph (1) may be made for a project—

''(A) to rehabilitate or repair a historic covered bridge; and

''(B) to preserve a historic covered bridge, including through—

''(i) installation of a fire protection system, including a fireproofing or fire detection system and sprinklers;

''(ii) installation of a system to prevent vandalism and arson; or

''(iii) relocation of a bridge to a preservation site.

''(3) AUTHENTICITY.—A grant under paragraph (1) may be made for a project only if—

''(A) to the maximum extent practicable, the project—

''(i) is carried out in the most historically appropriate manner; and

''(ii) preserves the existing structure of the historic covered bridge; and

''(B) the project provides for the replacement of wooden components with wooden components, unless the use of wood is impracticable for safety reasons.

''(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with a grant under this subsection shall be 80 percent.

''(d) FUNDING.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 1999 through 2003. Such funds shall remain available until expended.

''SEC. 1225. SUBSTITUTE PROJECT.

''(a) APPROVAL OF PROJECT.—Notwithstanding any other provision of law, upon the request of the Mayor of the District of Columbia, the Secretary may approve substitute highway and transit projects under section 103(e)(4) of title 23, United States Code (as in effect on the day before the date of enactment of this Act), in lieu of construction of the Barney Circle Freeway project in the District of Columbia, as identified in the 1991 Interstate Cost Estimate.

''(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—Upon approval of any substitute project or projects under subsection (a)—

''(1) the cost of construction of the Barney Circle Freeway Modification project shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956; and

''(2) substitute projects approved pursuant to this section shall be funded from interstate construction funds apportioned or allocated to the District of Columbia that are not expended and not subject to lapse on the date of enactment of this Act.

''(c) FEDERAL SHARE.—The Federal share payable on account of a project or activity approved under this section shall be 85 percent of the cost thereof; except that the exception set forth in section 120(b)(2) of title 23, United States Code, shall apply.

''(d) LIMITATION ON ELIGIBILITY.—Any substitute project approved pursuant to subsection (a) (for which the Secretary finds that sufficient Federal funds are available) must be under contract for construction, or

construction must have commenced, before the last day of the 4-year period beginning on the date of enactment of this Act. If the substitute project is not under contract for construction, or construction has not commenced, by such last day, the Secretary shall withdraw approval of the substitute project.

"SEC. 1226. FISCAL, ADMINISTRATIVE, AND OTHER AMENDMENTS.

''(a) ADVANCED CONSTRUCTION.—Section 115 of title 23, United States Code, is amended—

''(1) in subsection (b)—

''(A) by moving the text of paragraph (1) (including subparagraphs (A) and (B)) 2 ems to the left;

''(B) by striking 'PROJECTS' and all that follows through 'When a State' and inserting 'PROJECTS.—When a State';

''(C) by striking paragraphs (2) and (3);

''(D) by striking '(A) prior' and inserting '(1) prior'; and

''(E) by striking '(B) the project' and inserting '(2) the project';

''(2) by striking subsection (c); and

''(3) by redesignating subsection (d) as subsection (c).

''(b) AVAILABILITY OF FUNDS.—Section 118 of such title is amended—

''(1) in the subsection heading of subsection (b) by striking '; DISCRETIONARY PROJECTS'; and

''(2) by striking subsection (e) and inserting the following:

'(e) EFFECT OF RELEASE OF FUNDS.—Any Federal-aid highway funds released by the final payment on a project, or by the modification of the project agreement, shall be credited to the same program funding category previously apportioned to the State and shall be immediately available for expenditure.'.''.

''(c) ADVANCES TO STATES.—Section 124 of such title is amended—

''(1) by striking '(a)' the first place it appears; and

''(2) by striking subsection (b).

''(d) DIVERSION.—Section 126 of such title, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1(b) of such Act is amended by inserting after the item relating to section 1222 the following:

''Sec. 1223. Transportation assistance for Olympic cities.
''Sec. 1224. National historic covered bridge preservation.
''Sec. 1225. Substitute project.
''Sec. 1226. Fiscal, administrative, and other amendments.''.

(c) METROPOLITAN PLANNING TECHNICAL ADJUSTMENT.—Section 1203 of such Act is amended by adding at the end the following:

''(o) TECHNICAL ADJUSTMENT.—Section 134(h)(5)(A) of title 23, United States Code (as amended by subsection (h) of this section), is amended by striking 'for implementation'.''.

(d) AMENDMENTS TO PRIOR SURFACE TRANSPORTATION LAWS.—Section 1211 of such Act is amended—

(1) in subsection (i)(3)(E) by striking ''subparagraph (D)'' and inserting ''subparagraph (C)'';

(2) in subsection (i) by adding at the end the following:

''(4) TECHNICAL AMENDMENTS.—Section 1105(e)(5)(B)(i) of such Act (as amended by paragraph (3) of this subsection) is amended—

''(A) by striking 'subsection (c)(18)(B)(i)' and inserting 'subsection (c)(18)(D)(i)';

''(B) by striking 'subsection (c)(18)(B)(ii)' and inserting 'subsection (c)(18)(D)(ii)'; and

''(C) by adding at the end the following: 'The portion of the route referred to in subsection (c)(36) is designated as Interstate Route I–86.'.'';

(3) by striking subsection (j);

(4) in subsection (k)—

(A) by striking ''along'' in paragraph (1) and inserting ''from''; and

(B) by adding at the end the following:

''(4) TEXAS STATE HIGHWAY 99.—Texas State Highway 99 (also known as 'Grand Parkway') shall be considered as 1 option in the I–69 route studies performed by the Texas Department of Transportation for the designation of I–69 Bypass in Houston, Texas.''; and

(5) by redesignating subsections (g) through (i) and (k) through (n) as subsections (f) through (h) and (i) through (l), respectively.

(e) MISCELLANEOUS.—Section 1212 of such Act is amended—

(1) in the second sentence of subsection (q)(1) by striking ''advance curriculum'' and inserting ''advanced curriculum'';

(2) in subsection (r)—

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

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

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) $2,000,000 for fiscal year 1999 and $2,500,000 for fiscal year 2000.'';

(3) in subsection (s)—

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

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

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) $23,000,000 for fiscal year 1999.'';

(4) in subsection (u)—

(A) by inserting ''the Secretary shall approve, and'' before ''the Commonwealth'';

(B) by inserting a comma after ''with''; and

(C) by inserting ''(as redefined by this Act)'' after ''80''; and

(5) by redesignating subsections (k) through (z) as subsections (e) through (t), respectively.

(f) PUERTO RICO HIGHWAY PROGRAM.—Section 1214(r) of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(3) TREATMENT OF FUNDS.—Amounts made available to carry out this subsection for a fiscal year shall be administered as follows:

''(A) For purposes of this subsection, such amounts shall be treated as being apportioned to Puerto Rico under sections 104(b), 144, and 206 of title 23, United States Code, for each program funded under such sections in an amount determined by multiplying—

''(i) the aggregate of such amounts for the fiscal year; by

''(ii) the ratio that—

''(I) the amount of funds apportioned to Puerto Rico for each such program for fiscal year 1997; bears to

''(II) the total amount of funds apportioned to Puerto Rico for all such programs for fiscal year 1997.

''(B) The amounts treated as being apportioned to Puerto Rico under each section referred to in subparagraph (A) shall be deemed to be required to be apportioned to Puerto Rico under such section for purposes of the imposition of any penalty provisions in titles 23 and 49, United States Code.

''(C) Subject to subparagraph (B), nothing in this subsection shall be construed as affecting any allocation under section 105 of title 23, United States Code, and any apportionment under sections 104 and 144 of such title.''.

(g) DESIGNATED TRANSPORTATION ENHANCEMENT ACTIVITIES.—Section 1215 of such Act—

(1) is amended in each of subsections (d), (e), (f), and (g)—

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

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

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) the amounts specified in such paragraph for the fiscal years specified in such paragraph.''; and

(2) in subsection (d)(1) by inserting ''on Route 50'' after ''measures''.

(h) ELIGIBILITY.—Section 1217 of such Act is amended—

(1) in subsection (d) by striking ''104(b)(4)'' and inserting ''104(b)(5)(A)'';

(2) in subsection (i) by striking ''120(l)(1)'' and inserting ''120(j)(1)''; and

(3) in subsection (j) by adding at the end the following: ''$3,000,000 of the amounts made available for item 164 of the table contained in section 1602 shall be made available on October 1, 1998, to the Pennsylvania Turnpike Commission to carry out this subsection.''.

(i) MAGNETIC LEVITATION TRANSPORTATION TECHNOLOGY DEPLOYMENT PROGRAM.—Section 1218 of such Act is amended by adding at the end the following:

''(c) TECHNICAL AMENDMENTS.—Section 322 of title 23, United States Code (as added by subsection (a) of this section), is amended—

''(1) in subsection (a)(3) by striking 'or under 50 miles per hour';

''(2) in subsection (d)—

''(A) in paragraph (1) by striking 'or low-speed'; and

''(B) in paragraph (2)—

''(i) in subparagraph (A) by striking '(h)(1)(A)' and inserting '(h)(1)'; and

''(ii) in subparagraph (B) by striking '(h)(4)' and inserting '(h)(3)';

''(3) in subsection (h)(1)(B)(i) by inserting '(other than subsection (i))' after 'this section'; and

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

'(i) LOW-SPEED PROJECT.—

'(1) IN GENERAL.—Notwithstanding any other provision of this section, of the funds made available by subsection (h)(1)(A) to carry out this section, $5,000,000 shall be made available to the Secretary to make grants for the research and development of low-speed superconductivity magnetic levitation technology for public transportation purposes in urban areas to demonstrate energy efficiency, congestion mitigation, and safety benefits.

'(2) NONCONTRACT AUTHORITY AUTHORIZATION OF APPROPRIATIONS.—

'(A) IN GENERAL.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection such sums as are necessary for each of fiscal years 2000 through 2003.

'(B) AVAILABILITY.—Notwithstanding section 118(a), funds made available under subparagraph (A)—

'(i) shall not be available in advance of an annual appropriation; and

'(ii) shall remain available until expended.'.''.

(j) TRANSPORTATION ASSISTANCE FOR OLYMPIC CITIES.—Section 1223(f) of such Act is amended by inserting before the period at the end the following: ''or Special Olympics International''.

SEC. 704. RESTORATIONS TO PROGRAM STREAMLINING AND FLEXIBILITY SUBTITLE.

(a) IN GENERAL.—Subtitle C of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''SEC. 1311. DISCRETIONARY GRANT SELECTION CRITERIA AND PROCESS.

''(a) ESTABLISHMENT OF CRITERIA.—The Secretary shall establish criteria for all discretionary programs funded from the Highway Trust Fund (other than the Mass Transit Account). To the extent practicable, such criteria shall conform to the Executive Order No. 12893 (relating to infrastructure investment).

''(b) SELECTION PROCESS.—

''(1) LIMITATION ON ACCEPTANCE OF APPLICATIONS.—Before accepting applications for grants under any discretionary program for which funds are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) by this Act (including the amendments made by this Act), the Secretary shall publish the criteria established under subsection (a). Such publication shall identify all statutory criteria and any criteria established by regulation that will apply to the program.

''(2) EXPLANATION.—Not less often than quarterly, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of the projects selected under discretionary programs funded from the Highway Trust Fund (other than the Mass Transit Account) and an explanation of how the projects were selected based on the criteria established under subsection (a).

''(c) MINIMUM COVERED PROGRAMS.—At a minimum, the criteria established under subsection (a) and the selection process established by subsection (b) shall apply to the following programs:

''(1) The intelligent transportation system deployment program under title V.

''(2) The national corridor planning and development program.

''(3) The coordinated border infrastructure and safety program.

''(4) The construction of ferry boats and ferry terminal facilities.

''(5) The national scenic byways program.

''(6) The Interstate discretionary program.

''(7) The discretionary bridge program.''.

(b) CONFORMING AMENDMENTS.—The table of contents contained in section 1(b) of such Act is amended—

(1) by striking the following:

''Sec. 1309. Major investment study integration.''.

and inserting the following:

''Sec. 1308. Major investment study integration.'';

and

(2) by inserting after the item relating to section 1310 the following:

''Sec. 1311. Discretionary grant selection criteria and process.''.

(c) REVIEW PROCESS.—Section 1309 of the Transportation Equity Act for the 21st Century is amended—

(1) in subsection (a)(1) by inserting after ''highway construction'' the following: ''and mass transit'';

(2) in subsection (d) by inserting after ''Code,'' the following: ''or chapter 53 of title 49, United States Code,''; and

(3) in subsection (e)(1)—

(A) by inserting ''or recipient'' after ''a State'';

(B) by inserting after ''provide funds'' the following: ''for a highway project''; and

(C) by inserting after ''Code,'' the following: ''or for a mass transit project made available under chapter 53 of title 49, United States Code,''.

SEC. 705. RESTORATIONS TO SAFETY SUBTITLE.

(a) IN GENERAL.—Subtitle D of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''SEC. 1405. OPEN CONTAINER LAWS.

''(a) ESTABLISHMENT.—Chapter 1 of title 23, United States Code, is amended by inserting after section 153 the following:

'§ 154. Open container requirements

'(a) DEFINITIONS.—In this section, the following definitions apply:

'(1) ALCOHOLIC BEVERAGE.—The term ''alcoholic beverage'' has the meaning given the term in section 158(c).

'(2) MOTOR VEHICLE.—The term ''motor vehicle'' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated exclusively on a rail or rails.

'(3) OPEN ALCOHOLIC BEVERAGE CONTAINER.—The term ''open alcoholic beverage container'' means any bottle, can, or other receptacle—

'(A) that contains any amount of alcoholic beverage; and

'(B)(i) that is open or has a broken seal; or

'(ii) the contents of which are partially removed.

'(4) PASSENGER AREA.—The term ''passenger area'' shall have the meaning given the term by the Secretary by regulation.

'(b) OPEN CONTAINER LAWS.—

'(1) IN GENERAL.—For the purposes of this section, each State shall have in effect a law that prohibits the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle (including possession or consumption by the driver of the vehicle) located on a public highway, or the right-of-way of a public highway, in the State.

'(2) MOTOR VEHICLES DESIGNED TO TRANSPORT MANY PASSENGERS.—For the purposes of this section, if a State has in effect a law that makes unlawful the possession of any open alcoholic beverage container by the driver (but not by a passenger)—

'(A) in the passenger area of a motor vehicle designed, maintained, or used primarily for the transportation of persons for compensation, or

'(B) in the living quarters of a house coach or house trailer,

the State shall be deemed to have in effect a law described in this subsection with respect to such a motor vehicle for each fiscal year during which the law is in effect.

'(c) TRANSFER OF FUNDS.—

'(1) FISCAL YEARS 2001 AND 2002.—On October 1, 2000, and October 1, 2001, if a State has not enacted or is not enforcing an open container law described in subsection (b), the Secretary shall transfer an amount equal to 1½ percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402—

'(A) to be used for alcohol-impaired driving countermeasures; or

'(B) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

'(2) FISCAL YEAR 2003 AND FISCAL YEARS THEREAFTER.—On October 1, 2002, and each October 1 thereafter, if a State has not enacted or is not enforcing an open container law described in subsection (b), the Secretary shall transfer an amount equal to 3 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be used or directed as described in subparagraph (A) or (B) of paragraph (1).

'(3) USE FOR HAZARD ELIMINATION PROGRAM.—A State may elect to use all or a portion of the funds transferred under paragraph (1) or (2) for activities eligible under section 152.

'(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds transferred under paragraph (1) or (2), or used under paragraph (3), shall be 100 percent.

'(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (1) or (2) may be derived from 1 or more of the following:

'(A) The apportionment of the State under section 104(b)(1).

'(B) The apportionment of the State under section 104(b)(3).

'(C) The apportionment of the State under section 104(b)(4).

'(6) TRANSFER OF OBLIGATION AUTHORITY.—

'(A) IN GENERAL.—If the Secretary transfers under this subsection any funds to the apportionment of a State under section 402 for a fiscal year, the Secretary shall transfer an amount, determined under subparagraph (B), of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs for carrying out projects under section 402.

'(B) AMOUNT.—The amount of obligation authority referred to in subparagraph (A) shall be determined by multiplying—

'(i) the amount of funds transferred under subparagraph (A) to the apportionment of the State under section 402 for the fiscal year; by

'(ii) the ratio that—

'(I) the amount of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs; bears to

'(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to any obligation limitation) for the fiscal year.

'(7) LIMITATION ON APPLICABILITY OF OBLIGATION LIMITATION.—Notwithstanding any other provision of law, no limitation on the total of obligations for highway safety programs under section 402 shall apply to funds transferred under this subsection to the apportionment of a State under such section.'.

''(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by inserting after the item relating to section 153 the following:

'154. Open container requirements.'.

''SEC. 1406. MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.

''(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

'§ 164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence

'(a) DEFINITIONS.—In this section, the following definitions apply:

'(1) ALCOHOL CONCENTRATION.—The term ''alcohol concentration'' means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

'(2) DRIVING WHILE INTOXICATED; DRIVING UNDER THE INFLUENCE.—The terms ''driving while intoxicated'' and ''driving under the influence'' mean driving or being in actual physical control of a motor vehicle while having an alcohol concentration above the permitted limit as established by each State.

'(3) LICENSE SUSPENSION.—The term ''license suspension'' means the suspension of all driving privileges.

'(4) MOTOR VEHICLE.—The term ''motor vehicle'' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated solely on a rail line or a commercial vehicle.

'(5) REPEAT INTOXICATED DRIVER LAW.—The term ''repeat intoxicated driver law'' means a State law that provides, as a minimum penalty, that an individual convicted of a second or subsequent offense for driving while intoxicated or driving under the influence after a previous conviction for that offense shall—

'(A) receive a driver's license suspension for not less than 1 year;

'(B) be subject to the impoundment or immobilization of each of the individual's motor vehicles or the installation of an ignition interlock system on each of the motor vehicles;

'(C) receive an assessment of the individual's degree of abuse of alcohol and treatment as appropriate; and

'(D) receive—

'(i) in the case of the second offense—

'(I) an assignment of not less than 30 days of community service; or

'(II) not less than 5 days of imprisonment; and

'(ii) in the case of the third or subsequent offense—

'(I) an assignment of not less than 60 days of community service; or

'(II) not less than 10 days of imprisonment.

'(b) TRANSFER OF FUNDS.—

'(1) FISCAL YEARS 2001 AND 2002.—On October 1, 2000, and October 1, 2001, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer an amount equal to 1½ percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402—

'(A) to be used for alcohol-impaired driving countermeasures; or

'(B) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

'(2) FISCAL YEAR 2003 AND FISCAL YEARS THEREAFTER.—On October 1, 2002, and each October 1 thereafter, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer an amount equal to 3 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be used or directed as described in subparagraph (A) or (B) of paragraph (1).

'(3) USE FOR HAZARD ELIMINATION PROGRAM.—A State may elect to use all or a portion of the funds transferred under paragraph (1) or (2) for activities eligible under section 152.

'(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds transferred under paragraph (1) or (2), or used under paragraph (3), shall be 100 percent.

'(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (1) or (2) may be derived from 1 or more of the following:

'(A) The apportionment of the State under section 104(b)(1).

'(B) The apportionment of the State under section 104(b)(3).

'(C) The apportionment of the State under section 104(b)(4).

'(6) TRANSFER OF OBLIGATION AUTHORITY.—

'(A) IN GENERAL.—If the Secretary transfers under this subsection any funds to the apportionment of a State under section 402 for a fiscal year, the Secretary shall transfer an amount, determined under subparagraph (B), of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs for carrying out projects under section 402.

'(B) AMOUNT.—The amount of obligation authority referred to in subparagraph (A) shall be determined by multiplying—

'(i) the amount of funds transferred under subparagraph (A) to the apportionment of the State under section 402 for the fiscal year; by

'(ii) the ratio that—

'(I) the amount of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs; bears to

'(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to any obligation limitation) for the fiscal year.

'(7) LIMITATION ON APPLICABILITY OF OBLIGATION LIMITATION.—Notwithstanding any other provision of law, no limitation on the total of obligations for highway safety programs under section 402 shall apply to funds transferred under this subsection to the apportionment of a State under such section.'.

''(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by adding at the end the following:

'164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.'.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1(b) of such Act is amended by inserting after the item relating to section 1403 the following:

''Sec. 1404. Safety incentives to prevent operation of motor vehicles by intoxicated persons.
''Sec. 1405. Open container laws.
''Sec. 1406. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.''.

(c) ROADSIDE SAFETY TECHNOLOGIES.—Section 1402(a)(2) of such Act is amended by striking ''directive'' and inserting ''redirective''.

SEC. 706. ELIMINATION OF DUPLICATE PROVISIONS.

(a) SAN MATEO COUNTY, CALIFORNIA.—Section 1113 of the Transportation Equity Act for the 21st Century is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (c) as subsection (d).

(b) VALUE PRICING PILOT PROGRAM.—Section 1216(a) of such Act is amended by adding at the end the following:

''(8) CONFORMING AMENDMENTS.—

''(A) Section 1012(b)(6) of such Act (as amended by paragraph (5) of this subsection) is amended by striking '146(c)' and inserting '102(a)'.

''(B) Section 1012(b)(8) of such Act (as added by paragraph (7) of this subsection) is amended—

''(i) in subparagraph (C) by striking 'under this subsection' and inserting 'to carry out this subsection';

''(ii) in subparagraph (D)—

''(I) by striking 'under this paragraph' and inserting 'to carry out this subsection'; and

''(II) by striking 'by this paragraph' and inserting 'to carry out this subsection';

''(iii) by striking subparagraph (A); and

''(iv) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively.''.

(c) NATIONAL DEFENSE HIGHWAYS OUTSIDE THE UNITED STATES.—Section 1214(e) of such Act is amended to read as follows:

''(e) MINNESOTA TRANSPORTATION HISTORY NETWORK.—

''(1) IN GENERAL.—The Secretary shall award a grant to the Minnesota Historical Society for the establishment of the Minnesota Transportation History Network to include major exhibits, interpretive programs at national historic landmark sites, and outreach programs with county and local historical organizations.

''(2) COORDINATION.—In carrying out subsection (a), the Secretary shall coordinate with officials of the Minnesota Historical Society.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $1,000,000 for each of fiscal years 1999 through 2003 to carry out this subsection.

''(4) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that such funds shall remain available until expended.''.

(d) ENTRANCE PAVING AT NINIGRET NATIONAL WILDLIFE REFUGE.—Section 1214(i) of such Act is amended by striking ''$750,000'' each place it appears and inserting ''$75,000''.

SEC. 707. HIGHWAY FINANCE.

(a) IN GENERAL.—Section 1503 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(c) TECHNICAL AMENDMENTS.—Section 188 of title 23, United States Code (as added by subsection (a) of this section), is amended—

''(1) in subsection (a)(2) by striking '1998' and inserting '1999'; and

''(2) in subsection (c)—

''(A) by striking '1998' and inserting '1999'; and

''(B) by striking the table and inserting the following:

'Fiscal year:	Maximum amount of credit:
1999	$1,600,000,000
2000	$1,800,000,000
2001	$2,200,000,000
2002	$2,400,000,000
2003	$2,600,000,000.'.''.

(b) CONFORMING AMENDMENTS.—The table of contents contained in section 1(b) of the Transportation Equity Act for the 21st Century is amended—

(1) in the item relating to section 1119 by striking ''and safety''; and

(2) by striking the items relating to subtitle E of title I and inserting the following:

''Subtitle E—Finance

''CHAPTER 1—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION

''Sec. 1501. Short title.
''Sec. 1502. Findings.
''Sec. 1503. Establishment of program.
''Sec. 1504. Duties of the Secretary.

''CHAPTER 2—STATE INFRASTRUCTURE BANK PILOT PROGRAM

''Sec. 1511. State infrastructure bank pilot program.''.

SEC. 708. HIGH PRIORITY PROJECTS TECHNICAL CORRECTIONS.

The table contained in section 1602 of the Transportation Equity Act for the 21st Century is amended—

(1) in item 1 by striking ''1.275'' and inserting ''1.7'';

(2) in item 82 by striking ''30.675'' and inserting ''32.4'';
(3) in item 107 by striking ''1.125'' and inserting ''1.44'';
(4) in item 121 by striking ''10.5'' and inserting ''5.0'';
(5) in item 140 by inserting ''-VFHS Center'' after ''Park'';
(6) in item 151 by striking ''5.666'' and inserting ''8.666'';
(7) in item 164—
(A) by inserting '', and $3,000,000 for the period of fiscal years 1998 and 1999 shall be made available to carry out section 1217(j)'' after ''Pennsylvania''; and
(B) by striking ''25'' and inserting ''24.78'';
(8) by striking item 166 and inserting the following:

''166.	Michigan	Improve Tenth Street, Port Huron	1.8'';

(9) by striking item 242 and inserting the following:

''242.	Minnesota	Construct Third Street North, CSAH 81, Waite Park and St. Cloud	1.0'';

(10) by striking item 250 and inserting the following:

''250.	Indiana	Reconstruct Old Merridan Corridor from Pennsylvania Avenue to Gilford Road	1.35'';

(11) in item 255 by striking ''2.25'' and inserting ''3.0'';
(12) in item 263 by striking ''Upgrade Highway 99 between State Highway 70 and Lincoln Road, Sutter County'' and inserting ''Upgrade Highway 99, Sutter County'';
(13) in item 288 by striking ''3.75'' and inserting ''5.0'';
(14) in item 290 by striking ''3.5'' and inserting ''3.0'';
(15) in item 345 by striking ''8'' and inserting ''19.4'';
(16) in item 418 by striking ''2'' and inserting ''2.5'';
(17) in item 421 by striking ''11'' and inserting ''6'';
(18) in item 508 by striking ''1.8'' and inserting ''2.4'';
(19) by striking item 525 and inserting the following:

''525.	Alaska	Construct Bradfield Canal Road	1'';

(20) in item 540 by striking ''1.5'' and inserting ''2.0'';
(21) in item 576 by striking ''0.52275'' and inserting ''0.69275'';
(22) in item 588 by striking ''2.5'' and inserting ''3.0'';
(23) in item 591 by striking ''10'' and inserting ''5'';
(24) in item 635 by striking ''1.875'' and inserting ''2.15'';
(25) in item 669 by striking ''3'' and inserting ''3.5'';
(26) in item 702 by striking ''10.5'' and inserting ''10'';
(27) in item 746 by inserting '', and for the purchase of the Block House in Scott County, Virginia'' after ''Forest'';
(28) in item 755 by striking ''1.125'' and inserting ''1.5'';
(29) in item 769 by striking ''Construct new I–95 interchange with Highway 99W, Tehama County'' and inserting ''Construct new I–5 interchange with Highway 99W, Tehama County'';
(30) in item 770 by striking ''1.35'' and inserting ''1.0'';
(31) in item 789 by striking ''2.0625'' and inserting ''1.0'';
(32) in item 803 by striking ''Tomahark'' and inserting ''Tomahawk'';
(33) in item 836 by striking ''Construct'' and all that follows through ''for'' and inserting ''To the National Park Service for construction of the'';
(34) in item 854 by striking ''0.75'' and inserting ''1'';
(35) in item 863 by striking ''9'' and inserting ''4.75'';
(36) in item 887 by striking ''0.75'' and inserting ''3.21'';
(37) in item 891 by striking ''19.5'' and inserting ''25.0'';
(38) in item 902 by striking ''10.5'' and inserting ''14.0'';
(39) by striking item 1065 and inserting the following:

''1065.	Texas	Construct a 4-lane divided highway on Artcraft Road from I–10 to Route 375 in El Paso	5'';

(40) in item 1192 by striking ''24.97725'' and inserting ''24.55725'';
(41) in item 1200 by striking ''Upgrade (all weather) on U.S. 2, U.S. 41, and M 35'' and inserting ''Upgrade (all weather) on Delta County's reroute of U.S. 2, U.S. 41, and M 35'';
(42) in item 1245 by striking ''3'' and inserting ''3.5'';
(43) in item 1271 by striking ''Spur'' and all that follows through ''U.S. 59'' and inserting ''rail-grade separations (Rosenberg Bypass) at U.S. 59(S)'';
(44) in item 1278 by striking ''28.18'' and inserting ''22.0'';
(45) in item 1288 by inserting ''30'' after ''U.S.'';
(46) in item 1338 by striking ''5.5'' and inserting ''3.5'';
(47) in item 1383 by striking ''0.525'' and inserting ''0.35'';
(48) in item 1395 by striking ''Construct'' and all that follows through ''Road'' and inserting ''Upgrade Route 219 between Meyersdale and Somerset'';
(49) in item 1468 by striking ''Reconstruct'' and all that follows through ''U.S. 23'' and inserting ''Conduct engineering and design and improve I–94 in Calhoun and Jackson Counties'';
(50) in item 1474—
(A) by striking ''in Euclid'' and inserting ''and London Road in Cleveland''; and
(B) by striking ''3.75'' and inserting ''8.0'';
(51) in item 1535 by striking ''Stanford'' and inserting ''Stamford'';
(52) in item 1538 by striking ''and Winchester'' and inserting '', Winchester, and Torrington'';
(53) by striking item 1546 and inserting the following:

''1546.	Michigan	Construct Bridge-to-Bay bike path, St. Clair County	0.450'';

(54) by striking item 1549 and inserting the following:

''1549.	New York	Center for Advanced Simulation and Technology, at Dowling College	0.6'';

(55) in item 1663 by striking ''26.5'' and inserting ''27.5'';
(56) in item 1703 by striking ''I–80'' and inserting ''I–180'';
(57) in item 1726 by striking ''I–179'' and inserting ''I–79'';
(58) by striking item 1770 and inserting the following:

''1770.	Virginia	Operate and conduct research on the 'Smart Road' in Blacksburg	6.025'';

(59) in item 1810 by striking ''Construct Rio Rancho Highway'' and inserting ''Northwest Albuquerque/Rio Rancho high priority roads'';
(60) in item 1815 by striking ''High'' and all that follows through ''projects'' and inserting ''Highway and bridge projects that Delaware provides for by law'';
(61) in item 1844 by striking ''Prepare'' and inserting ''Repair'';
(62) by striking item 1850 and inserting the following:

''1850.	Missouri	Resurface and maintain roads located in Missouri State parks	5'';

(63) in item 661 by striking ''SR 800'' and inserting ''SR 78'';

(64) in item 1704 by inserting '', Pittsburgh,'' after ''Road''; and

(65) in item 1710 by inserting '', Bethlehem'' after ''site''.

SEC. 709. FEDERAL TRANSIT ADMINISTRATION PROGRAMS.

(a) DEFINITIONS.—Section 3003 of the Federal Transit Act of 1998 is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Section 5302''; and

(2) by adding at the end the following:

''(b) CONFORMING AMENDMENTS.—Section 5302 (as amended by subsection (a) of this section) is amended in subsection (a)(1)(G)(i) by striking 'daycare and' and inserting 'daycare or'.''.

(b) METROPOLITAN PLANNING.—Section 3004 of the Federal Transit Act of 1998 is amended—

(1) in subsection (b)—

(A) in paragraph (1) by striking subparagraph (A) and inserting the following:

''(A) by striking 'general local government representing' and inserting 'general purpose local government that together represent'; and'';

(B) in paragraph (3) by striking ''and'' at the end;

(C) in paragraph (4) by striking subparagraph (A) and inserting the following:

''(A) by striking 'general local government representing' and inserting 'general purpose local government that together represent'; and'';

(D) by redesignating paragraph (4) as paragraph (5); and

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

''(3) in paragraph (4)(A) by striking '(3)' and inserting '(5)'; and'';

(2) in subsection (d) by striking the closing quotation marks and the final period at the end and inserting the following:

'(5) COORDINATION.—If a project is located within the boundaries of more than 1 metropolitan planning organization, the metropolitan planning organizations shall coordinate plans regarding the project.

'(6) LAKE TAHOE REGION.—

'(A) DEFINITION.—In this paragraph, the term ''Lake Tahoe region'' has the meaning given the term ''region'' in subdivision (a) of article II of the Tahoe Regional Planning Compact, as set forth in the first section of Public Law 96–551 (94 Stat. 3234).

'(B) TRANSPORTATION PLANNING PROCESS.—The Secretary shall—

'(i) establish with the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region a transportation planning process for the region; and

'(ii) coordinate the transportation planning process with the planning process required of State and local governments under this chapter and sections 134 and 135 of title 23.

'(C) INTERSTATE COMPACT.—

'(i) IN GENERAL.—Subject to clause (ii) and notwithstanding subsection (b), to carry out the transportation planning process required by this section, the consent of Congress is granted to the States of California and Nevada to designate a metropolitan planning organization for the Lake Tahoe region, by agreement between the Governors of the States of California and Nevada and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities (as defined by the Bureau of the Census)), or in accordance with procedures established by applicable State or local law.

'(ii) INVOLVEMENT OF FEDERAL LAND MANAGEMENT AGENCIES.—

'(I) REPRESENTATION.—The policy board of a metropolitan planning organization designated under clause (i) shall include a representative of each Federal land management agency that has jurisdiction over land in the Lake Tahoe region.

'(II) FUNDING.—In addition to funds made available to the metropolitan planning organization under other provisions of this chapter and under title 23, not more than 1 percent of the funds allocated under section 202 of title 23 may be used to carry out the transportation planning process for the Lake Tahoe region under this subparagraph.

'(D) ACTIVITIES.—Highway projects included in transportation plans developed under this paragraph—

'(i) shall be selected for funding in a manner that facilitates the participation of the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region; and

'(ii) may, in accordance with chapter 2 of title 23, be funded using funds allocated under section 202 of title 23.'.''; and

(3) by adding at the end the following:

''(f) TECHNICAL ADJUSTMENTS.—Section 5303(f) is amended—

''(1) in paragraph (1) (as amended by subsection (e)(1) of this subsection)—

''(A) in subparagraph (C) by striking 'and' at the end;

''(B) in subparagraph (D) by striking the period at the end and inserting '; and';

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

'(E) the financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range plan if reasonable additional resources beyond those identified in the financial plan were available, except that, for the purpose of developing the long-range plan, the metropolitan planning organization and the State shall cooperatively develop estimates of funds that will be available to support plan implementation.'; and

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

'(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—Notwithstanding paragraph (1)(E), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (1)(B).'.''.

(c) METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM.—Section 3005 of the Federal Transit Act of 1998 is amended—

(1) in the section heading by inserting ''**metropolitan**'' before ''**transportation**''; and

(2) by adding at the end the following:

''(d) TECHNICAL ADJUSTMENTS.—Section 5304 is amended—

''(1) in subsection (a) (as amended by subsection (a) of this section)—

''(A) by striking 'In cooperation with' and inserting the following:

'(1) IN GENERAL.—In cooperation with'; and

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

'(2) FUNDING ESTIMATE.—For the purpose of developing the transportation improvement program, the metropolitan planning organization, public transit agency, and the State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.';

''(2) in subsection (b)(2)—

''(A) in subparagraph (B) by striking 'and' at the end; and

''(B) in subparagraph (C) (as added by subsection (b) of this section) by striking 'strategies which may include' and inserting the following: 'strategies; and

'(D) may include'; and

''(3) in subsection (c) by striking paragraph (4) (as amended by subsection (c) of this section) and inserting the following:

'(4) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

'(A) IN GENERAL.—Notwithstanding subsection (b)(2)(D), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under subsection (b)(2)(D).

'(B) ACTION BY SECRETARY.—Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the plan under subsection (b)(2) for inclusion in an approved transportation improvement plan.'.''.

(d) TRANSPORTATION MANAGEMENT AREAS.—Section 3006(d) of the Federal Transit Act of 1998 is amended to read as follows:

''(d) PROJECT SELECTION.—Section 5305(d)(1) is amended to read as follows: '(1)(A) All federally funded projects carried out within the boundaries of a transportation management area under title 23 (excluding projects carried out on the National Highway System and projects carried out under the bridge and interstate maintenance program) or under this chapter shall be selected from the approved transportation improvement program by the metropolitan planning organization designated for the area in consultation with the State and any affected public transit operator.

'(B) Projects carried out within the boundaries of a transportation management area on the National Highway System and projects carried out within such boundaries under the bridge program or the interstate maintenance program shall be selected from the approved transportation improvement program by the State in cooperation with the metropolitan planning organization designated for the area.'.''.

(e) URBANIZED AREA FORMULA GRANTS.—Section 3007 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(h) TECHNICAL ADJUSTMENTS.—

''(1) GENERAL AUTHORITY.—Section 5307(b) (as amended by subsection (c)(1)(B) of this section) is amended by adding at the end the following: 'The Secretary may make grants under this section from funds made available for fiscal year 1998 to finance the operating costs of equipment and facilities for use in mass transportation in an urbanized area with a population of at least 200,000.'.

''(2) REPORT.—Section 5307(k)(3) (as amended by subsection (f) of this section) is amended by inserting 'preceding' before 'fiscal year'.''.

(f) CLEAN FUELS FORMULA GRANT PROGRAM.—Section 3008 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 5308(e)(2) (as added by subsection (a) of this section) is amended by striking '$50,000,000' and inserting '35 percent'.''.

(g) CAPITAL INVESTMENT GRANTS AND LOANS.—Section 3009 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(k) TECHNICAL ADJUSTMENTS.—

''(1) CRITERIA.—Section 5309(e) (as amended by subsection (e) of this section) is amended—

''(A) in paragraph (3)(C) by striking 'urban' and inserting 'suburban';

''(B) in the second sentence of paragraph (6) by striking 'or not' and all that follows through ', based' and inserting 'or ''not recommended'', based'; and

''(C) in the last sentence of paragraph (6) by inserting 'of the' before 'criteria established'.

''(2) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—Section 5309(g) (as amended by subsection (f) of this section) is amended in paragraph (4) by striking '5338(a)' and all that follows through '2003' and inserting '5338(b) of this title for new fixed guideway systems and extensions to existing fixed guideway systems and the amount appropriated under section 5338(h)(5) or an amount equivalent to the last 2 fiscal years of funding authorized under section 5338(b) for new fixed guideway systems and extensions to existing fixed guideway systems'.

''(3) ALLOCATING AMOUNTS.—Section 5309(m) (as amended by subsection (g) of this section) is amended—

''(A) in paragraph (1) by inserting '(b)' after '5338';

''(B) by striking paragraph (2) and inserting the following:

'(2) NEW FIXED GUIDEWAY GRANTS.—

'(A) LIMITATION ON AMOUNTS AVAILABLE FOR ACTIVITIES OTHER THAN FINAL DESIGN AND CONSTRUCTION.—Not more than 8 percent of the amounts made available in each fiscal year by paragraph (1)(B) shall be available for activities other than final design and construction.

'(B) FUNDING FOR FERRY BOAT SYSTEMS.—

'(i) AMOUNTS UNDER (1)(B).—Of the amounts made available under paragraph (1)(B), $10,400,000 shall be available in each of fiscal years 1999 through 2003 for capital projects in Alaska or Hawaii, for new fixed guideway systems and extensions to existing fixed guideway systems that are ferry boats or ferry terminal facilities, or that are approaches to ferry terminal facilities.

'(ii) AMOUNTS UNDER 5338(H)(5).—Of the amounts appropriated under section 5338(h)(5), $3,600,000 shall be available in each of fiscal years 1999 through 2003 for capital projects in Alaska or Hawaii, for new fixed guideway systems and extensions to existing fixed guideway systems that are ferry boats or ferry terminal facilities, or that are approaches to ferry terminal facilities.';

''(C) by redesignating paragraph (4) as paragraph (3)(C);

''(D) in paragraph (3) by adding at the end the following:

'(D) OTHER THAN URBANIZED AREAS.—Of amounts made available by paragraph (1)(C), not less than 5.5 percent shall be available in each fiscal year for other than urbanized areas.';

''(E) by striking paragraph (5); and

''(F) by inserting after paragraph (3) the following:

'(4) ELIGIBILITY FOR ASSISTANCE FOR MULTIPLE PROJECTS.—A person applying for or receiving assistance for a project described in subparagraph (A), (B), or (C) of paragraph (1) may receive assistance for a project described in any other of such subparagraphs.'.''.

(h) REFERENCES TO FULL FUNDING GRANT AGREEMENTS.—Section 3009(h)(3) of the Federal Transit Act of 1998 is amended—

(1) by striking ''and'' at the end of subparagraph (A)(ii);

(2) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(3) by adding at the end the following:

''(C) in section 5328(a)(4) by striking 'section 5309(m)(2) of this title' and inserting '5309(o)(1)'; and

''(D) in section 5309(n)(2) by striking 'in a way' and inserting 'in a manner'.''.

(i) DOLLAR VALUE OF MOBILITY IMPROVEMENTS.—Section 3010(b)(2) of the Federal Transit Act of 1998 is amended by striking ''Secretary'' and inserting ''Comptroller General''.

(j) INTELLIGENT TRANSPORTATION SYSTEM APPLICATIONS.—Section 3012 of the Federal Transit Act of 1998 is amended by moving paragraph (3) of subsection (a) to the end of subsection (b) and by redesignating such paragraph (3) as paragraph (4).

(k) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015 of the Federal Transit Act of 1998 is amended—

(1) in subsection (c)(2) by adding at the end the following: ''Financial assistance made available under this subsection and projects assisted with the assistance shall be subject to section 5333(a) of title 49, United States Code.''; and

(2) by adding at the end the following:

''(d) TRAINING AND CURRICULUM DEVELOPMENT.—

''(1) IN GENERAL.—Any funds made available by section 5338(e)(2)(C)(iii) of title 49, United States Code, shall be available in equal amounts for transportation research, training, and curriculum development at institutions identified in subparagraphs (E) and (F) of section 5505(j)(3) of such title.

''(2) SPECIAL RULE.—If the institutions identified in paragraph (1) are selected pursuant to 5505(i)(3)(B) of such title in fiscal year 2002 or 2003, the funds made available to carry out this subsection shall be available to those institutions to carry out the activities required pursuant to section 5505(i)(3)(B) of such title for that fiscal year.''.

(l) NATIONAL TRANSIT INSTITUTE.—Section 3017(a) of the Federal Transit Act of 1998 is amended to read as follows:

''(a) IN GENERAL.—Section 5315 is amended—

''(1) in the section heading by striking '**mass transportation** and inserting '**transit**';

''(2) in subsection (a)—

''(A) by striking 'mass transportation' in the first sentence and inserting 'transit';

''(B) in paragraph (5) by inserting 'and architectural design' before the semicolon at the end;

''(C) in paragraph (7) by striking 'carrying out' and inserting 'delivering';

''(D) in paragraph (11) by inserting ', construction management, insurance, and risk management' before the semicolon at the end;

''(E) in paragraph (13) by striking 'and' at the end;

''(F) in paragraph (14) by striking the period at the end and inserting a semicolon; and

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

'(15) innovative finance; and

'(16) workplace safety.'.''.

(m) PILOT PROGRAM.—Section 3021(a) of the Federal Transit Act of 1998 is amended by inserting ''single-State'' before ''pilot program''.

(n) ARCHITECTURAL, ENGINEERING, AND DESIGN CONTRACTS.—Section 3022 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(b) CONFORMING AMENDMENT.—Section 5325(b) (as redesignated by subsection (a)(2) of this section) is amended—

''(1) by inserting 'or requirement' after 'A contract'; and

''(2) by inserting before the last sentence the following: 'When awarding such contracts, recipients of assistance under this chapter shall maximize efficiencies of administration by accepting nondisputed audits conducted by other governmental agencies, as provided in subparagraphs (C) through (F) of section 112(b)(2) of title 23.'.''.

(o) CONFORMING AMENDMENT.—Section 3027 of the Federal Transit Act of 1998 is amended—

(1) in subsection (c) by striking ''600,000'' each place it appears and inserting ''900,000''; and

(2) by adding at the end the following:

''(d) CONFORMING AMENDMENT.—The item relating to section 5336 in the table of sections for chapter 53 is amended by striking 'block grants' and inserting 'formula grants'.''.

(p) APPORTIONMENT FOR FIXED GUIDEWAY MODERNIZATION.—Section 3028 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(c) CONFORMING AMENDMENTS.—Section 5337(a) (as amended by subsection (a) of this section) is amended—

''(1) in paragraph (2)(B) by striking '(e)' and inserting '(e)(1)';

''(2) in paragraph (3)(D)—

''(A) by striking '(ii)'; and

''(B) by striking '(e)' and inserting '(e)(1)';

''(3) in paragraph (4) by striking '(e)' and inserting '(e)(1)';

''(4) in paragraph (5)(A) by striking '(e)' and inserting '(e)(2)';

''(5) in paragraph (5)(B) by striking '(e)' and inserting '(e)(2)';

''(6) in paragraph (6) by striking '(e)' each place it appears and inserting '(e)(2)'; and

''(7) in paragraph (7) by striking '(e)' each place it appears and inserting '(e)(2)'.''.

(q) AUTHORIZATIONS.—Section 3029 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 5338 (as amended by subsection (a) of this section) is amended—

''(1) in subsection (c)(2)(A)(i) by striking '$43,200,000' and inserting '$42,200,000';

''(2) in subsection (c)(2)(A)(ii) by striking '$46,400,000' and inserting '$48,400,000';

''(3) in subsection (c)(2)(A)(iii) by striking '$51,200,000' and inserting '$50,200,000';

''(4) in subsection (c)(2)(A)(iv) by striking '$52,800,000' and inserting '$53,800,000';

''(5) in subsection (c)(2)(A)(v) by striking '$57,600,000' and inserting '$58,600,000';

''(6) in subsection (d)(2)(C)(iii) by inserting before the semicolon ', including not more than $1,000,000 shall be available to carry out section 5315(a)(16)';

''(7) in subsection (e)—

''(A) by striking '5317(b)' each place it appears and inserting '5505';

''(B) in paragraph (1) by striking 'There are' and inserting 'Subject to paragraph (2)(C), there are';

''(C) in paragraph (2)—

''(i) in subparagraph (A) by striking 'There shall' and inserting 'Subject to subparagraph (C), there shall';

''(ii) in subparagraph (B) by striking 'In addition' and inserting 'Subject to subparagraph (C), in addition'; and

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

'(C) FUNDING OF CENTERS.—

'(i) Of the amounts made available under subparagraph (A) and paragraph (1) for each fiscal year—

'(I) $2,000,000 shall be available for the center identified in section 5505(j)(4)(A); and

'(II) $2,000,000 shall be available for the center identified in section 5505(j)(4)(F).

'(ii) For each of fiscal years 1998 through 2001, of the amounts made available under this paragraph and paragraph (1)—

'(I) $400,000 shall be available from amounts made available under subparagraph (A) of this paragraph and under paragraph (1) for each of the centers identified in subparagraphs (E) and (F) of section 5505(j)(3); and

'(II) $350,000 shall be available from amounts made available under subparagraph (B) of this paragraph and under paragraph (1) for each of the centers identified in subparagraphs (E) and (F) of section 5505(j)(3).

'(iii) Any amounts made available under this paragraph or paragraph (1) for any fiscal year that remain after distribution under clauses (i) and (ii), shall be available for the purposes identified in section 3015(d) of the Federal Transit Act of 1998.'; and

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

'(3) SPECIAL RULE.—Nothing in this subsection shall be construed to limit the transportation research conducted by the centers funded by this section.';

''(8) in subsection (g)(2) by striking '(c)(2)(B),' and all that follows through '(f)(2)(B),' and inserting '(c)(1), (c)(2)(B), (d)(1), (d)(2)(B), (e)(1), (e)(2)(B), (f)(1), (f)(2)(B),';

''(9) in subsection (h) by inserting 'under the Transportation Discretionary Spending Guarantee for the Mass Transit Category' after 'through (f)'; and

''(10) in subsection (h)(5) by striking subparagraphs (A) through (E) and inserting the following:

'(A) for fiscal year 1999 $400,000,000;

'(B) for fiscal year 2000 $410,000,000;

'(C) for fiscal year 2001 $420,000,000;

'(D) for fiscal year 2002 $430,000,000; and

'(E) for fiscal year 2003 $430,000,000;'.''.

(r) PROJECTS FOR FIXED GUIDEWAY SYSTEMS.—Section 3030 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a)—

(A) in paragraph (8) by inserting ''North-'' before ''South'';

(B) in paragraph (42) by striking ''Maryland'' and inserting ''Baltimore'';

(C) in paragraph (103) by striking ''busway'' and inserting ''Boulevard transitway'';

(D) in paragraph (106) by inserting ''CTA'' before ''Douglas'';

(E) by striking paragraph (108) and inserting the following:

''(108) Greater Albuquerque Mass Transit Project.''; and

(F) by adding at the end the following:

''(109) Hartford City Light Rail Connection to Central Business District.

''(110) Providence–Boston Commuter Rail.

''(111) New York–St. George's Ferry Intermodal Terminal.

''(112) New York–Midtown West Ferry Terminal.

''(113) Pinellas County–Mobility Initiative Project.

''(114) Atlanta–MARTA Extension (S. De Kalb-Lindbergh).'';

(2) in subsection (b)—

(A) by striking paragraph (2) and inserting the following:

''(2) Sioux City–Light Rail.'';

(B) by striking paragraph (40) and inserting the following:

''(40) Santa Fe–El Dorado Rail Link.'';

(C) by striking paragraph (44) and inserting the following:

''(44) Albuquerque–High Capacity Corridor.'';

(D) by striking paragraph (53) and inserting the following:

''(53) San Jacinto–Branch Line (Riverside County).''; and

(E) by adding at the end the following:

''(69) Chicago–Northwest Rail Transit Corridor.

''(70) Vermont–Burlington-Essex Commuter Rail.''; and

(3) in subsection (c)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i) by inserting ''(even if the project is not listed in subsection (a) or (b))'' before the colon;

(ii) by striking clause (ii) and inserting the following:

''(ii) San Diego Mission Valley and Mid-Coast Corridor, $325,000,000.'';

(iii) by striking clause (v) and inserting the following:

''(v) Hartford City Light Rail Connection to Central Business District, $33,000,000.'';

(iv) by striking clause (xxiii) and inserting the following:

''(xxiii) Kansas City–I-35 Commuter Rail, $30,000,000.'';

(v) in clause (xxxii) by striking ''Whitehall Ferry Terminal'' and inserting ''Staten Island Ferry-Whitehall Intermodal Terminal'';

(vi) by striking clause (xxxv) and inserting the following:

''(xxxv) New York–Midtown West Ferry Terminal, $16,300,000.'';

(vii) in clause (xxxix) by striking ''Allegheny County'' and inserting ''Pittsburgh'';

(viii) by striking clause (xvi) and inserting the following:

''(xvi) Northeast Indianapolis Corridor, $10,000,000.'';

(ix) by striking clause (xxix) and inserting the following:

''(xxix) Greater Albuquerque Mass Transit Project, $90,000,000.'';

(x) by striking clause (xliii) and inserting the following:

''(xliii) Providence–Boston Commuter Rail, $10,000,000.'';

(xi) by striking clause (xlix) and inserting the following:

''(xlix) Seattle Sound Move Corridor, $40,000,000.''; and

(xii) by striking clause (li) and inserting the following:

''(li) Dallas-Ft. Worth RAILTRAN (Phase-II), $12,000,000.'';

(B) by striking the heading for subsection (c)(2) and inserting ''ADDITIONAL AMOUNTS''; and

(C) in paragraph (3) by inserting after the first sentence the following: ''The project shall also be exempted from all requirements relating to criteria for grants and loans for fixed guideway systems under section 5309(e) of such title and from regulations required under that section.''.

(s) NEW JERSEY URBAN CORE PROJECT.—Section 3030(e) of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(4) TECHNICAL ADJUSTMENT.—Section 3031(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (as amended by paragraph (3)(B) of this subsection) is amended—

''(A) by striking 'of the West Shore Line' and inserting 'or the West Shore Line'; and

''(B) by striking 'directly connected to' and all that follows through 'Newark International Airport' the first place it appears.''.

(t) BALTIMORE-WASHINGTON TRANSPORTATION IMPROVEMENTS.—Section 3030 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(h) TECHNICAL ADJUSTMENT.—Section 3035(nn) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2134) (as amended by subsection (g)(1)(C) of this section) is amended by inserting after 'expenditure of' the following: 'section 5309 funds to the aggregate expenditure of'.''.

(u) BUS PROJECTS.—Section 3031 of the Federal Transit Act of 1998 is amended—

(1) in the table contained in subsection (a)—

(A) by striking item 64;

(B) in item 69 by striking ''Rensslear'' each place it appears and inserting ''Rensselaer'';

(C) in item 103 by striking ''facilities and''; and

(D) by striking item 150;

(2) by striking the heading for subsection (b) and inserting ''ADDITIONAL AMOUNTS'';

(3) in subsection (b) by inserting after ''2000'' the first place it appears ''with funds made available under section 5338(h)(6) of such title''; and

(4) in item 2 of the table contained in subsection (b) by striking ''Rensslear'' each place it appears and inserting ''Rensselaer''.

(v) CONTRACTING OUT STUDY.—Section 3032 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a) by striking ''3'' and inserting ''6'';

(2) in subsection (d) by striking ''the Mass Transit Account of the Highway Trust Fund'' and inserting ''funds made available under section 5338(f)(2) of title 49, United States Code,'';

(3) in subsection (d) by striking ''1998'' and inserting ''1999''; and

(4) in subsection (e) by striking ''subsection (c)'' and inserting ''subsection (d)''.

(w) JOB ACCESS AND REVERSE COMMUTE GRANTS.—Section 3037 of the Federal Transit Act of 1998 is amended—

(1) in subsection (b)(4)(A)—

(A) by inserting ''designated recipients under section 5307(a)(2) of title 49, United States Code,'' after ''from among''; and

(B) by inserting a comma after ''and agencies'';

(2) in subsection (b)(4)(B)—

(A) by striking ''at least'' and inserting ''less than'';

(B) by inserting ''designated recipients under section 5307(a)(2) of title 49, United States Code,'' after ''from among''; and

(C) by inserting ''and agencies,'' after ''authorities'';

(3) in subsection (f)(2)—

(A) by striking ''(including bicycling)''; and

(B) by inserting ''(including bicycling)'' after ''additional services'';

(4) in subsection (h)(2)(B) by striking ''403(a)(5)(C)(ii)'' and inserting ''403(a)(5)(C)(vi)'';

(5) in the heading for subsection (l)(1)(C) by striking ''FROM THE GENERAL FUND'';

(6) in subsection (l)(1)(C) by inserting ''under the Transportation Discretionary Spending Guarantee for the Mass Transit Category'' after ''(B)''; and

(7) in subsection (l)(3)(B) by striking ''at least'' and inserting ''less than''.

(x) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a)(1)(A) by inserting before the semicolon ''or connecting 1 or more rural communities with an urban area not in close proximity'';

(2) in subsection (g)(1)—

(A) by inserting ''over-the-road buses used substantially or exclusively in'' after ''operators of''; and

(B) by inserting at the end the following: ''Such sums shall remain available until expended.''; and

(3) in subsection (g)(2)—

(A) by striking ''each of''; and

(B) by adding at the end the following: ''Such sums shall remain available until expended.''.

(y) STUDY OF TRANSIT NEEDS IN NATIONAL PARKS AND RELATED PUBLIC LANDS.—Section 3039(b) of the Federal Transit Act of 1998 is amended—

(1) in paragraph (1) by striking ''in order to carry'' and inserting ''assist in carrying''; and

(2) by adding at the end the following:

''(3) DEFINITION.—For purposes of this subsection, the term 'Federal land management agencies' means the National Park Service, the United States Fish and Wildlife Service, and the Bureau of Land Management.''.

(z) OBLIGATION CEILING.—Section 3040 of the Federal Transit Act of 1998 is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) $5,797,000,000 in fiscal year 2000;''; and

(2) in paragraph (4) by striking ''$6,746,000,000'' and inserting ''$6,747,000,000''.

SEC. 710. MOTOR CARRIER SAFETY TECHNICAL CORRECTION.

Section 4011 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(h) TECHNICAL AMENDMENTS.—Section 31314 (as amended by subsection (g) of this section) is amended—

''(1) in subsections (a) and (b) by striking '(3), and (5)' each place it appears and inserting '(3), and (4)'; and

''(2) by striking subsection (d).''.

SEC. 711. RESTORATIONS TO RESEARCH TITLE.

(a) UNIVERSITY TRANSPORTATION RESEARCH FUNDING.—Section 5001(a)(7) of the Transportation Equity Act for the 21st Century is amended—

(1) by striking ''$31,150,000'' each place it appears and inserting ''$25,650,000'';

(2) by striking ''$32,750,000'' each place it appears and inserting ''$27,250,000''; and

(3) by striking ''$32,000,000'' each place it appears and inserting ''$26,500,000''.

(b) OBLIGATION CEILING.—Section 5002 of such Act is amended by striking ''$403,150,000'' and all that follows through ''$468,000,000'' and inserting ''$397,650,000 for fiscal year 1998, $403,650,000 for fiscal year 1999, $422,450,000 for fiscal year 2000, $437,250,000 for fiscal year 2001, $447,500,000 for fiscal year 2002, and $462,500,000''.

(c) USE OF FUNDS FOR ITS.—Section 5210 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(d) USE OF INNOVATIVE FINANCING.—

''(1) IN GENERAL.—The Secretary may use up to 25 percent of the funds made available to carry out this subtitle to make available loans, lines of credit, and loan guarantees for projects that are eligible for assistance under this subtitle and that have significant intelligent transportation system elements.

''(2) CONSISTENCY WITH OTHER LAW.—Credit assistance described in paragraph (1) shall be made available in a manner consistent with the Transportation Infrastructure Finance and Innovation Act of 1998.''.

(d) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5110 of such Act is amended by adding at the end the following:

''(d) TECHNICAL ADJUSTMENTS.—Section 5505 of title 49, United States Code (as added by subsection (a) of this section), is amended—

''(1) in subsection (g)(2) by striking 'section 5506,' and inserting 'section 508 of title 23, United States Code,';

''(2) in subsection (i)—

''(A) by inserting 'Subject to section 5338(e):' after '(i) NUMBER AND AMOUNT OF GRANTS.—'; and

''(B) by striking 'institutions' each place it appears and inserting 'institutions or groups of institutions'; and

''(3) in subsection (j)(4)(B) by striking 'on behalf of' and all that follows before the period and inserting 'on behalf of a consortium which may also include West Virginia University Institute of Technology, the College of West Virginia, and Bluefield State College'.''.

(e) TECHNICAL CORRECTIONS.—Section 5115 of such Act is amended—

(1) in subsection (a) by striking ''Director'' and inserting ''Director of the Bureau of Transportation Statistics'';

(2) in subsection (b) by striking ''Bureau'' and inserting ''Bureau of Transportation Statistics,''; and

(3) in subsection (c) by striking ''paragraph (1)'' and inserting ''subsection (a)''.

(f) CORRECTIONS TO CERTAIN OKLAHOMA PROJECTS.—Section 5116 of such Act is amended—

(1) in subsection (e)(2) by striking ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, and $500,000 for fiscal year 2001'' and inserting ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, $1,000,000 for fiscal year 2001, and $500,000 for fiscal year 2002''; and

(2) in subsection (f)(2) by striking ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, $1,000,000 for fiscal year 2001, and $500,000 for fiscal year 2002'' and inserting ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, and $500,000 for fiscal year 2001''.

(g) INTELLIGENT TRANSPORTATION INFRASTRUCTURE REFERENCE.—Section 5117(b)(3)(B)(ii) of such Act is amended by striking ''local departments of transportation'' and inserting ''the Department of Transportation''.

(h) FUNDAMENTAL PROPERTIES OF ASPHALTS AND MODIFIED ASPHALTS.—Section 5117(b)(5)(B) of such Act is amended—

(1) by striking ''1999'' and inserting ''1998''; and

(2) by striking ''$3,000,000 per fiscal year'' and inserting ''$1,000,000 for fiscal year 1998 and $3,000,000 for each of fiscal years 1999 through 2003''.

SEC. 712. AUTOMOBILE SAFETY AND INFORMATION.

(a) REFERENCE.—Section 7104 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(c) CONFORMING AMENDMENT.—Section 30105(a) of title 49, United States Code (as amended by subsection (a) of this section), is amended by inserting after 'Secretary' the following: 'for the National Highway Traffic Safety Administration'.''.

(b) CLEAN VESSEL ACT FUNDING.—Section 7403 of such Act is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Section 4(b)''; and

(2) by adding at the end the following:

''(b) TECHNICAL AMENDMENT.—Section 4(b)(3)(B) of the 1950 Act (as amended by subsection (a) of this section) is amended by striking '6404(d)' and inserting '7404(d)'.''.

(c) BOATING INFRASTRUCTURE.—Section 7404(b) of such Act is amended by striking ''6402'' and inserting ''7402''.

SEC. 713. TECHNICAL CORRECTIONS REGARDING SUBTITLE A OF TITLE VIII.

(a) AMENDMENT TO OFFSETTING ADJUSTMENT FOR DISCRETIONARY SPENDING LIMIT.—Section 8101(b) of the Transportation Equity Act for the 21st Century is amended—

(1) in paragraph (1) by striking ''$25,173,000,000'' and inserting ''$25,144,000,000''; and

(2) in paragraph (2) by striking ''$26,045,000,000'' and inserting ''$26,009,000,000''.

(b) AMENDMENTS FOR HIGHWAY CATEGORY.—Section 8101 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(f) TECHNICAL AMENDMENTS.—Section 250(c)(4)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by subsection (c) of this Act) is amended—

''(1) by striking 'Century and' and inserting 'Century or';

''(2) by striking 'as amended by this section,' and inserting 'as amended by the Transportation Equity Act for the 21st Century,'; and

''(3) by adding at the end the following new flush sentence:

'Such term also refers to the Washington Metropolitan Transit Authority account (69-1128-0-1-401) only for fiscal year 1999 only for appropriations provided pursuant to authorizations contained in section 14 of Public Law 96–184 and Public Law 101–551.'.''.

(c) TECHNICAL AMENDMENT.—Section 8102 of the Transportation Equity Act for the 21st Century is amended by inserting before the period at the end the following: ''or from section 1102 of this Act''.

SEC. 714. REPEAL OF PROVISIONS RELATING TO VETERANS BENEFITS.

The Veterans Benefits Act of 1998 (subtitle B of title VIII of the Transportation Equity Act for 21st Century) is repealed and shall be treated as if not enacted.

SEC. 715. TECHNICAL CORRECTIONS REGARDING TITLE IX.

(a) HIGHWAY TRUST FUND.—Subsection (f) of section 9002 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following new paragraphs:

''(4) The last sentence of section 9503(c)(1), as amended by subsection (d), is amended by striking 'the date of enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

''(5) Paragraph (3) of section 9503(e), as amended by subsection (d), is amended by striking 'the date of enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.''.

(b) BOAT SAFETY ACCOUNT AND SPORT FISH RESTORATION ACCOUNT.—Section 9005 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following new subsection:

''(f) CLERICAL AMENDMENTS.—

''(1) Subparagraph (A) of section 9504(b)(2), as amended by subsection (b)(1), is amended by striking 'the date of the enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

''(2) Subparagraph (B) of section 9504(b)(2), as added by subsection (b)(3), is amended by striking 'such Act' and inserting 'the TEA 21 Restoration Act'.

''(3) Subparagraph (C) of section 9504(b)(2), as amended by subsection (b)(2) and redesignated by subsection (b)(3), is amended by striking 'the date of the enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

''(4) Subsection (c) of section 9504, as amended by subsection (c)(2), is amended by striking 'the date of enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.''.

SEC. 716. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect simultaneously with the enactment of the Transportation Equity Act for the 21st Century. For purposes of all Federal laws, the amendments made by this title shall be treated as being included in the Transportation Equity Act for the 21st Century at the time of the enactment of such Act, and the provisions of such Act (including the amendments made by such Act) (as in effect on the day before the date of enactment of this Act) that are amended by this title shall be treated as not being enacted.

AMENDMENT NO. 2880

On page 412, below line 2, add the following:

DIVISION D—TRANSPORTATION PROGRAM TECHNICAL CORRECTIONS

SEC. 4001. SHORT TITLE.

This division may be cited as the ''TEA 21 Restoration Act''.

SEC. 702. AUTHORIZATION AND PROGRAM SUBTITLE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1101(a) of the Transportation Equity Act for the 21st Century is amended—

(1) in paragraph (13)—

(A) by striking ''$1,025,695,000'' and inserting ''$1,029,473,500'';

(B) by striking ''$1,398,675,000'' and inserting ''$1,403,827,500'';

(C) by striking ''$1,678,410,000'' the first place it appears and inserting ''$1,684,593,000'';

(D) by striking ''$1,678,410,000'' the second place it appears and inserting ''$1,684,593,000'';

(E) by striking ''$1,771,655,000'' the first place it appears and inserting ''$1,778,181,500''; and

(F) by striking ''$1,771,655,000'' the second place it appears and inserting ''$1,778,181,500''; and

(2) in paragraph (14)—

(A) by striking ''1998'' and inserting ''1999''; and

(B) by inserting before ''$5,000,000'' the following: ''$10,000,000 for fiscal year 1998''.

(b) OBLIGATION LIMITATIONS.—

(1) GENERAL LIMITATION.—Section 1102(a) of such Act is amended—

(A) in paragraph (2) by striking ''$25,431,000,000'' and inserting ''$25,511,000,000'';

(B) in paragraph (3) by striking ''$26,155,000,000'' and inserting ''$26,245,000,000'';

(C) in paragraph (4) by striking ''$26,651,000,000'' and inserting ''$26,761,000,000'';

(D) in paragraph (5) by striking ''$27,235,000,000'' and inserting ''$27,355,000,000''; and

(E) in paragraph (6) by striking ''$27,681,000,000'' and inserting ''$27,811,000,000''.

(2) TRANSPORTATION RESEARCH PROGRAMS.—Section 1102(e) of such Act is amended—

(A) by striking ''3'' and inserting ''5'';

(B) by striking ''VI'' and inserting ''V''; and

(C) by inserting before the period at the end the following: ''; except that obligation authority made available for such programs under such limitations shall remain available for a period of 3 fiscal years''.

(3) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Section 1102(f) of such Act is amended by striking ''(other than the program under section 160 of title 23, United States Code)''.

(c) APPORTIONMENTS.—Section 1103 of such Act is amended—

(1) in subsection (l) by adding at the end the following:

''(5) Section 150 of such title, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.'';

(2) in subsection (n) by inserting ''of title 23, United States Code'' after ''206''; and

(3) by adding at the end the following:

''(o) TECHNICAL ADJUSTMENTS.—Section 104 of title 23, United States Code, is amended—

''(1) in subsection (a)(1) (as amended by subsection (a) of this section) by striking 'under section 103';

''(2) in subsection (b) (as amended by subsection (b) of this section)—

''(A) in paragraph (1)(A) by striking '1999 through 2003' and inserting '1998 through 2002'; and

''(B) in paragraph (4)(B)(i) by striking 'on lanes on Interstate System' and all that follows through 'in each State' and inserting 'on Interstate System routes open to traffic in each State'; and

''(3) in subsection (e)(2) (as added by subsection (d)(6) of this section) by striking '104, 144, or 157' and inserting '104, 105, or 144'.''.

(d) MINIMUM GUARANTEE.—Section 1104 of such Act is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 105 of title 23, United States Code (as amended by subsection (a) of this section), is amended—

''(1) in subsection (a) by adding at the end the following: 'The minimum amount allocated to a State under this section for a fiscal year shall be $1,000,000.';

''(2) in subsection (c)(1) by striking '50 percent of';

''(3) in subsection (c)(1)(A) by inserting '(other than metropolitan planning, minimum guarantee, high priority projects, Appalachian development highway system, and recreational trails programs)' after 'subsection (a)';

''(4) in subsection (c)(1)(B) by striking 'all States' and inserting 'each State';

''(5) in subsection (c)(2)—

''(A) by striking 'apportion' and inserting 'administer'; and

''(B) by striking 'apportioned' and inserting 'administered'; and

''(6) in subsection (f)—

''(A) by inserting 'percentage' before 'return' each place it appears;

''(B) in paragraph (2) by striking 'for the preceding fiscal year was equal to or less than' and inserting 'in the table in subsection (b) was equal to'; and

''(C) in paragraph (3)—

''(i) by inserting 'proportionately' before 'adjust';

''(ii) by striking 'set forth'; and

''(iii) by striking 'do not exceed' and inserting 'is equal to'.''.

(e) REVENUE ALIGNED BUDGET AUTHORITY.—Section 1105 of such Act is amended by adding at the end the following:

''(c) TECHNICAL CORRECTIONS.—Section 110 of such title (as amended by subsection (a)) is amended—

''(1) by striking subsection (a) and inserting the following:

'(a) IN GENERAL.—

'(1) ALLOCATION.—On October 15 of fiscal year 2000 and each fiscal year thereafter, the Secretary shall allocate for such fiscal year an amount of funds equal to the amount determined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C 901(b)(2)(B)(ii)(I)(cc)) if the amount determined pursuant to such section for such fiscal year is greater than zero.

'(2) REDUCTION.—If the amount determined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C 901(b)(2)(B)(ii)(I)(cc)) for fiscal year 2000 or any fiscal year thereafter is less than zero, the Secretary on October 1 of the succeeding fiscal year shall reduce proportionately the amount of sums authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out each of the Federal-aid highway and highway safety construction programs (other than emergency relief) by an aggregate amount equal to the amount determined pursuant to such section.';

''(2) in subsections (b)(2) and (b)(4) by striking 'subsection (a)' and inserting 'subsection (a)(1)'; and

''(3) in subsection (c) by striking 'Maintenance program, the' and inserting 'and'.''.

(f) INTERSTATE MAINTENANCE PROGRAM.—Section 1107 of such Act is amended by adding at the end the following:

''(d) TECHNICAL AMENDMENTS.—Section 119 of such title (as amended by subsection (a)) is amended—

''(1) in subsection (b)—

''(A) by striking '104(b)(5)(B)' and inserting '104(b)(4)'; and

''(B) by striking '104(b)(5)(A)' each place it appears and inserting '104(b)(5)(A) (as in effect on the date before the date of enactment of the Transportation Equity Act for the 21st Century)'; and

''(2) in subsection (c) by striking '104(b)(5)(B)' each place it appears and inserting '104(b)(4)'.''.

(g) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—Section 1110(d)(2) of such Act is amended—

(1) by striking ''149(c)'' and inserting ''149(e)''; and

(2) by striking ''that reduce'' and inserting ''reduce''.

(h) HIGHWAY USE TAX EVASION PROJECTS.—Section 1114 of such Act is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 143 of title 23, United States Code (as amended by subsection (a) of this section), is amended—

''(1) in subsection (c)(1) by striking 'April 1' and inserting 'August 1';

''(2) in subsection (c)(3) by inserting 'PRIORITY' after 'FUNDING'; and

''(3) in subsection (c)(3) by inserting 'and prior to funding any other activity under this section,' after '2003,'.''.

(i) FEDERAL LANDS HIGHWAYS PROGRAM.—Section 1115 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(f) CONFORMING AMENDMENTS.—

''(1) FEDERAL SHARE.—Subsections (j) and (k) of section 120 of title 23, United States Code (as added by subsection (a) of this section), are redesignated as subsections (k) and (l), respectively.

''(2) RESERVATION OF FUNDS.—Section 202(d)(4)(B) of such title (as added by subsection (b)(4) of this section) is amended by striking 'to, apply sodium acetate/formate de-icer to,' and inserting ', sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions'.

''(3) ELIMINATION OF DUPLICATIVE PROVISION.—Section 144(g) of such title is amended by striking paragraph (4).''.

(j) WOODROW WILSON MEMORIAL BRIDGE CORRECTION.—Section 1116 of such Act is amended by adding at the end the following:

''(e) TECHNICAL CORRECTION.—Sections 404(5) and 407(c)(2)(C)(iii) of such Act (as amended by subsections (a)(2) and (b)(2), respectively) are amended by striking 'the record of decision' each place it appears and inserting 'a record of decision'.''.

(k) TECHNICAL CORRECTION.—Section 1117 of such Act is amended in subsections (a) and (b) by striking ''section 102'' each place it appears and inserting ''section 1101(a)(6)''.

SEC. 703. RESTORATIONS TO GENERAL PROVISIONS SUBTITLE.

(a) IN GENERAL.—Subtitle B of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''SEC. 1224. NATIONAL HISTORIC COVERED BRIDGE PRESERVATION.

''(a) HISTORIC COVERED BRIDGE DEFINED.—In this section, the term 'historic covered bridge' means a covered bridge that is listed or eligible for listing on the National Register of Historic Places.

''(b) HISTORIC COVERED BRIDGE PRESERVATION.—Subject to the availability of appropriations under subsection (d), the Secretary shall—

''(1) collect and disseminate information concerning historic covered bridges;

''(2) foster educational programs relating to the history and construction techniques of historic covered bridges;

''(3) conduct research on the history of historic covered bridges; and

''(4) conduct research, and study techniques, on protecting historic covered bridges from rot, fire, natural disasters, or weight-related damage.

''(c) DIRECT FEDERAL ASSISTANCE.—

''(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall make a grant to a State that submits an application to the Secretary that demonstrates a need for assistance in carrying out 1 or more historic covered bridge projects described in paragraph (2).

''(2) TYPES OF PROJECT.—A grant under paragraph (1) may be made for a project—

''(A) to rehabilitate or repair a historic covered bridge; and

''(B) to preserve a historic covered bridge, including through—

''(i) installation of a fire protection system, including a fireproofing or fire detection system and sprinklers;

''(ii) installation of a system to prevent vandalism and arson; or

''(iii) relocation of a bridge to a preservation site.

''(3) AUTHENTICITY.—A grant under paragraph (1) may be made for a project only if—

''(A) to the maximum extent practicable, the project—

''(i) is carried out in the most historically appropriate manner; and

''(ii) preserves the existing structure of the historic covered bridge; and

''(B) the project provides for the replacement of wooden components with wooden components, unless the use of wood is impracticable for safety reasons.

''(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with a grant under this subsection shall be 80 percent.

''(d) FUNDING.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 1999 through 2003. Such funds shall remain available until expended.

''SEC. 1225. SUBSTITUTE PROJECT.

''(a) APPROVAL OF PROJECT.—Notwithstanding any other provision of law, upon the request of the Mayor of the District of Columbia, the Secretary may approve substitute highway and transit projects under section 103(e)(4) of title 23, United States Code (as in effect on the day before the date of enactment of this Act), in lieu of construction of the Barney Circle Freeway project in the District of Columbia, as identified in the 1991 Interstate Cost Estimate.

''(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—Upon approval of any substitute project or projects under subsection (a)—

''(1) the cost of construction of the Barney Circle Freeway Modification project shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956; and

''(2) substitute projects approved pursuant to this section shall be funded from interstate construction funds apportioned or allocated to the District of Columbia that are not expended and not subject to lapse on the date of enactment of this Act.

''(c) FEDERAL SHARE.—The Federal share payable on account of a project or activity approved under this section shall be 85 percent of the cost thereof; except that the exception set forth in section 120(b)(2) of title 23, United States Code, shall apply.

''(d) LIMITATION ON ELIGIBILITY.—Any substitute project approved pursuant to subsection (a) (for which the Secretary finds that sufficient Federal funds are available) must be under contract for construction, or construction must have commenced, before the last day of the 4-year period beginning on the date of enactment of this Act. If the substitute project is not under contract for construction, or construction has not commenced, by such last day, the Secretary shall withdraw approval of the substitute project.

''SEC. 1226. FISCAL, ADMINISTRATIVE, AND OTHER AMENDMENTS.

''(a) ADVANCED CONSTRUCTION.—Section 115 of title 23, United States Code, is amended—

''(1) in subsection (b)—

''(A) by moving the text of paragraph (1) (including subparagraphs (A) and (B)) 2 ems to the left;

''(B) by striking 'PROJECTS' and all that follows through 'When a State' and inserting 'PROJECTS.—When a State';

''(C) by striking paragraphs (2) and (3);

''(D) by striking '(A) prior' and inserting '(1) prior'; and

''(E) by striking '(B) the project' and inserting '(2) the project';

''(2) by striking subsection (c); and

''(3) by redesignating subsection (d) as subsection (c).

''(b) AVAILABILITY OF FUNDS.—Section 118 of such title is amended—

''(1) in the subsection heading of subsection (b) by striking '; DISCRETIONARY PROJECTS'; and

''(2) by striking subsection (e) and inserting the following:

'(e) EFFECT OF RELEASE OF FUNDS.—Any Federal-aid highway funds released by the final payment on a project, or by the modification of the project agreement, shall be credited to the same program funding category previously apportioned to the State and shall be immediately available for expenditure.'.''.

''(c) ADVANCES TO STATES.—Section 124 of such title is amended—

''(1) by striking '(a)' the first place it appears; and

''(2) by striking subsection (b).

''(d) DIVERSION.—Section 126 of such title, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1(b) of such Act is amended by inserting after the item relating to section 1222 the following:

''Sec. 1223. Transportation assistance for Olympic cities.
''Sec. 1224. National historic covered bridge preservation.
''Sec. 1225. Substitute project.
''Sec. 1226. Fiscal, administrative, and other amendments.''.

(c) METROPOLITAN PLANNING TECHNICAL ADJUSTMENT.—Section 1203 of such Act is amended by adding at the end the following:

''(o) TECHNICAL ADJUSTMENT.—Section 134(h)(5)(A) of title 23, United States Code (as amended by subsection (h) of this section), is amended by striking 'for implementation'.''.

(d) AMENDMENTS TO PRIOR SURFACE TRANSPORTATION LAWS.—Section 1211 of such Act is amended—

(1) in subsection (i)(3)(E) by striking ''subparagraph (D)'' and inserting ''subparagraph (C)'';

(2) in subsection (i) by adding at the end the following:

''(4) TECHNICAL AMENDMENTS.—Section 1105(e)(5)(B)(i) of such Act (as amended by paragraph (3) of this subsection) is amended—

''(A) by striking 'subsection (c)(18)(B)(i)' and inserting 'subsection (c)(18)(D)(i)';

''(B) by striking 'subsection (c)(18)(B)(ii)' and inserting 'subsection (c)(18)(D)(ii)'; and

''(C) by adding at the end the following: 'The portion of the route referred to in subsection (c)(36) is designated as Interstate Route I–86.'.'';

(3) by striking subsection (j);

(4) in subsection (k)—

(A) by striking ''along'' in paragraph (1) and inserting ''from''; and

(B) by adding at the end the following:

''(4) TEXAS STATE HIGHWAY 99.—Texas State Highway 99 (also known as 'Grand Parkway') shall be considered as 1 option in the I–69 route studies performed by the Texas Department of Transportation for the designation of I–69 Bypass in Houston, Texas.''; and

(5) by redesignating subsections (g) through (i) and (k) through (n) as subsections (f) through (h) and (i) through (l), respectively.

(e) MISCELLANEOUS.—Section 1212 of such Act is amended—

(1) in the second sentence of subsection (q)(1) by striking ''advance curriculum'' and inserting ''advanced curriculum'';

(2) in subsection (r)—

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

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

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) $2,000,000 for fiscal year 1999 and $2,500,000 for fiscal year 2000.'';

(3) in subsection (s)—

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

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

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) $23,000,000 for fiscal year 1999.'';

(4) in subsection (u)—

(A) by inserting ''the Secretary shall approve, and'' before ''the Commonwealth'';

(B) by inserting a comma after ''with''; and

(C) by inserting ''(as redefined by this Act)'' after ''80''; and

(5) by redesignating subsections (k) through (z) as subsections (e) through (t), respectively.

(f) PUERTO RICO HIGHWAY PROGRAM.—Section 1214(r) of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(3) TREATMENT OF FUNDS.—Amounts made available to carry out this subsection for a fiscal year shall be administered as follows:

''(A) For purposes of this subsection, such amounts shall be treated as being apportioned to Puerto Rico under sections 104(b), 144, and 206 of title 23, United States Code, for each program funded under such sections in an amount determined by multiplying—

''(i) the aggregate of such amounts for the fiscal year; by

''(ii) the ratio that—

''(I) the amount of funds apportioned to Puerto Rico for each such program for fiscal year 1997; bears to

''(II) the total amount of funds apportioned to Puerto Rico for all such programs for fiscal year 1997.

''(B) The amounts treated as being apportioned to Puerto Rico under each section referred to in subparagraph (A) shall be deemed to be required to be apportioned to Puerto Rico under such section for purposes of the imposition of any penalty provisions in titles 23 and 49, United States Code.

''(C) Subject to subparagraph (B), nothing in this subsection shall be construed as affecting any allocation under section 105 of title 23, United States Code, and any apportionment under sections 104 and 144 of such title.''.

(g) DESIGNATED TRANSPORTATION ENHANCEMENT ACTIVITIES.—Section 1215 of such Act—

(1) is amended in each of subsections (d), (e), (f), and (g)—

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

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

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out paragraph (1) the amounts specified in such paragraph for the fiscal years specified in such paragraph.''; and

(2) in subsection (d)(1) by inserting ''on Route 50'' after ''measures''.

(h) ELIGIBILITY.—Section 1217 of such Act is amended—

(1) in subsection (d) by striking ''104(b)(4)'' and inserting ''104(b)(5)(A)'';

(2) in subsection (i) by striking ''120(l)(1)'' and inserting ''120(j)(1)''; and

(3) in subsection (j) by adding at the end the following: ''$3,000,000 of the amounts made available for item 164 of the table contained in section 1602 shall be made available on October 1, 1998, to the Pennsylvania Turnpike Commission to carry out this subsection.''.

(i) MAGNETIC LEVITATION TRANSPORTATION TECHNOLOGY DEPLOYMENT PROGRAM.—Section 1218 of such Act is amended by adding at the end the following:

''(c) TECHNICAL AMENDMENTS.—Section 322 of title 23, United States Code (as added by subsection (a) of this section), is amended—

''(1) in subsection (a)(3) by striking 'or under 50 miles per hour';

''(2) in subsection (d)—

''(A) in paragraph (1) by striking 'or low-speed'; and

''(B) in paragraph (2)—

''(i) in subparagraph (A) by striking '(h)(1)(A)' and inserting '(h)(1)'; and

''(ii) in subparagraph (B) by striking '(h)(4)' and inserting '(h)(3)';

''(3) in subsection (h)(1)(B)(i) by inserting '(other than subsection (i))' after 'this section'; and

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

'(i) LOW-SPEED PROJECT.—

'(1) IN GENERAL.—Notwithstanding any other provision of this section, of the funds made available by subsection (h)(1)(A) to carry out this section, $5,000,000 shall be made available to the Secretary to make grants for the research and development of low-speed superconductivity magnetic levitation technology for public transportation purposes in urban areas to demonstrate energy efficiency, congestion mitigation, and safety benefits.

'(2) NONCONTRACT AUTHORITY AUTHORIZATION OF APPROPRIATIONS.—

'(A) IN GENERAL.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection such sums as are necessary for each of fiscal years 2000 through 2003.

'(B) AVAILABILITY.—Notwithstanding section 118(a), funds made available under subparagraph (A)—

'(i) shall not be available in advance of an annual appropriation; and

'(ii) shall remain available until expended.'.''.

(j) TRANSPORTATION ASSISTANCE FOR OLYMPIC CITIES.—Section 1223(f) of such Act is amended by inserting before the period at the end the following: ''or Special Olympics International''.

SEC. 704. RESTORATIONS TO PROGRAM STREAMLINING AND FLEXIBILITY SUBTITLE.

(a) IN GENERAL.—Subtitle C of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''SEC. 1311. DISCRETIONARY GRANT SELECTION CRITERIA AND PROCESS.

''(a) ESTABLISHMENT OF CRITERIA.—The Secretary shall establish criteria for all discretionary programs funded from the Highway Trust Fund (other than the Mass Transit Account). To the extent practicable, such criteria shall conform to the Executive Order No. 12893 (relating to infrastructure investment).

''(b) SELECTION PROCESS.—

''(1) LIMITATION ON ACCEPTANCE OF APPLICATIONS.—Before accepting applications for grants under any discretionary program for which funds are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) by this Act (including the amendments made by this Act), the Secretary shall publish the criteria established under subsection (a). Such publication shall identify all statutory criteria and any criteria established by regulation that will apply to the program.

''(2) EXPLANATION.—Not less often than quarterly, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of the projects selected under discretionary programs funded from the Highway Trust Fund (other than the Mass Transit Account) and an explanation of how the projects were selected based on the criteria established under subsection (a).

''(c) MINIMUM COVERED PROGRAMS.—At a minimum, the criteria established under subsection (a) and the selection process established by subsection (b) shall apply to the following programs:

''(1) The intelligent transportation system deployment program under title V.

''(2) The national corridor planning and development program.

''(3) The coordinated border infrastructure and safety program.

''(4) The construction of ferry boats and ferry terminal facilities.

''(5) The national scenic byways program.

''(6) The Interstate discretionary program.

''(7) The discretionary bridge program.''.

(b) CONFORMING AMENDMENTS.—The table of contents contained in section 1(b) of such Act is amended—

(1) by striking the following:

''Sec. 1309. Major investment study integration.''.

and inserting the following:

''Sec. 1308. Major investment study integration.'';

and

(2) by inserting after the item relating to section 1310 the following:

''Sec. 1311. Discretionary grant selection criteria and process.''.

(c) REVIEW PROCESS.—Section 1309 of the Transportation Equity Act for the 21st Century is amended—

(1) in subsection (a)(1) by inserting after ''highway construction'' the following: ''and mass transit'';

(2) in subsection (d) by inserting after ''Code,'' the following: ''or chapter 53 of title 49, United States Code,''; and

(3) in subsection (e)(1)—

(A) by inserting ''or recipient'' after ''a State'';

(B) by inserting after ''provide funds'' the following: ''for a highway project''; and

(C) by inserting after ''Code,'' the following: ''or for a mass transit project made available under chapter 53 of title 49, United States Code,''.

SEC. 705. RESTORATIONS TO SAFETY SUBTITLE.

(a) IN GENERAL.—Subtitle D of title I of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''SEC. 1405. OPEN CONTAINER LAWS.

''(a) ESTABLISHMENT.—Chapter 1 of title 23, United States Code, is amended by inserting after section 153 the following:

'§ 154. Open container requirements

'(a) DEFINITIONS.—In this section, the following definitions apply:

'(1) ALCOHOLIC BEVERAGE.—The term ''alcoholic beverage'' has the meaning given the term in section 158(c).

'(2) MOTOR VEHICLE.—The term ''motor vehicle'' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated exclusively on a rail or rails.

'(3) OPEN ALCOHOLIC BEVERAGE CONTAINER.—The term ''open alcoholic beverage container'' means any bottle, can, or other receptacle—

'(A) that contains any amount of alcoholic beverage; and

'(B)(i) that is open or has a broken seal; or

'(ii) the contents of which are partially removed.

'(4) PASSENGER AREA.—The term ''passenger area'' shall have the meaning given the term by the Secretary by regulation.

'(b) OPEN CONTAINER LAWS.—

'(1) IN GENERAL.—For the purposes of this section, each State shall have in effect a law that prohibits the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle (including possession or consumption by the driver of the vehicle) located on a public highway, or the right-of-way of a public highway, in the State.

'(2) MOTOR VEHICLES DESIGNED TO TRANSPORT MANY PASSENGERS.—For the purposes of this section, if a State has in effect a law that makes unlawful the possession of any open alcoholic beverage container by the driver (but not by a passenger)—

'(A) in the passenger area of a motor vehicle designed, maintained, or used primarily for the transportation of persons for compensation, or

'(B) in the living quarters of a house coach or house trailer,

the State shall be deemed to have in effect a law described in this subsection with respect to such a motor vehicle for each fiscal year during which the law is in effect.

'(c) TRANSFER OF FUNDS.—

'(1) FISCAL YEARS 2001 AND 2002.—On October 1, 2000, and October 1, 2001, if a State has not enacted or is not enforcing an open container law described in subsection (b), the Secretary shall transfer an amount equal to 1½ percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402—

'(A) to be used for alcohol-impaired driving countermeasures; or

'(B) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

'(2) FISCAL YEAR 2003 AND FISCAL YEARS THEREAFTER.—On October 1, 2002, and each October 1 thereafter, if a State has not enacted or is not enforcing an open container law described in subsection (b), the Secretary shall transfer an amount equal to 3 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be used or directed as described in subparagraph (A) or (B) of paragraph (1).

'(3) USE FOR HAZARD ELIMINATION PROGRAM.—A State may elect to use all or a portion of the funds transferred under paragraph (1) or (2) for activities eligible under section 152.

'(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds transferred under paragraph (1) or (2), or used under paragraph (3), shall be 100 percent.

'(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (1) or (2) may be derived from 1 or more of the following:

'(A) The apportionment of the State under section 104(b)(1).

'(B) The apportionment of the State under section 104(b)(3).

'(C) The apportionment of the State under section 104(b)(4).

'(6) TRANSFER OF OBLIGATION AUTHORITY.—

'(A) IN GENERAL.—If the Secretary transfers under this subsection any funds to the apportionment of a State under section 402 for a fiscal year, the Secretary shall transfer an amount, determined under subparagraph (B), of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs for carrying out projects under section 402.

'(B) AMOUNT.—The amount of obligation authority referred to in subparagraph (A) shall be determined by multiplying—

'(i) the amount of funds transferred under subparagraph (A) to the apportionment of the State under section 402 for the fiscal year; by

'(ii) the ratio that—

'(I) the amount of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs; bears to

'(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to any obligation limitation) for the fiscal year.

'(7) LIMITATION ON APPLICABILITY OF OBLIGATION LIMITATION.—Notwithstanding any other provision of law, no limitation on the total of obligations for highway safety programs under section 402 shall apply to funds transferred under this subsection to the apportionment of a State under such section.'.

''(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by inserting after the item relating to section 153 the following:

'154. Open container requirements.'.

''SEC. 1406. MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.

''(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

'§ 164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence

'(a) DEFINITIONS.—In this section, the following definitions apply:

'(1) ALCOHOL CONCENTRATION.—The term ''alcohol concentration'' means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

'(2) DRIVING WHILE INTOXICATED; DRIVING UNDER THE INFLUENCE.—The terms ''driving while intoxicated'' and ''driving under the influence'' mean driving or being in actual physical control of a motor vehicle while having an alcohol concentration above the permitted limit as established by each State.

'(3) LICENSE SUSPENSION.—The term ''license suspension'' means the suspension of all driving privileges.

'(4) MOTOR VEHICLE.—The term ''motor vehicle'' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated solely on a rail line or a commercial vehicle.

'(5) REPEAT INTOXICATED DRIVER LAW.—The term ''repeat intoxicated driver law'' means a State law that provides, as a minimum penalty, that an individual convicted of a second or subsequent offense for driving while intoxicated or driving under the influence after a previous conviction for that offense shall—

'(A) receive a driver's license suspension for not less than 1 year;

'(B) be subject to the impoundment or immobilization of each of the individual's motor vehicles or the installation of an ignition interlock system on each of the motor vehicles;

'(C) receive an assessment of the individual's degree of abuse of alcohol and treatment as appropriate; and

'(D) receive—

'(i) in the case of the second offense—

'(I) an assignment of not less than 30 days of community service; or

'(II) not less than 5 days of imprisonment; and

'(ii) in the case of the third or subsequent offense—

'(I) an assignment of not less than 60 days of community service; or

'(II) not less than 10 days of imprisonment.

'(b) TRANSFER OF FUNDS.—

'(1) FISCAL YEARS 2001 AND 2002.—On October 1, 2000, and October 1, 2001, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer an amount equal to 1½ percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402—

'(A) to be used for alcohol-impaired driving countermeasures; or

'(B) to be directed to State and local law enforcement agencies for enforcement of laws prohibiting driving while intoxicated or driving under the influence and other related laws (including regulations), including the purchase of equipment, the training of officers, and the use of additional personnel for specific alcohol-impaired driving countermeasures, dedicated to enforcement of the laws (including regulations).

'(2) FISCAL YEAR 2003 AND FISCAL YEARS THEREAFTER.—On October 1, 2002, and each October 1 thereafter, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall transfer an amount equal to 3 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be used or directed as described in subparagraph (A) or (B) of paragraph (1).

'(3) USE FOR HAZARD ELIMINATION PROGRAM.—A State may elect to use all or a portion of the funds transferred under paragraph (1) or (2) for activities eligible under section 152.

'(4) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds transferred under paragraph (1) or (2), or used under paragraph (3), shall be 100 percent.

'(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (1) or (2) may be derived from 1 or more of the following:

'(A) The apportionment of the State under section 104(b)(1).

'(B) The apportionment of the State under section 104(b)(3).

'(C) The apportionment of the State under section 104(b)(4).

'(6) TRANSFER OF OBLIGATION AUTHORITY.—

'(A) IN GENERAL.—If the Secretary transfers under this subsection any funds to the apportionment of a State under section 402 for a fiscal year, the Secretary shall transfer an amount, determined under subparagraph (B), of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs for carrying out projects under section 402.

'(B) AMOUNT.—The amount of obligation authority referred to in subparagraph (A) shall be determined by multiplying—

'(i) the amount of funds transferred under subparagraph (A) to the apportionment of the State under section 402 for the fiscal year; by

'(ii) the ratio that—

'(I) the amount of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs; bears to

'(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to any obligation limitation) for the fiscal year.

'(7) LIMITATION ON APPLICABILITY OF OBLIGATION LIMITATION.—Notwithstanding any other provision of law, no limitation on the total of obligations for highway safety programs under section 402 shall apply to funds transferred under this subsection to the apportionment of a State under such section.'.

''(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by adding at the end the following:

'164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.'.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1(b) of such Act is amended by inserting after the item relating to section 1403 the following:

''Sec. 1404. Safety incentives to prevent operation of motor vehicles by intoxicated persons.

''Sec. 1405. Open container laws.

''Sec. 1406. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.''.

(c) ROADSIDE SAFETY TECHNOLOGIES.—Section 1402(a)(2) of such Act is amended by striking ''directive'' and inserting ''redirective''.

SEC. 706. ELIMINATION OF DUPLICATE PROVISIONS.

(a) SAN MATEO COUNTY, CALIFORNIA.—Section 1113 of the Transportation Equity Act for the 21st Century is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (c) as subsection (d).

(b) VALUE PRICING PILOT PROGRAM.—Section 1216(a) of such Act is amended by adding at the end the following:

''(8) CONFORMING AMENDMENTS.—

''(A) Section 1012(b)(6) of such Act (as amended by paragraph (5) of this subsection) is amended by striking '146(c)' and inserting '102(a)'.

''(B) Section 1012(b)(8) of such Act (as added by paragraph (7) of this subsection) is amended—

''(i) in subparagraph (C) by striking 'under this subsection' and inserting 'to carry out this subsection';

''(ii) in subparagraph (D)—

''(I) by striking 'under this paragraph' and inserting 'to carry out this subsection'; and

''(II) by striking 'by this paragraph' and inserting 'to carry out this subsection';

''(iii) by striking subparagraph (A); and

''(iv) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively.''.

(c) NATIONAL DEFENSE HIGHWAYS OUTSIDE THE UNITED STATES.—Section 1214(e) of such Act is amended to read as follows:

''(e) MINNESOTA TRANSPORTATION HISTORY NETWORK.—

''(1) IN GENERAL.—The Secretary shall award a grant to the Minnesota Historical Society for the establishment of the Minnesota Transportation History Network to include major exhibits, interpretive programs at national historic landmark sites, and outreach programs with county and local historical organizations.

''(2) COORDINATION.—In carrying out subsection (a), the Secretary shall coordinate with officials of the Minnesota Historical Society.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $1,000,000 for each of fiscal years 1999 through 2003 to carry out this subsection.

''(4) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that such funds shall remain available until expended.''.

(d) ENTRANCE PAVING AT NINIGRET NATIONAL WILDLIFE REFUGE.—Section 1214(i) of such Act is amended by striking ''$750,000'' each place it appears and inserting ''$75,000''.

SEC. 707. HIGHWAY FINANCE.

(a) IN GENERAL.—Section 1503 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(c) TECHNICAL AMENDMENTS.—Section 188 of title 23, United States Code (as added by subsection (a) of this section), is amended—

''(1) in subsection (a)(2) by striking '1998' and inserting '1999'; and

''(2) in subsection (c)—

''(A) by striking '1998' and inserting '1999'; and

''(B) by striking the table and inserting the following:

'Fiscal year:	Maximum amount of credit:
1999	$1,600,000,000
2000	$1,800,000,000
2001	$2,200,000,000
2002	$2,400,000,000
2003	$2,600,000,000.'.''.

(b) CONFORMING AMENDMENTS.—The table of contents contained in section 1(b) of the Transportation Equity Act for the 21st Century is amended—

(1) in the item relating to section 1119 by striking ''and safety''; and

(2) by striking the items relating to subtitle E of title I and inserting the following:

''Subtitle E—Finance

''CHAPTER 1—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION

''Sec. 1501. Short title.

''Sec. 1502. Findings.

''Sec. 1503. Establishment of program.

''Sec. 1504. Duties of the Secretary.

''CHAPTER 2—STATE INFRASTRUCTURE BANK PILOT PROGRAM

''Sec. 1511. State infrastructure bank pilot program.''.

SEC. 708. HIGH PRIORITY PROJECTS TECHNICAL CORRECTIONS.

The table contained in section 1602 of the Transportation Equity Act for the 21st Century is amended—

(1) in item 1 by striking ''1.275'' and inserting ''1.7'';

(2) in item 82 by striking ''30.675'' and inserting ''32.4'';

(3) in item 107 by striking ''1.125'' and inserting ''1.44'';

(4) in item 121 by striking ''10.5'' and inserting ''5.0'';

(5) in item 140 by inserting ''-VFHS Center'' after ''Park'';

(6) in item 151 by striking ''5.666'' and inserting ''8.666'';

(7) in item 164—

(A) by inserting '', and $3,000,000 for the period of fiscal years 1998 and 1999 shall be made available to carry out section 1217(j)'' after ''Pennsylvania''; and

(B) by striking ''25'' and inserting ''24.78'';

(8) by striking item 166 and inserting the following:

''166.	Michigan	Improve Tenth Street, Port Huron	1.8'';

(9) by striking item 242 and inserting the following:

''242.	Minnesota ...	Construct Third Street North, CSAH 81, Waite Park and St. Cloud	1.0'';

(10) by striking item 250 and inserting the following:

''250.	Indiana	Reconstruct Old Merridan Corridor from Pennsylvania Avenue to Gilford Road	1.35'';

(11) in item 255 by striking ''2.25'' and inserting ''3.0'';

(12) in item 263 by striking ''Upgrade Highway 99 between State Highway 70 and Lincoln Road, Sutter County'' and inserting ''Upgrade Highway 99, Sutter County'';

(13) in item 288 by striking ''3.75'' and inserting ''5.0'';

(14) in item 290 by striking ''3.5'' and inserting ''3.0'';

(15) in item 345 by striking ''8'' and inserting ''19.4'';

(16) in item 418 by striking ''2'' and inserting ''2.5'';

(17) in item 421 by striking ''11'' and inserting ''6'';

(18) in item 508 by striking ''1.8'' and inserting ''2.4'';

(19) by striking item 525 and inserting the following:

''525.	Alaska	Construct Bradfield Canal Road	1'';

(20) in item 540 by striking ''1.5'' and inserting ''2.0'';

(21) in item 576 by striking ''0.52275'' and inserting ''0.69275'';

(22) in item 588 by striking ''2.5'' and inserting ''3.0'';

(23) in item 591 by striking ''10'' and inserting ''5'';

(24) in item 635 by striking ''1.875'' and inserting ''2.15'';

(25) in item 669 by striking ''3'' and inserting ''3.5'';

(26) in item 702 by striking ''10.5'' and inserting ''10'';

(27) in item 746 by inserting '', and for the purchase of the Block House in Scott County, Virginia'' after ''Forest'';

(28) in item 755 by striking ''1.125'' and inserting ''1.5'';

(29) in item 769 by striking ''Construct new I–95 interchange with Highway 99W, Tehama County'' and inserting ''Construct new I–5 interchange with Highway 99W, Tehama County'';

(30) in item 770 by striking ''1.35'' and inserting ''1.0'';

(31) in item 789 by striking ''2.0625'' and inserting ''1.0'';

(32) in item 803 by striking ''Tomahark'' and inserting ''Tomahawk'';

(33) in item 836 by striking ''Construct'' and all that follows through ''for'' and inserting ''To the National Park Service for construction of the'';

(34) in item 854 by striking ''0.75'' and inserting ''1'';

(35) in item 863 by striking ''9'' and inserting ''4.75'';

(36) in item 887 by striking ''0.75'' and inserting ''3.21'';

(37) in item 891 by striking ''19.5'' and inserting ''25.0'';

(38) in item 902 by striking ''10.5'' and inserting ''14.0'';

(39) by striking item 1065 and inserting the following:

''1065.	Texas	Construct a 4-lane divided highway on Artcraft Road from I–10 to Route 375 in El Paso	5'';

(40) in item 1192 by striking ''24.97725'' and inserting ''24.55725'';

(41) in item 1200 by striking ''Upgrade (all weather) on U.S. 2, U.S. 41, and M 35'' and inserting ''Upgrade (all weather) on Delta County's reroute of U.S. 2, U.S. 41, and M 35'';

(42) in item 1245 by striking ''3'' and inserting ''3.5'';

(43) in item 1271 by striking ''Spur'' and all that follows through ''U.S. 59'' and inserting ''rail-grade separations (Rosenberg Bypass) at U.S. 59(S)'';

(44) in item 1278 by striking ''28.18'' and inserting ''22.0'';

(45) in item 1288 by inserting ''30'' after ''U.S.'';

(46) in item 1338 by striking ''5.5'' and inserting ''3.5'';

(47) in item 1383 by striking ''0.525'' and inserting ''0.35'';

(48) in item 1395 by striking ''Construct'' and all that follows through ''Road'' and inserting ''Upgrade Route 219 between Meyersdale and Somerset'';

(49) in item 1468 by striking ''Reconstruct'' and all that follows through ''U.S. 23'' and inserting ''Conduct engineering and design and improve I–94 in Calhoun and Jackson Counties'';

(50) in item 1474—

(A) by striking ''in Euclid'' and inserting ''and London Road in Cleveland''; and

(B) by striking ''3.75'' and inserting ''8.0'';

(51) in item 1535 by striking ''Stanford'' and inserting ''Stamford'';

(52) in item 1538 by striking ''and Winchester'' and inserting '', Winchester, and Torrington'';

(53) by striking item 1546 and inserting the following:

''1546.	Michigan	Construct Bridge-to-Bay bike path, St. Clair County	0.450'';

(54) by striking item 1549 and inserting the following:

''1549.	New York	Center for Advanced Simulation and Technology, at Dowling College	0.6'';

(55) in item 1663 by striking ''26.5'' and inserting ''27.5'';

(56) in item 1703 by striking ''I–80'' and inserting ''I–180'';

(57) in item 1726 by striking ''I–179'' and inserting ''I–79'';

(58) by striking item 1770 and inserting the following:

''1770.	Virginia	Operate and conduct research on the 'Smart Road' in Blacksburg	6.025'';

(59) in item 1810 by striking ''Construct Rio Rancho Highway'' and inserting ''Northwest Albuquerque/Rio Rancho high priority roads'';

(60) in item 1815 by striking ''High'' and all that follows through ''projects'' and inserting ''Highway and bridge projects that Delaware provides for by law'';

(61) in item 1844 by striking ''Prepare'' and inserting ''Repair'';

(62) by striking item 1850 and inserting the following:

''1850.	Missouri	Resurface and maintain roads located in Missouri State parks	5'';

(63) in item 661 by striking ''SR 800'' and inserting ''SR 78'';

(64) in item 1704 by inserting '', Pittsburgh,'' after ''Road''; and

(65) in item 1710 by inserting '', Bethlehem'' after ''site''.

SEC. 709. FEDERAL TRANSIT ADMINISTRATION PROGRAMS.

(a) DEFINITIONS.—Section 3003 of the Federal Transit Act of 1998 is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Section 5302''; and

(2) by adding at the end the following:

''(b) CONFORMING AMENDMENTS.—Section 5302 (as amended by subsection (a) of this section) is amended in subsection (a)(1)(G)(i) by striking 'daycare and' and inserting 'daycare or'.''.

(b) METROPOLITAN PLANNING.—Section 3004 of the Federal Transit Act of 1998 is amended—

(1) in subsection (b)—

(A) in paragraph (1) by striking subparagraph (A) and inserting the following:

''(A) by striking 'general local government representing' and inserting 'general purpose local government that together represent'; and'';

(B) in paragraph (3) by striking ''and'' at the end;

(C) in paragraph (4) by striking subparagraph (A) and inserting the following:

''(A) by striking 'general local government representing' and inserting 'general purpose local government that together represent'; and'';

(D) by redesignating paragraph (4) as paragraph (5); and

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

''(3) in paragraph (4)(A) by striking '(3)' and inserting '(5)'; and'';

(2) in subsection (d) by striking the closing quotation marks and the final period at the end and inserting the following:

'(5) COORDINATION.—If a project is located within the boundaries of more than 1 metropolitan planning organization, the metropolitan planning organizations shall coordinate plans regarding the project.

'(6) LAKE TAHOE REGION.—

'(A) DEFINITION.—In this paragraph, the term ''Lake Tahoe region'' has the meaning given the term ''region'' in subdivision (a) of article II of the Tahoe Regional Planning Compact, as set forth in the first section of Public Law 96–551 (94 Stat. 3234).

'(B) TRANSPORTATION PLANNING PROCESS.—The Secretary shall—

'(i) establish with the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region a transportation planning process for the region; and

'(ii) coordinate the transportation planning process with the planning process required of State and local governments under this chapter and sections 134 and 135 of title 23.

'(C) INTERSTATE COMPACT.—

'(i) IN GENERAL.—Subject to clause (ii) and notwithstanding subsection (b), to carry out the transportation planning process required by this section, the consent of Congress is granted to the States of California and Nevada to designate a metropolitan planning organization for the Lake Tahoe region, by agreement between the Governors of the States of California and Nevada and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities (as defined by the Bureau of the Census)), or in accordance with procedures established by applicable State or local law.

'(ii) INVOLVEMENT OF FEDERAL LAND MANAGEMENT AGENCIES.—

'(I) REPRESENTATION.—The policy board of a metropolitan planning organization designated under clause (i) shall include a representative of each Federal land management agency that has jurisdiction over land in the Lake Tahoe region.

'(II) FUNDING.—In addition to funds made available to the metropolitan planning organization under other provisions of this chapter and under title 23, not more than 1 percent of the funds allocated under section 202 of title 23 may be used to carry out the transportation planning process for the Lake Tahoe region under this subparagraph.

'(D) ACTIVITIES.—Highway projects included in transportation plans developed under this paragraph—

'(i) shall be selected for funding in a manner that facilitates the participation of the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region; and

'(ii) may, in accordance with chapter 2 of title 23, be funded using funds allocated under section 202 of title 23.'.''; and

(3) by adding at the end the following:

''(f) TECHNICAL ADJUSTMENTS.—Section 5303(f) is amended—

''(1) in paragraph (1) (as amended by subsection (e)(1) of this subsection)—

''(A) in subparagraph (C) by striking 'and' at the end;

''(B) in subparagraph (D) by striking the period at the end and inserting '; and';

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

'(E) the financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range plan if reasonable additional resources beyond those identified in the financial plan were available, except that, for the purpose of developing the long-range plan, the metropolitan planning organization and the State shall cooperatively develop estimates of funds that will be available to support plan implementation.'; and

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

'(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—Notwithstanding paragraph (1)(E), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (1)(B).'.''.

(c) METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM.—Section 3005 of the Federal Transit Act of 1998 is amended—

(1) in the section heading by inserting ''metropolitan'' before ''transportation''; and

(2) by adding at the end the following:

''(d) TECHNICAL ADJUSTMENTS.—Section 5304 is amended—

''(1) in subsection (a) (as amended by subsection (a) of this section)—

''(A) by striking 'In cooperation with' and inserting the following:

'(1) IN GENERAL.—In cooperation with'; and

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

'(2) FUNDING ESTIMATE.—For the purpose of developing the transportation improvement program, the metropolitan planning organization, public transit agency, and the State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.';

''(2) in subsection (b)(2)—

''(A) in subparagraph (B) by striking 'and' at the end; and

''(B) in subparagraph (C) (as added by subsection (b) of this section) by striking 'strategies which may include' and inserting the following: 'strategies; and

'(D) may include'; and

''(3) in subsection (c) by striking paragraph (4) (as amended by subsection (c) of this section) and inserting the following:

'(4) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

'(A) IN GENERAL.—Notwithstanding subsection (b)(2)(D), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under subsection (b)(2)(D).

'(B) ACTION BY SECRETARY.—Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the plan under subsection (b)(2) for inclusion in an approved transportation improvement plan.'.''.

(d) TRANSPORTATION MANAGEMENT AREAS.—Section 3006(d) of the Federal Transit Act of 1998 is amended to read as follows:

''(d) PROJECT SELECTION.—Section 5305(d)(1) is amended to read as follows: '(1)(A) All federally funded projects carried out within the boundaries of a transportation management area under title 23 (excluding projects carried out on the National Highway System and projects carried out under the bridge and interstate maintenance program) or under this chapter shall be selected from the approved transportation improvement program by the metropolitan planning organization designated for the area in consultation with the State and any affected public transit operator.

'(B) Projects carried out within the boundaries of a transportation management area on the National Highway System and projects carried out within such boundaries under the bridge program or the interstate maintenance program shall be selected from the approved transportation improvement program by the State in cooperation with the metropolitan planning organization designated for the area.'.''.

(e) URBANIZED AREA FORMULA GRANTS.—Section 3007 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(h) TECHNICAL ADJUSTMENTS.—

''(1) GENERAL AUTHORITY.—Section 5307(b) (as amended by subsection (c)(1)(B) of this section) is amended by adding at the end the following: 'The Secretary may make grants under this section from funds made available for fiscal year 1998 to finance the operating costs of equipment and facilities for use in mass transportation in an urbanized area with a population of at least 200,000.'.

''(2) REPORT.—Section 5307(k)(3) (as amended by subsection (f) of this section) is amended by inserting 'preceding' before 'fiscal year'.''.

(f) CLEAN FUELS FORMULA GRANT PROGRAM.—Section 3008 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 5308(e)(2) (as added by subsection (a) of this section) is amended by striking '$50,000,000' and inserting '35 percent'.''.

(g) CAPITAL INVESTMENT GRANTS AND LOANS.—Section 3009 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(k) TECHNICAL ADJUSTMENTS.—

''(1) CRITERIA.—Section 5309(e) (as amended by subsection (e) of this section) is amended—

''(A) in paragraph (3)(C) by striking 'urban' and inserting 'suburban';

''(B) in the second sentence of paragraph (6) by striking 'or not' and all that follows through ', based' and inserting 'or ''not recommended'', based'; and

''(C) in the last sentence of paragraph (6) by inserting 'of the' before 'criteria established'.

''(2) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—Section 5309(g) (as amended by subsection (f) of this section) is amended in paragraph (4) by striking '5338(a)' and all that follows through '2003' and inserting '5338(b) of this title for new fixed guideway systems and extensions to existing fixed guideway systems and the amount appropriated under section 5338(h)(5) or an amount equivalent to the last 2 fiscal years of funding authorized under section 5338(b) for new fixed guideway systems and extensions to existing fixed guideway systems'.

''(3) ALLOCATING AMOUNTS.—Section 5309(m) (as amended by subsection (g) of this section) is amended—

''(A) in paragraph (1) by inserting '(b)' after '5338';

''(B) by striking paragraph (2) and inserting the following:

'(2) NEW FIXED GUIDEWAY GRANTS.—

'(A) LIMITATION ON AMOUNTS AVAILABLE FOR ACTIVITIES OTHER THAN FINAL DESIGN AND CONSTRUCTION.—Not more than 8 percent of the amounts made available in each fiscal year by paragraph (1)(B) shall be available for activities other than final design and construction.

'(B) FUNDING FOR FERRY BOAT SYSTEMS.—

'(i) AMOUNTS UNDER (1)(B).—Of the amounts made available under paragraph (1)(B), $10,400,000 shall be available in each of fiscal years 1999 through 2003 for capital projects in Alaska or Hawaii, for new fixed guideway systems and extensions to existing fixed guideway systems that are ferry boats or ferry terminal facilities, or that are approaches to ferry terminal facilities.

'(ii) AMOUNTS UNDER 5338(H)(5).—Of the amounts appropriated under section 5338(h)(5), $3,600,000 shall be available in each of fiscal years 1999 through 2003 for capital projects in Alaska or Hawaii, for new fixed guideway systems and extensions to existing fixed guideway systems that are ferry boats or ferry terminal facilities, or that are approaches to ferry terminal facilities.';

''(C) by redesignating paragraph (4) as paragraph (3)(C);

''(D) in paragraph (3) by adding at the end the following:

'(D) OTHER THAN URBANIZED AREAS.—Of amounts made available by paragraph (1)(C), not less than 5.5 percent shall be available in each fiscal year for other than urbanized areas.';

''(E) by striking paragraph (5); and

''(F) by inserting after paragraph (3) the following:

'(4) ELIGIBILITY FOR ASSISTANCE FOR MULTIPLE PROJECTS.—A person applying for or receiving assistance for a project described in subparagraph (A), (B), or (C) of paragraph (1) may receive assistance for a project described in any other of such subparagraphs.'.''.

(h) REFERENCES TO FULL FUNDING GRANT AGREEMENTS.—Section 3009(h)(3) of the Federal Transit Act of 1998 is amended—

(1) by striking ''and'' at the end of subparagraph (A)(ii);

(2) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(3) by adding at the end the following:

''(C) in section 5328(a)(4) by striking 'section 5309(m)(2) of this title' and inserting '5309(o)(1)'; and

''(D) in section 5309(n)(2) by striking 'in a way' and inserting 'in a manner'.''.

(i) DOLLAR VALUE OF MOBILITY IMPROVEMENTS.—Section 3010(b)(2) of the Federal Transit Act of 1998 is amended by striking ''Secretary'' and inserting ''Comptroller General''.

(j) INTELLIGENT TRANSPORTATION SYSTEM APPLICATIONS.—Section 3012 of the Federal Transit Act of 1998 is amended by moving paragraph (3) of subsection (a) to the end of subsection (b) and by redesignating such paragraph (3) as paragraph (4).

(k) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015 of the Federal Transit Act of 1998 is amended—

(1) in subsection (c)(2) by adding at the end the following: ''Financial assistance made available under this subsection and projects assisted with the assistance shall be subject to section 5333(a) of title 49, United States Code.''; and

(2) by adding at the end the following:

''(d) TRAINING AND CURRICULUM DEVELOPMENT.—

''(1) IN GENERAL.—Any funds made available by section 5338(e)(2)(C)(iii) of title 49, United States Code, shall be available in equal amounts for transportation research, training, and curriculum development at institutions identified in subparagraphs (E) and (F) of section 5505(j)(3) of such title.

''(2) SPECIAL RULE.—If the institutions identified in paragraph (1) are selected pursuant to 5505(i)(3)(B) of such title in fiscal year 2002 or 2003, the funds made available to carry out this subsection shall be available to those institutions to carry out the activities required pursuant to section 5505(i)(3)(B) of such title for that fiscal year.''.

(l) NATIONAL TRANSIT INSTITUTE.—Section 3017(a) of the Federal Transit Act of 1998 is amended to read as follows:

''(a) IN GENERAL.—Section 5315 is amended—

''(1) in the section heading by striking '**mass transportation** and inserting '**transit**';

''(2) in subsection (a)—

''(A) by striking 'mass transportation' in the first sentence and inserting 'transit';

''(B) in paragraph (5) by inserting 'and architectural design' before the semicolon at the end;

''(C) in paragraph (7) by striking 'carrying out' and inserting 'delivering';

''(D) in paragraph (11) by inserting ', construction management, insurance, and risk management' before the semicolon at the end;

''(E) in paragraph (13) by striking 'and' at the end;

''(F) in paragraph (14) by striking the period at the end and inserting a semicolon; and

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

'(15) innovative finance; and

'(16) workplace safety.'.''.

(m) PILOT PROGRAM.—Section 3021(a) of the Federal Transit Act of 1998 is amended by inserting ''single-State'' before ''pilot program''.

(n) ARCHITECTURAL, ENGINEERING, AND DESIGN CONTRACTS.—Section 3022 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(b) CONFORMING AMENDMENT.—Section 5325(b) (as redesignated by subsection (a)(2) of this section) is amended—

''(1) by inserting 'or requirement' after 'A contract'; and

''(2) by inserting before the last sentence the following: 'When awarding such contracts, recipients of assistance under this

chapter shall maximize efficiencies of administration by accepting nondisputed audits conducted by other governmental agencies, as provided in subparagraphs (C) through (F) of section 112(b)(2) of title 23.'.''.

(o) CONFORMING AMENDMENT.—Section 3027 of the Federal Transit Act of 1998 is amended—

(1) in subsection (c) by striking ''600,000'' each place it appears and inserting ''900,000''; and

(2) by adding at the end the following:

''(d) CONFORMING AMENDMENT.—The item relating to section 5336 in the table of sections for chapter 53 is amended by striking 'block grants' and inserting 'formula grants'.''.

(p) APPORTIONMENT FOR FIXED GUIDEWAY MODERNIZATION.—Section 3028 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(c) CONFORMING AMENDMENTS.—Section 5337(a) (as amended by subsection (a) of this section) is amended—

''(1) in paragraph (2)(B) by striking '(e)' and inserting '(e)(1)';

''(2) in paragraph (3)(D)—

''(A) by striking '(ii)'; and

''(B) by striking '(e)' and inserting '(e)(1)';

''(3) in paragraph (4) by striking '(e)' and inserting '(e)(1)';

''(4) in paragraph (5)(A) by striking '(e)' and inserting '(e)(2)';

''(5) in paragraph (5)(B) by striking '(e)' and inserting '(e)(2)';

''(6) in paragraph (6) by striking '(e)' each place it appears and inserting '(e)(2)'; and

''(7) in paragraph (7) by striking '(e)' each place it appears and inserting '(e)(2)'.''.

(q) AUTHORIZATIONS.—Section 3029 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(c) TECHNICAL ADJUSTMENTS.—Section 5338 (as amended by subsection (a) of this section) is amended—

''(1) in subsection (c)(2)(A)(i) by striking '$43,200,000' and inserting '$42,200,000';

''(2) in subsection (c)(2)(A)(ii) by striking '$46,400,000' and inserting '$48,400,000';

''(3) in subsection (c)(2)(A)(iii) by striking '$51,200,000' and inserting '$50,200,000';

''(4) in subsection (c)(2)(A)(iv) by striking '$52,800,000' and inserting '$53,800,000';

''(5) in subsection (c)(2)(A)(v) by striking '$57,600,000' and inserting '$58,600,000';

''(6) in subsection (d)(2)(C)(iii) by inserting before the semicolon ', including not more than $1,000,000 shall be available to carry out section 5315(a)(16)';

''(7) in subsection (e)—

''(A) by striking '5317(b)' each place it appears and inserting '5505';

''(B) in paragraph (1) by striking 'There are' and inserting 'Subject to paragraph (2)(C), there are';

''(C) in paragraph (2)—

''(i) in subparagraph (A) by striking 'There shall' and inserting 'Subject to subparagraph (C), there shall';

''(ii) in subparagraph (B) by striking 'In addition' and inserting 'Subject to subparagraph (C), in addition'; and

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

'(C) FUNDING OF CENTERS.—

'(i) Of the amounts made available under subparagraph (A) and paragraph (1) for each fiscal year—

'(I) $2,000,000 shall be available for the center identified in section 5505(j)(4)(A); and

'(II) $2,000,000 shall be available for the center identified in section 5505(j)(4)(F).

'(ii) For each of fiscal years 1998 through 2001, of the amounts made available under this paragraph and paragraph (1)—

'(I) $400,000 shall be available from amounts made available under subparagraph (A) of this paragraph and under paragraph (1) for each of the centers identified in subparagraphs (E) and (F) of section 5505(j)(3); and

'(II) $350,000 shall be available from amounts made available under subparagraph (B) of this paragraph and under paragraph (1) for each of the centers identified in subparagraphs (E) and (F) of section 5505(j)(3).

'(iii) Any amounts made available under this paragraph or paragraph (1) for any fiscal year that remain after distribution under clauses (i) and (ii), shall be available for the purposes identified in section 3015(d) of the Federal Transit Act of 1998.'; and

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

'(3) SPECIAL RULE.—Nothing in this subsection shall be construed to limit the transportation research conducted by the centers funded by this section.';

''(8) in subsection (g)(2) by striking '(c)(2)(B),' and all that follows through '(f)(2)(B),' and inserting '(c)(1), (c)(2)(B), (d)(1), (d)(2)(B), (e)(1), (e)(2)(B), (f)(1), (f)(2)(B),';

''(9) in subsection (h) by inserting 'under the Transportation Discretionary Spending Guarantee for the Mass Transit Category' after 'through (f)'; and

''(10) in subsection (h)(5) by striking subparagraphs (A) through (E) and inserting the following:

'(A) for fiscal year 1999 $400,000,000;

'(B) for fiscal year 2000 $410,000,000;

'(C) for fiscal year 2001 $420,000,000;

'(D) for fiscal year 2002 $430,000,000; and

'(E) for fiscal year 2003 $430,000,000;'.''.

(r) PROJECTS FOR FIXED GUIDEWAY SYSTEMS.—Section 3030 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a)—

(A) in paragraph (8) by inserting ''North-'' before ''South'';

(B) in paragraph (42) by striking ''Maryland'' and inserting ''Baltimore'';

(C) in paragraph (103) by striking ''busway'' and inserting ''Boulevard transitway'';

(D) in paragraph (106) by inserting ''CTA'' before ''Douglas'';

(E) by striking paragraph (108) and inserting the following:

''(108) Greater Albuquerque Mass Transit Project.''; and

(F) by adding at the end the following:

''(109) Hartford City Light Rail Connection to Central Business District.

''(110) Providence–Boston Commuter Rail.

''(111) New York–St. George's Ferry Intermodal Terminal.

''(112) New York–Midtown West Ferry Terminal.

''(113) Pinellas County–Mobility Initiative Project.

''(114) Atlanta–MARTA Extension (S. De Kalb-Lindbergh).'';

(2) in subsection (b)—

(A) by striking paragraph (2) and inserting the following:

''(2) Sioux City–Light Rail.'';

(B) by striking paragraph (40) and inserting the following:

''(40) Santa Fe–El Dorado Rail Link.'';

(C) by striking paragraph (44) and inserting the following:

''(44) Albuquerque–High Capacity Corridor.'';

(D) by striking paragraph (53) and inserting the following:

''(53) San Jacinto–Branch Line (Riverside County).''; and

(E) by adding at the end the following:

''(69) Chicago–Northwest Rail Transit Corridor.

''(70) Vermont–Burlington-Essex Commuter Rail.''; and

(3) in subsection (c)—

(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i) by inserting ''(even if the project is not listed in subsection (a) or (b))'' before the colon;

(ii) by striking clause (ii) and inserting the following:

''(ii) San Diego Mission Valley and Mid-Coast Corridor, $325,000,000.'';

(iii) by striking clause (v) and inserting the following:

''(v) Hartford City Light Rail Connection to Central Business District, $33,000,000.'';

(iv) by striking clause (xxiii) and inserting the following:

''(xxiii) Kansas City–I-35 Commuter Rail, $30,000,000.'';

(v) in clause (xxxii) by striking ''Whitehall Ferry Terminal'' and inserting ''Staten Island Ferry-Whitehall Intermodal Terminal'';

(vi) by striking clause (xxxv) and inserting the following:

''(xxxv) New York–Midtown West Ferry Terminal, $16,300,000.'';

(vii) in clause (xxxix) by striking ''Allegheny County'' and inserting ''Pittsburgh'';

(viii) by striking clause (xvi) and inserting the following:

''(xvi) Northeast Indianapolis Corridor, $10,000,000.'';

(ix) by striking clause (xxix) and inserting the following:

''(xxix) Greater Albuquerque Mass Transit Project, $90,000,000.'';

(x) by striking clause (xliii) and inserting the following:

''(xliii) Providence–Boston Commuter Rail, $10,000,000.'';

(xi) by striking clause (xlix) and inserting the following:

''(xlix) SEATAC–Personal Rapid Transit, $40,000,000.''; and

(xii) by striking clause (li) and inserting the following:

''(li) Dallas-Ft. Worth RAILTRAN (Phase-II), $12,000,000.'';

(B) by striking the heading for subsection (c)(2) and inserting ''ADDITIONAL AMOUNTS''; and

(C) in paragraph (3) by inserting after the first sentence the following: ''The project shall also be exempted from all requirements relating to criteria for grants and loans for fixed guideway systems under section 5309(e) of such title and from regulations required under that section.''.

(s) NEW JERSEY URBAN CORE PROJECT.—Section 3030(e) of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(4) TECHNICAL ADJUSTMENT.—Section 3031(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (as amended by paragraph (3)(B) of this subsection) is amended—

''(A) by striking 'of the West Shore Line' and inserting 'or the West Shore Line'; and

''(B) by striking 'directly connected to' and all that follows through 'Newark International Airport' the first place it appears.''.

(t) BALTIMORE-WASHINGTON TRANSPORTATION IMPROVEMENTS.—Section 3030 of the Federal Transit Act of 1998 is amended by adding at the end the following:

''(h) TECHNICAL ADJUSTMENT.—Section 3035(nn) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2134) (as amended by subsection (g)(1)(C) of this section) is amended by inserting after 'expenditure of' the following: 'section 5309 funds to the aggregate expenditure of'.''.

(u) BUS PROJECTS.—Section 3031 of the Federal Transit Act of 1998 is amended—

(1) in the table contained in subsection (a)—

(A) by striking item 64;

(B) in item 69 by striking ''Rensslear'' each place it appears and inserting ''Rensselaer'';

(C) in item 103 by striking ''facilities and''; and

(D) by striking item 150;

(2) by striking the heading for subsection (b) and inserting ''ADDITIONAL AMOUNTS'';

(3) in subsection (b) by inserting after ''2000'' the first place it appears ''with funds made available under section 5338(h)(6) of such title''; and

(4) in item 2 of the table contained in subsection (b) by striking ''Rensslear'' each place it appears and inserting ''Rensselaer''.

(v) CONTRACTING OUT STUDY.—Section 3032 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a) by striking ''3'' and inserting ''6'';

(2) in subsection (d) by striking ''the Mass Transit Account of the Highway Trust Fund'' and inserting ''funds made available under section 5338(f)(2) of title 49, United States Code,'';

(3) in subsection (d) by striking ''1998'' and inserting ''1999''; and

(4) in subsection (e) by striking ''subsection (c)'' and inserting ''subsection (d)''.

(w) JOB ACCESS AND REVERSE COMMUTE GRANTS.—Section 3037 of the Federal Transit Act of 1998 is amended—

(1) in subsection (b)(4)(A)—

(A) by inserting ''designated recipients under section 5307(a)(2) of title 49, United States Code,'' after ''from among''; and

(B) by inserting a comma after ''and agencies'';

(2) in subsection (b)(4)(B)—

(A) by striking ''at least'' and inserting ''less than'';

(B) by inserting ''designated recipients under section 5307(a)(2) of title 49, United States Code,'' after ''from among''; and

(C) by inserting ''and agencies,'' after ''authorities'';

(3) in subsection (f)(2)—

(A) by striking ''(including bicycling)''; and

(B) by inserting ''(including bicycling)'' after ''additional services'';

(4) in subsection (h)(2)(B) by striking ''403(a)(5)(C)(ii)'' and inserting ''403(a)(5)(C)(vi)'';

(5) in the heading for subsection (l)(1)(C) by striking ''FROM THE GENERAL FUND'';

(6) in subsection (l)(1)(C) by inserting ''under the Transportation Discretionary Spending Guarantee for the Mass Transit Category'' after ''(B)''; and

(7) in subsection (l)(3)(B) by striking ''at least'' and inserting ''less than''.

(x) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038 of the Federal Transit Act of 1998 is amended—

(1) in subsection (a)(1)(A) by inserting before the semicolon ''or connecting 1 or more rural communities with an urban area not in close proximity'';

(2) in subsection (g)(1)—

(A) by inserting ''over-the-road buses used substantially or exclusively in'' after ''operators of''; and

(B) by inserting at the end the following: ''Such sums shall remain available until expended.''; and

(3) in subsection (g)(2)—

(A) by striking ''each of''; and

(B) by adding at the end the following: ''Such sums shall remain available until expended.''.

(y) STUDY OF TRANSIT NEEDS IN NATIONAL PARKS AND RELATED PUBLIC LANDS.—Section 3039(b) of the Federal Transit Act of 1998 is amended—

(1) in paragraph (1) by striking ''in order to carry'' and inserting ''assist in carrying''; and

(2) by adding at the end the following:

''(3) DEFINITION.—For purposes of this subsection, the term 'Federal land management agencies' means the National Park Service, the United States Fish and Wildlife Service, and the Bureau of Land Management.''.

(z) OBLIGATION CEILING.—Section 3040 of the Federal Transit Act of 1998 is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) $5,797,000,000 in fiscal year 2000;''; and

(2) in paragraph (4) by striking ''$6,746,000,000'' and inserting ''$6,747,000,000''.

SEC. 710. MOTOR CARRIER SAFETY TECHNICAL CORRECTION.

Section 4011 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(h) TECHNICAL AMENDMENTS.—Section 31314 (as amended by subsection (g) of this section) is amended—

''(1) in subsections (a) and (b) by striking '(3), and (5)' each place it appears and inserting '(3), and (4)'; and

''(2) by striking subsection (d).''.

SEC. 711. RESTORATIONS TO RESEARCH TITLE.

(a) UNIVERSITY TRANSPORTATION RESEARCH FUNDING.—Section 5001(a)(7) of the Transportation Equity Act for the 21st Century is amended—

(1) by striking ''$31,150,000'' each place it appears and inserting ''$25,650,000'';

(2) by striking ''$32,750,000'' each place it appears and inserting ''$27,250,000''; and

(3) by striking ''$32,000,000'' each place it appears and inserting ''$26,500,000''.

(b) OBLIGATION CEILING.—Section 5002 of such Act is amended by striking ''$403,150,000'' and all that follows through ''$468,000,000'' and inserting ''$397,650,000 for fiscal year 1998, $403,650,000 for fiscal year 1999, $422,450,000 for fiscal year 2000, $437,250,000 for fiscal year 2001, $447,500,000 for fiscal year 2002, and $462,500,000''.

(c) USE OF FUNDS FOR ITS.—Section 5210 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(d) USE OF INNOVATIVE FINANCING.—

''(1) IN GENERAL.—The Secretary may use up to 25 percent of the funds made available to carry out this subtitle to make available loans, lines of credit, and loan guarantees for projects that are eligible for assistance under this subtitle and that have significant intelligent transportation system elements.

''(2) CONSISTENCY WITH OTHER LAW.—Credit assistance described in paragraph (1) shall be made available in a manner consistent with the Transportation Infrastructure Finance and Innovation Act of 1998.''.

(d) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5110 of such Act is amended by adding at the end the following:

''(d) TECHNICAL ADJUSTMENTS.—Section 5505 of title 49, United States Code (as added by subsection (a) of this section), is amended—

''(1) in subsection (g)(2) by striking 'section 5506,' and inserting 'section 508 of title 23, United States Code,';

''(2) in subsection (i)—

''(A) by inserting 'Subject to section 5338(e):' after '(i) NUMBER AND AMOUNT OF GRANTS.—'; and

''(B) by striking 'institutions' each place it appears and inserting 'institutions or groups of institutions'; and

''(3) in subsection (j)(4)(B) by striking 'on behalf of' and all that follows before the period and inserting 'on behalf of a consortium which may also include West Virginia University Institute of Technology, the College of West Virginia, and Bluefield State College'.''.

(e) TECHNICAL CORRECTIONS.—Section 5115 of such Act is amended—

(1) in subsection (a) by striking ''Director'' and inserting ''Director of the Bureau of Transportation Statistics'';

(2) in subsection (b) by striking ''Bureau'' and inserting ''Bureau of Transportation Statistics,''; and

(3) in subsection (c) by striking ''paragraph (1)'' and inserting ''subsection (a)''.

(f) CORRECTIONS TO CERTAIN OKLAHOMA PROJECTS.—Section 5116 of such Act is amended—

(1) in subsection (e)(2) by striking ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, and $500,000 for fiscal year 2001'' and inserting ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, $1,000,000 for fiscal year 2001, and $500,000 for fiscal year 2002''; and

(2) in subsection (f)(2) by striking ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, $1,000,000 for fiscal year 2001, and $500,000 for fiscal year 2002'' and inserting ''$1,000,000 for fiscal year 1999, $1,000,000 for fiscal year 2000, and $500,000 for fiscal year 2001''.

(g) INTELLIGENT TRANSPORTATION INFRASTRUCTURE REFERENCE.—Section 5117(b)(3)(B)(ii) of such Act is amended by striking ''local departments of transportation'' and inserting ''the Department of Transportation''.

(h) FUNDAMENTAL PROPERTIES OF ASPHALTS AND MODIFIED ASPHALTS.—Section 5117(b)(5)(B) of such Act is amended—

(1) by striking ''1999'' and inserting ''1998''; and

(2) by striking ''$3,000,000 per fiscal year'' and inserting ''$1,000,000 for fiscal year 1998 and $3,000,000 for each of fiscal years 1999 through 2003''.

SEC. 712. AUTOMOBILE SAFETY AND INFORMATION.

(a) REFERENCE.—Section 7104 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(c) CONFORMING AMENDMENT.—Section 30105(a) of title 49, United States Code (as amended by subsection (a) of this section), is amended by inserting after 'Secretary' the following: 'for the National Highway Traffic Safety Administration'.''.

(b) CLEAN VESSEL ACT FUNDING.—Section 7403 of such Act is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Section 4(b)''; and

(2) by adding at the end the following:

''(b) TECHNICAL AMENDMENT.—Section 4(b)(3)(B) of the 1950 Act (as amended by subsection (a) of this section) is amended by striking '6404(d)' and inserting '7404(d)'.''.

(c) BOATING INFRASTRUCTURE.—Section 7404(b) of such Act is amended by striking ''6402'' and inserting ''7402''.

SEC. 713. TECHNICAL CORRECTIONS REGARDING SUBTITLE A OF TITLE VIII.

(a) AMENDMENT TO OFFSETTING ADJUSTMENT FOR DISCRETIONARY SPENDING LIMIT.—Section 8101(b) of the Transportation Equity Act for the 21st Century is amended—

(1) in paragraph (1) by striking ''$25,173,000,000'' and inserting ''$25,144,000,000''; and

(2) in paragraph (2) by striking ''$26,045,000,000'' and inserting ''$26,009,000,000''.

(b) AMENDMENTS FOR HIGHWAY CATEGORY.—Section 8101 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following:

''(f) TECHNICAL AMENDMENTS.—Section 250(c)(4)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by subsection (c) of this Act) is amended—

''(1) by striking 'Century and' and inserting 'Century or';

''(2) by striking 'as amended by this section,' and inserting 'as amended by the Transportation Equity Act for the 21st Century,'; and

''(3) by adding at the end the following new flush sentence:

'Such term also refers to the Washington Metropolitan Transit Authority account (69-1128-0-1-401) only for fiscal year 1999 only for

appropriations provided pursuant to authorizations contained in section 14 of Public Law 96–184 and Public Law 101–551.'.''.

(c) TECHNICAL AMENDMENT.—Section 8102 of the Transportation Equity Act for the 21st Century is amended by inserting before the period at the end the following: ''or from section 1102 of this Act''.

SEC. 714. REPEAL OF PROVISIONS RELATING TO VETERANS BENEFITS.

The Veterans Benefits Act of 1998 (subtitle B of title VIII of the Transportation Equity Act for 21st Century) is repealed and shall be treated as if not enacted.

SEC. 715. TECHNICAL CORRECTIONS REGARDING TITLE IX.

(a) HIGHWAY TRUST FUND.—Subsection (f) of section 9002 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following new paragraphs:

''(4) The last sentence of section 9503(c)(1), as amended by subsection (d), is amended by striking 'the date of enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

''(5) Paragraph (3) of section 9503(e), as amended by subsection (d), is amended by striking 'the date of enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.''.

(b) BOAT SAFETY ACCOUNT AND SPORT FISH RESTORATION ACCOUNT.—Section 9005 of the Transportation Equity Act for the 21st Century is amended by adding at the end the following new subsection:

''(f) CLERICAL AMENDMENTS.—

''(1) Subparagraph (A) of section 9504(b)(2), as amended by subsection (b)(1), is amended by striking 'the date of the enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

''(2) Subparagraph (B) of section 9504(b)(2), as added by subsection (b)(3), is amended by striking 'such Act' and inserting 'the TEA 21 Restoration Act'.

''(3) Subparagraph (C) of section 9504(b)(2), as amended by subsection (b)(2) and redesignated by subsection (b)(3), is amended by striking 'the date of the enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.

''(4) Subsection (c) of section 9504, as amended by subsection (c)(2), is amended by striking 'the date of enactment of the Transportation Equity Act for the 21st Century' and inserting 'the date of the enactment of the TEA 21 Restoration Act'.''.

SEC. 716. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect simultaneously with the enactment of the Transportation Equity Act for the 21st Century. For purposes of all Federal laws, the amendments made by this title shall be treated as being included in the Transportation Equity Act for the 21st Century at the time of the enactment of such Act, and the provisions of such Act (including the amendments made by such Act) (as in effect on the day before the date of enactment of this Act) that are amended by this title shall be treated as not being enacted.

HUTCHISON (AND BYRD) AMENDMENTS NOS. 2881–2882

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself and Mr. BYRD) submitted two amendments intended to be proposed by them to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2881

At the end of division A of the bill, insert the following new title:

TITLE XIII—REDUCTION IN UNITED STATES GROUND FORCES IN BOSNIA AND HERZEGOVINA.

SEC. 1301. FINDINGS.

Congress finds the following:

(1) The United States Armed Forces in Bosnia and Herzegovina have accomplished the military mission assigned to them as a component of the Implementation Force.

(2) The continuing and open-ended commitment of United States ground forces in Bosnia and Herzegovina is subject to the oversight authority of Congress.

(3) Congress may limit the use of appropriated funds to create the conditions for an orderly and honorable drawdown of the United States Armed Forces from Bosnia and Herzegovina.

(4) On November 27, 1995, the President affirmed that United States participation in the multinational military Implementation Force in Bosnia and Herzegovina would terminate in about one year.

(5) The President declared the expiration date of the mandate for the Implementation Force to be December 20, 1996.

(6) The Secretary of Defense and the Chairman of the Joint Chiefs of Staff expressed confidence that the Implementation Force would complete its mission after approximately one year.

(7) The Secretary of Defense and the Chairman of the Joint Chiefs of Staff expressed the critical importance of establishing a firm deadline for termination of the mission of the United States forces, without which there would be a potential for expansion of the mission.

(8) On October 3, 1996, the Chairman of the Joint Chiefs of Staff announced the intention of the President to delay the removal of United States forces from Bosnia and Herzegovina until March 1997.

(9) In November 1996, the President announced his intention to further extend the deployment of United States forces in Bosnia and Herzegovina until June 1998.

(10) The President did not request authorization by the Congress of a policy that would result in the further deployment of the United States forces in Bosnia and Herzegovina until June 1998.

(11) Notwithstanding the lapse of two previously established deadlines, the reaffirmation of those deadlines by senior national security officials, and the endorsement by those same national security officials of the importance of having a deadline as a hedge against an expanded mission, the President announced on December 17, 1997, that establishing a deadline had been a mistake and that United States ground combat forces were committed to the NATO-led mission in Bosnia and Herzegovina for the indefinite future.

(12) NATO military forces have increased their participation in law enforcement, particularly police, activities in Bosnia and Herzegovina.

(13) Successive United States commanders of NATO forces have stated on several occasions that, in accordance with the Dayton Peace Agreement, the principal responsibility for such law enforcement and police activities lies with the Bosnian parties themselves.

SEC. 1302. PRESIDENTIAL REPORT TO CONGRESS.

(a) PRESIDENTIAL PLAN.—

(1) IN GENERAL.—Not later than February 2, 1999, the President shall submit to Congress a report containing a plan to reduce, by not later than February 2, 2000, the number of personnel in the United States ground force in Bosnia and Herzegovina so that the total number of such personnel equals the average number of personnel in the ground forces of Great Britain, Germany, France, and Italy in Bosnia and Herzegovina.

(2) CONTENTS OF PLAN.—The plan shall contain—

(A) a timetable for the drawdown of military personnel from Bosnia and Herzegovina;

(B) the level of ground forces that will remain there after the reduction of forces is completed; and

(C) a statement of the budget authority necessary—

(i) to implement the plan; and

(ii) to sustain operations in Bosnia and Herzegovina at the reduced level after the plan takes effect.

(b) ADDITIONAL CONTENTS OF THE REPORT.—In addition to the requirements of subsection (a), the report shall contain the following:

(1) BUDGET AUTHORITY.—A description of the means by which the budget authority will be provided, whether out of unobligated balances of current defense appropriations or through a request for an additional authorization of appropriations.

(2) ANALYSIS OF FORCE LEVELS.—An analysis of the number of additional military personnel that would be necessary—

(A) for protection of the withdrawing forces as the drawdown proceeds;

(B) to protect United States diplomatic facilities in Bosnia and Herzegovina on the date of the enactment of this Act;

(C) in a noncombatant role, to advise the commanders of the North Atlantic Treaty Organization peacekeeping operations in Bosnia and Herzegovina; and

(D) as part of NATO containment operations in regions adjacent to Bosnia and Herzegovina.

SEC. 1303. LIMITATION ON FUNDING.

(a) LIMITATION.—Effective 30 days after the report described in section 1302(a) is submitted, or is required to be submitted, whichever occurs first, funds available to the Department of Defense for fiscal year 2000 may not be obligated or expended to support a number of military personnel in the ground elements of the United States Armed Forces in Bosnia and Herzegovina in excess of the level specified in the report required by section 1302(a), if within the 30-day period, there is enacted, in accordance with section 1306, a joint resolution approving the plan contained in the report.

(b) EXPEDITED RESOLUTION.—For the purposes of subsection (a), the term ''joint resolution'' means only a joint resolution that sets forth as the matter after the resolving clause only the following: ''That the President's plan contained in the report transmitted pursuant to section 1302 of the National Defense Authorization Act for Fiscal Year 1999 is approved.''.

SEC. 1304. SUSPENSION OF DEADLINES UNDER THE DRAWDOWN TIMETABLE.

(a) IN GENERAL.—Except as provided in subsection (b), the President may suspend compliance with a deadline under the drawdown timetable established in a plan approved by Congress pursuant to section 1303, if the President determines and certifies to the chairmen and ranking members of the Committee on National Security and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations and the Committee on Armed Services of the Senate that such suspension is necessary—

(1) for the security of the forces of the United States Armed Forces in Bosnia and Herzegovina; or

(2) in response to a military emergency requiring the involvement of United States forces in operations in Bosnia and Herzegovina.

(b) LIMITATION.—

(1) IN GENERAL.—A suspension under subsection (a) may not exceed 90 days unless there is enacted a joint resolution, in accordance with section 1306, authorizing the extension of the suspension.

(2) EXPEDITED RESOLUTION.—For purposes of paragraph (1), the term ''joint resolution'' means only a joint resolution the matter after the resolving clause of which is as follows: ''That Congress authorizes the further suspension of compliance with a deadline under the drawdown timetable under section 1304 of the National Defense Authorization Act for Fiscal Year 1999''.

SEC. 1305. LIMITATION ON SUPPORT FOR LAW ENFORCEMENT ACTIVITIES.

None of the funds available to the Department of Defense for any fiscal year may be obligated or expended on or after the date of the enactment of this Act for the—

(1) conduct of, or direct support for, law enforcement and police activities in Bosnia and Herzegovina, except for the training of law enforcement personnel or to prevent imminent loss of life;

(2) conduct of, or support for, any activity in Bosnia and Herzegovina that may have the effect of jeopardizing the primary mission of the NATO-led force in preventing armed conflict between the Federation of Bosnia and Herzegovina and the Republika Srpska (hereinafter in this section referred to as the ''Bosnian Entities'');

(3) transfer of refugees within Bosnia and Herzegovina that, in the opinion of the commander of NATO forces involved in such transfer—

(A) has as one of its purposes the acquisition of control by one of the Bosnian Entities of territory allocated to the other of the Bosnian Entities under the Dayton Peace Agreement; or

(B) may expose forces of the United States Armed Forces to substantial risk of harm; and

(4) implementation of any decision to change the legal status of any territory within Bosnia and Herzegovina unless expressly agreed to by all signatories to the Dayton Peace Agreement.

SEC. 1306. PROCEDURES FOR JOINT RESOLUTION OF APPROVAL.

(a) REFERRAL OF RESOLUTIONS.—A resolution described in section 1303(b) or 1304(b) that is introduced in the Senate shall be referred to the Committee on Armed Services of the Senate. A resolution described in section 1303(b) or 1304(b) that is introduced in the House of Representatives shall be referred to the Committee on National Security of the House of Representatives.

(b) DISCHARGE OF COMMITTEES.—If the committee to which is referred a resolution described in section 1303(b) or 1304(b) has not reported such resolution (or an identical resolution) at the end of 7 calendar days after its introduction, the committee shall be deemed to be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar of the House involved.

(c) MOTIONS TO PROCEED TO THE CONSIDERATION OF THE RESOLUTIONS.—Whenever the committee to which a resolution is referred has reported, or has been deemed to be discharged from further consideration of, a resolution described in section 1303(b) or 1304(b), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the respective House to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain unfinished business of the respective House until disposed of.

(d) TIME FOR DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(e) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in section 1303(b) or 1304(b), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(f) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in section 1303(b) or 1304(b) shall be decided without debate.

(g) TREATMENT OF OTHER HOUSE'S RESOLUTION.—If, before the passage by one House of a resolution of that House described in section 1303(b) or 1304(b), that House receives from the other House a resolution described in section 1303(b) or 1304(b), then the following procedures shall apply:

(1) The resolution of the other House shall not be referred to a committee.

(2) With respect to a resolution described in section 1303(b) or 1304(b) of the House receiving the resolution—

(A) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(B) the vote on final passage shall be on the resolution of the other House.

(h) PRESIDENTIAL VETOES.—

(1) IN GENERAL.—Upon receipt of a message from the President returning the joint resolution unsigned to the House of origin and setting further his objections to the joint resolution, the House receiving the message shall immediately enter the objections at large on the journal of that House and the House shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. Upon receipt of a message of a House transmitting the joint resolution and the objections of the President, the House receiving the message shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. A motion to refer the joint resolution to a committee shall not be in order in either House.

(2) MOTION TO PROCEED.—After the receipt of a message by a House as described in paragraph (1), it is at any time in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the reconsideration of the joint resolution the objections of the President to the contrary notwithstanding. The motion is highly privileged in the House of Representatives and is a question of highest privilege in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the reconsideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(3) LIMIT ON DEBATE.—Debate on reconsideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to notwithstanding the objections of the President or disagreed is not in order.

(4) VOTE TO OVERRIDE VETO.—Immediately following the conclusion of the debate on reconsideration of the resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on the question of passage, the objections of the President to the contrary notwithstanding, shall occur.

(i) RULES OF THE SENATE AND THE HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such as it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in section 1303(b) or 1304(b), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

AMENDMENT NO. 2882

At the end of SEC. 1030(a), add the following subparagraph (7):

(7) A proposal that outlines the steps that would be necessary to reduce, by not later than February 2, 2000, the number of personnel in the United States ground force the Stabilization Force in Bosnia and Herzegovina so that the total number of such personnel equals the average number of personnel in the ground forces of Great Britain, Germany, France, and Italy in Bosnia and Herzegovina as of that date.

(A) The proposal shall contain—

(i) a timetable for the drawdown of military personnel from Bosnia and Herzegovina;

(ii) the level of ground forces that would remain there after the reduction of forces were completed; and

(iii) a statement of the budget authority that would be needed to implement the plan and sustain operations in Bosnia and Herzegovina at the reduced level.

(B) In addition, the proposal shall also contain a description of the means by which the budget authority would be provided, whether out of unobligated balances of current defense appropriations or through a request for an additional authorization of appropriations.

(C) Effective 30 days after this proposal is submitted, funds available to the Department of Defense for fiscal year 2000 may not

be obligated or expended to support a number of military personnel in the ground elements of the United States Armed Forces in Bosnia and Herzegovina in excess of the level specified in the report.

SARBANES AMENDMENT NO. 2883

(Ordered to lie on the table.)

Mr. SARBANES submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 295, between lines 17 and 18, insert the following:

TITLE XIII—NATIONAL MILITARY MUSEUM FOUNDATION

SEC. 1301. ESTABLISHMENT OF NATIONAL MILITARY MUSEUM FOUNDATION.

There is established a nonprofit corporation to be known as the National Military Museum Foundation (in this title referred to as the ''Foundation''). The Foundation is not an agency or instrumentality of the United States.

SEC. 1302. PURPOSES.

The Foundation shall have the following purposes:

(1) To encourage and facilitate the preservation of military artifacts having historical or technological significance.

(2) To promote innovative solutions to the problems associated with the preservation of such artifacts.

(3) To facilitate research on and educational activities relating to military history.

(4) To promote voluntary partnerships between the Federal Government and the private sector for the preservation of such artifacts and of military history.

(5) To facilitate the display of such artifacts for the education and benefit of the public.

(6) To develop publications and other interpretive materials pertinent to the historical collections of the Armed Forces that will supplement similar publications and materials available from public, private, and corporate sources.

(7) To provide financial support for educational, interpretive, and conservation programs of the Armed Forces relating to such artifacts.

(8) To broaden public understanding of the role of the military in United States history.

(9) To recognize and honor the individuals who have served in the Armed Forces of the United States.

SEC. 1303. BOARD OF DIRECTORS.

(a) BOARD OF DIRECTORS.—(1) The Foundation shall have a Board of Directors (in this title referred to as the ''Board'') composed of nine individuals appointed by the Secretary of Defense from among individuals who are United States citizens.

(2) Of the individuals appointed under paragraph (1)—

(A) at least one shall have an expertise in historic preservation;

(B) at least one shall have an expertise in military history;

(C) at least one shall have an expertise in the administration of museums; and

(D) at least one shall have an expertise in military technology and materiel.

(b) CHAIRPERSON.—(1) The Secretary shall designate one of the individuals first appointed to the Board under subsection (a) as the chairperson of the Board. The individual so designated shall serve as chairperson for a term of 2 years.

(2) Upon the expiration of the term of chairperson of the individual designated as chairperson under paragraph (1), or of the term of a chairperson elected under this paragraph, the members of the Board shall elect a chairperson of the Board from among its members.

(c) TERM.—(1) Subject to paragraph (2), members appointed to the Board shall serve on the Board for a term of 4 years.

(2) If a member of the Board misses three consecutive meetings of the Board, the Board may remove the member from the Board for that reason.

(d) VACANCY.—Any vacancy in the Board shall not affect its powers but shall be filled, not later than 60 days after the vacancy, in the same manner in which the original appointment was made.

(e) QUORUM.—A majority of the members of the Board shall constitute a quorum.

(f) MEETINGS.—The Board shall meet at the call of the chairperson of the Board. The Board shall meet at least once a year.

SEC. 1304. ORGANIZATIONAL MATTERS.

The members of the Board first appointed under section 1303(a) shall—

(1) adopt a constitution and bylaws for the Foundation;

(2) serve as incorporators of the Foundation; and

(3) take whatever other actions the Board determines appropriate in order to establish the Foundation as a nonprofit corporation.

SEC. 1305. OFFICERS AND EMPLOYEES.

(a) EXECUTIVE DIRECTOR.—The Foundation shall have an executive director appointed by the Board and such other officers as the Board may appoint. The executive director and the other officers of the Foundation shall be compensated at rates fixed by the Board and shall serve at the pleasure of the Board.

(b) EMPLOYEES.—Subject to the approval of the Board, the Foundation may employ such individuals, and at such rates of compensation, as the executive director determines appropriate.

(c) VOLUNTEERS.—Subject to the approval of the Board, the Foundation may accept the services of volunteers in the performance of the functions of the Foundation.

(d) SERVICE OF FEDERAL EMPLOYEES.—A person who is a full-time or part-time employee of the Federal Government may not serve as a full-time or part-time employee of the Foundation and shall not be considered for any purpose an employee of the Foundation.

SEC. 1306. POWERS AND RESPONSIBILITIES.

In order to carry out the purposes of this title, the Foundation may—

(1) accept, hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Foundation;

(2) enter into contracts with individuals, public or private organizations, professional societies, and government agencies for the purpose of carrying out the functions of the Foundation; and

(3) enter into such other contracts, leases, cooperative agreements, and other transactions at the executive director of the Foundation considers appropriate to carry out the activities of the Foundation.

SEC. 1307. AUDITS.

(a) AUDITS.—The first section of the Act entitled ''An Act to provide for the audit of accounts of private corporations established under Federal law,'' approved August 30, 1964 (36 U.S.C. 1101), is amended by adding at the end the following:

''(80) The National Military Museum Foundation.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that the chairperson of the Board notifies the Secretary of Defense of the incorporation of the Foundation under this title.

SEC. 1308. REPORTS.

As soon as practicable after the end of each fiscal year of the Foundation, the Board shall submit to Congress and to the Secretary of Defense a report on the activities of the Foundation during the preceding fiscal year, including a full and complete statement of the receipts, expenditures, investment activities, and other financial activities of the Foundation during such fiscal year.

SEC. 1309. INITIAL SUPPORT.

(a) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated by section 301, $250,000 shall be available for the purpose of making a grant to the Foundation in order to assist the Foundation in defraying the costs of its activities. Such amount shall be available for such purpose until expended.

(b) ADDITIONAL SUPPORT.—In each of fiscal years 1999 through 2001, the Secretary of Defense may provide, without reimbursement, personnel, facilities, and other administrative services of the Department to the Foundation.

HARKIN AMENDMENTS NOS. 2884–2888

(Ordered to lie on the table.)

Mr. HARKIN submitted five amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2884

At the end of subtitle B of title II, add the following:

SEC. 219. PERSIAN GULF ILLNESSES.

(a) ADDITIONAL AMOUNT FOR PERSIAN GULF ILLNESSES.—The total amount authorized to be appropriated under this title for research and development relating to Persian Gulf illnesses is the total amount authorized to be appropriated for such purpose under the other provisions of this title plus $15,000,000.

(b) REDUCED AMOUNT FOR FOREIGN MILITARY COMPARATIVE TESTING PROGRAM.—Of the amount authorized to be appropriated under section 201(4), $17,684,000 shall be available for the Foreign Military Comparative Testing program.

AMENDMENT NO. 2885

At the end of subtitle B of title II, add the following:

SEC. 219. PERSIAN GULF ILLNESSES.

(a) ADDITIONAL AMOUNT FOR PERSIAN GULF ILLNESSES.—The total amount authorized to be appropriated under this title for research and development relating to Persian Gulf illnesses is the total amount authorized to be appropriated for such purpose under the other provisions of this title plus $15,000,000.

AMENDMENT NO. 2886

On page 25, line 16, increase the dollar figure by the sum $15,000,000.

AMENDMENT NO. 2887

On page 25, line 16, subtract from the dollar figure, the sum $1,000.

AMENDMENT NO. 2888

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

SEC. 349. INVENTORY MANAGEMENT OF IN-TRANSIT SECONDARY ITEMS.

(a) REQUIREMENT FOR PLAN.—Not later than March 1, 1999, the Secretary of Defense shall submit to Congress a plan to address problems with Department of Defense management of the department's inventories of in-transit secondary items as follows:

(1) The vulnerability of in-transit secondary items to loss through fraud, waste, and abuse.

(2) Loss of oversight of in-transit secondary items, including any loss of oversight

when items are being transported by commercial carriers.

(3) Loss of accountability for in-transit secondary items due to either a delay of delivery of the items or a lack of notification of a delivery of the items.

(b) CONTENT OF PLAN.— The plan shall include, for each of the problems described in subsection (a), the following information:

(1) The actions to be taken to correct the problems.

(2) Statements of objectives.

(3) Performance measures and schedules.

(4) An identification of any resources that may be necessary for correcting the problem, together with an estimate of the annual costs.

(c) GAO REVIEWS.—(1) Not later than 60 days after the date on which the Secretary of Defense submits the plan to Congress, the Comptroller General shall review the plan and submit to Congress any comments that the Comptroller General considers appropriate regarding the plan.

(2) The Comptroller General shall monitor any implementation of the plan and, not later than one year after the date referred to in paragraph (1), submit to Congress an assessment of the extent to which the plan has been implemented.

HARKIN (AND OTHERS) AMENDMENT NO. 2889

(Ordered to lie on the table.)

Mr. HARKIN (for himself, Mr. BROWNBACK, Mr. TORRICELLI, and Mr. JOHNSON) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. ___. RESOLUTION OF JAMMU AND KASHMIR DISPUTE.

(a) FINDINGS.—Congress finds that—

(1) the detonation of nuclear explosive devices by India and Pakistan in May of 1998 has underscored the need to reexamine relations between India and Pakistan;

(2) a spiraling nuclear arms race in South Asia would threaten the national security of the United States, and international peace and security;

(3) for more than half a century, Pakistan and India have had a dispute involving the Jammu and Kashmir region and tensions remain high;

(4) three times in the past 50 years, the two nations fought wars against each other, two of these wars directly involving Jammu and Kashmir;

(5) it is in the interest of United States security and world peace for Pakistan and India to arrive at a peaceful and just settlement of the dispute through talks between the two nations, which takes into account the wishes of the affected population;

(6) the human rights situation in Jammu and Kashmir continues to deteriorate despite repeated efforts by international human rights groups;

(7) a resolution to the Jammu and Kashmir dispute would foster economic and social development in the region;

(8) the United States has a long and important history with both India and Pakistan, and bears a responsibility as a world leader to help facilitate a peaceful resolution to the Jammu and Kashmir dispute; and

(9) the United States and the United Nations can both play a critical role in helping to resolve the dispute over Jammu and Kashmir and in fostering better relations between Pakistan and India.

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

(1) the United States should make a high priority the promotion of peace and stability in South Asia, as well as normalization of relations between India and Pakistan;

(2) it is critical for the United States and the world community to give a greater priority to resolving the long-standing dispute between India and Pakistan over the Jammu and Kashmir region;

(3) the United States Permanent Representative to the United Nations should propose to the United Nations Security Council a meeting with the representatives to the United Nations from India and Pakistan for the purpose of discussions about the security situation in South Asia, including regional stability, nuclear disarmament and arms control, and trade;

(4) the United States Permanent Representative to the United Nations should raise the issue of the Jammu and Kashmir dispute within the Security Council and promote the establishment of a United Nations-sponsored mediator for the conflict; and

(5) the President should request India to allow United Nations human rights officials, including the Special Rapporteur on Torture, to visit the Jammu and Kashmir region and to have unrestricted access to meeting with people in that region, including those in detention.

HARKIN (AND WELLSTONE) AMENDMENTS NOS. 2890–2891

(Ordered to lie on the table.)

Mr. HARKIN (for himself and Mr. WELLSTONE) submitted two amendments intended to be proposed by them to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2890

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

SEC. . TRANSFER TO DEPARTMENT OF VETERANS AFFAIRS.

(a) TRANSFER REQUIRED.—The Secretary of Defense shall transfer to the Department of Veterans Affairs $329,000,000 of the amounts appropriated for the Department of Defense pursuant to the authorizations of appropriations in this Act. The Secretary shall select the funds for transfer, and shall transfer the funds, in a manner that causes the least significant harm to the readiness of the Armed Forces and the quality of life of military personnel and their families.

(b) USE OF TRANSFERRED FUNDS.—Funds transferred pursuant to subsection (a) shall be available for health care programs of the Department of Veterans Affairs.

AMENDMENT NO. 2891

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

SEC. . TRANSFER TO DEPARTMENT OF VETERANS AFFAIRS.

(a) TRANSFER REQUIRED.—The Secretary of Defense shall transfer to the Department of Veterans Affairs $329,000,000 of the amounts appropriated for the Department of Defense pursuant to the authorizations of appropriations in this Act. The Secretary shall select the funds for transfer, and shall transfer the funds, in a manner that causes the least significant harm to the readiness of the Armed Forces and the quality of life of military personnel and their families.

(b) USE OF TRANSFERRED FUNDS.—Funds transferred pursuant to subsection (a) shall be available for health care programs of the Department of Veterans Affairs.

KEMPTHORNE AMENDMENTS NOS. 2892–2893

(Ordered to lie on the table.)

Mr. KEMPTHORNE submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2892

On page 348, strike out line 1 and all that follows through page 366, line 13, and insert in lieu thereof the following:

TITLE XXIX—JUNIPER BUTTE RANGE WITHDRAWAL

SEC. 2901. SHORT TITLE.

This title may be cited as the ''Juniper Butte Range Withdrawal Act''.

SEC. 2902. WITHDRAWAL AND RESERVATION.

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this title, the lands at the Juniper Butte Range, Idaho, referred to in subsection (c), are withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral and geothermal leasing laws, but not the Materials Act of 1947 (30 U.S.C. 601–604).

(b) RESERVED USES.—The land withdrawn under subsection (a) are reserved for use by the Secretary of the Air Force for—

(1) a high hazard training area;

(2) dropping non-explosive training ordnance with spotting charges;

(3) electronic warfare and tactical maneuvering and air support;

(4) other defense-related purposes consistent with the purposes specified in paragraphs (1), (2), and (3), including continued natural resource management and environmental remediation in accordance with section 2916;

(c) SITE DEVELOPMENT PLANS.—Site development plans shall be prepared prior to construction; site development plans shall be incorporated in the Integrated Natural Resource Management Plan identified in section 2909; and, except for any minimal improvements, development on the withdrawn lands of any facilities beyond those proposed and analyzed in the Air Force's Enhanced Training in Idaho Environmental Impact Statement, the Enhanced Training in Idaho Record of Decision dated March 10, 1998, and the site development plans shall be contingent upon review and approval of the Idaho State Director, Bureau of Land Management.

(d) GENERAL DESCRIPTION.—The public lands withdrawn and reserved by this section comprise approximately 11,300 acres of public land in Owhyee County, Idaho, as generally depicted on the map entitled ''Juniper Butte Range Withdrawal-Proposed'', dated June 1998, that will be filed in accordance with section 2903. The withdrawal is for an approximately 10,600-acre tactical training range, a 640-acre no-drop target site, four 5-acre no-drop target sites and nine 1-acre electronic threat emitter sites.

SEC. 2903. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the effective date of this Act, the Secretary of the Interior shall—

(1) publish in the Federal Register a notice containing the legal description of the lands withdrawn and reserved by this title; and

(2) file a map or maps and the legal description of the lands withdrawn and reserved by this title with the Committee on Energy and Natural Resources of the Senate and with the Committee on Resources of the House of Representatives.

(b) INCORPORATION BY REFERENCE.—Such maps and legal description shall have the same force and effect as if included in this title.

(c) CORRECTION OF ERRORS.—The Secretary of the Interior may correct clerical and typographical errors in such map or maps and legal description.

(d) AVAILABILITY.—Copies of such map or maps and the legal description shall be available for public inspection in the office of the Idaho State Director of the Bureau of Land

Management; the offices of the managers of the Lower Snake River District, Bureau Field Office and Jarbidge Field Office of the Bureau of Land Management; and the Office of the Commander, Mountain Home Air Force Base, Idaho. To the extent practicable, the Secretary of the Interior shall adopt the legal description and maps prepared by the Secretary of the Air Force in support of this Title.

(e) The Secretary of the Air Force shall reimburse the Secretary of the Interior for the costs incurred by the Department of the Interior in implementing this section.

SEC. 2904. AGENCY AGREEMENT

The Bureau of Land Management and the Air Force have agreed upon additional mitigation measures associated with this land withdrawal as specified in the ''ENHANCED TRAINING IN IDAHO Memorandum of Understanding Between The Bureau of Land Management and The United States Air Force'' that is dated June ——, 1998. This agreement specifies that these mitigation measures will be adopted as part of the Air Force's Record of Decision for Enhanced Training in Idaho. Congress endorses this collaborative effort between the agencies and directs that the agreement be implemented; provided, however, that the parties may, in accordance with the National Environmental Policy Act of 1969, as amended, mutually agree to modify the mitigation measures specified in the agreement in light of experience gained through the actions called for in the agreement or as a result of changed military circumstances; provided further, that neither the agreement, any modification thereof, nor this section creates any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

SEC. 2905. RIGHT-OF-WAY GRANTS.

In addition to the withdrawal under section 2902 and in accordance with all applicable laws, the Secretary of the Interior shall process and grant the Secretary of the Air Force rights-of-way using the Department of the Interior regulations and policies in effect at the time of filing applications for the one-quarter acre electronic warfare threat emitter sites, roads, powerlines, and other ancillary facilities as described and analyzed in the Enhanced Training in Idaho Final Environmental Impact Statement, dated January 1998.

SEC. 2906. INDIAN SACRED SITES.

(a) MANAGEMENT.—In the management of the Federal lands withdrawn and reserved by this title, the Air Force shall, to the extent practicable and not clearly inconsistent with essential agency functions, (1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the integrity of such sacred sites. The Air Force shall maintain the confidentiality of such sites where appropriate. The term ''sacred site'' shall mean any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the Air Force of the existence of such a site. The term ''Indian tribe'' means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to Public Law No. 103–454, 108 Stat. 4791, and ''Indian'' refers to a member of such an Indian tribe.

(b) CONSULTATION.—Air Force officials at Mountain Home Air Force Base shall regularly consult with the Tribal Chairman of the Shoshone-Paiute Tribes of the Duck Valley Reservation to assure that tribal government rights and concerns are fully considered during the development of the Juniper Butte Range.

SEC. 2907. ACTIONS CONCERNING RANCHING OPERATIONS IN WITHDRAWN AREA.

The Secretary of the Air Force is authorized and directed to, upon such terms and conditions as the Secretary of the Air Force considers just and in the national interest, conclude and implement agreements with the grazing permittees to provide appropriate consideration, including future grazing arrangements. Upon the conclusion of these agreements, the Assistant Secretary, Land and Minerals Management, shall grant rights-of-way and approvals and take such actions as are necessary to implement promptly this title and the agreements with the grazing permittees. The Secretary of the Air Force and the Secretary of the Interior shall allow the grazing permittees for lands withdrawn and reserved by this title to continue their activities on the lands in accordance with the permits and their applicable regulations until the Secretary of the Air Force has fully implemented the agreement with the grazing permittees under this section. Upon the implementation of these agreements, the Bureau of Land Management is authorized and directed, subject to the limitations included in this section, to terminate grazing on the lands withdrawn.

SEC. 2908. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.

(a) IN GENERAL.—Except as provided in section 2916(d), during the withdrawal and reservation of any lands under this title, the Secretary of the Air Force shall manage such lands for purposes relating to the uses set forth in section 2902(b).

(b) MANAGEMENT ACCORDING TO PLAN.—The lands withdrawn and reserved by this title shall be managed in accordance with the provisions of this title under the integrated natural resources management plan prepared under section 2909.

(c) AUTHORITY TO CLOSE LAND.—If the Secretary of the Air Force determines that military operations, public safety, or the interests of national security require the closure to public use of any road, trail or other portion of the lands withdrawn by this title that are commonly in public use, the Secretary of the Air Force may take such action; Provided, that such closures shall be limited to the minimum areas and periods required for the purposes specified in this subsection. During closures, the Secretary of the Air Force shall keep appropriate warning notices posted and take appropriate steps to notify the public about the closure.

(d) LEASE AUTHORITY.—The Secretary of the Air Force may enter into leases for State lands with the State of Idaho in support of the Juniper Butte Range and operations at the Juniper Butte Range.

(e) PREVENTION AND SUPPRESSION OF FIRE.—

(1) The Secretary of the Air Force shall take appropriate precautions to prevent and suppress brush fires and range fires that occur within the boundaries of the Juniper Butte Range, as well as brush and range fires occurring outside the boundaries of the Range resulting from military activities.

(2) Notwithstanding section 2465 of title 10, United States Code, the Secretary of the Air Force may obligate funds appropriated or otherwise available to the Secretary of the Air Force to enter into contracts for firefighting.

(3)(A) The memorandum of understanding under section 2910 shall provide for the Bureau of Land Management to assist the Secretary of the Air Force in the suppression of the fires described in paragraph (1).

(B) The memorandum of understanding shall provide that the Secretary of the Air Force reimburse the Bureau of Land Management for any costs incurred by the Bureau of Land Management under this paragraph.

(f) USE OF MINERAL MATERIALS.—Notwithstanding any other provision of this title or the Act of July 31, 1947 (commonly known as the ''Materials Act of 1947'') (30 U.S.C. 601 et seq.), the Secretary of the Air Force may use, from the lands withdrawn and reserved by this title, sand, gravel, or similar mineral material resources of the type subject to disposition under the Act of July 31, 1947, when the use of such resources is required for construction needs of the Juniper Butte Range.

SEC. 2909. INTEGRATED NATURAL RESOURCE MANAGEMENT PLAN.

(a) REQUIREMENT.—

(1) Not later than 2 years after the date of enactment of this title, the Secretary of the Air Force shall, in cooperation with the Secretary of the Interior, the State of Idaho and Owyhee County, develop an integrated natural resources management plan to address the management of the resources of the lands withdrawn and reserved by this title during their withdrawal and reservation under this title. Additionally, the Integrated Natural Resource Management Plan will address mitigation and monitoring activities by the Air Force for State and Federal lands affected by military training activities associated with the Juniper Butte Range. The foregoing will be done cooperatively between the Air Force and the Bureau of Land Management, the State of Idaho and Owyhee County.

(2) Except as otherwise provided under this title, the integrated natural resources management plan under this section shall be developed in accordance with, and meet the requirements of, section 101 of the Sikes Act (16 U.S.C. 670a).

(3) Site development plans shall be prepared prior to construction of facilities. These plans shall be reviewed by the Bureau of Land Management for Federal lands and the State of Idaho for State lands for consistency with the proposal assessed in the Enhanced Training in Idaho Environmental Impact Statement. The portion of the site development plans describing reconfigurable or replacement targets may be conceptual.

(b) ELEMENTS.—The integrated natural resources management plan under subsection (a) shall—

(1) include provisions for the proper management and protection of the natural, cultural, and other resources and values of the lands withdrawn and reserved by this title and for the use of such resources in a manner consistent with the uses set forth in section 2902(b);

(2) permit livestock grazing at the discretion of the Secretary of the Air Force in accordance with section 2907 or any other authorities relating to livestock grazing that are available to that Secretary;

(3) permit fencing, water pipeline modifications and extensions, and the construction of aboveground water reservoirs, and the maintenance and repair of these items on the lands withdrawn and reserved by this title, and on other lands under the jurisdiction of the Bureau of Land Management; and

(4) otherwise provide for the management by the Secretary of Air Force of any lands withdrawn and reserved by this title while retained under the jurisdiction of that Secretary under this title.

(c) PERIODIC REVIEW.—The Secretary of the Air Force shall, in cooperation with the Secretary of the Interior and the State of Idaho, review the adequacy of the provisions of the

integrated natural resources management plan developed under this section at least once every 5 years after the effective date of the plan.

SEC. 2910. MEMORANDUM OF UNDERSTANDING.

(a) REQUIREMENT.—The Secretary of the Air Force, the Secretary of the Interior, and the Governor of the State of Idaho shall jointly enter into a memorandum of understanding to implement the integrated natural resources management plan required under section 2909.

(b) TERM.—The memorandum of understanding under subsection (a) shall apply to any lands withdrawn and reserved by this title until their relinquishment by the Secretary of the Air Force under this title.

(c) MODIFICATION.—The memorandum of understanding under subsection (a) may be modified by agreement of all the parties specified in that subsection.

SEC. 2911. MAINTENANCE OF ROADS.

The Secretary of the Air Force shall enter into agreements with the Owyhee County Highway District, Idaho, and the Three Creek Good Roads Highway District, Idaho, under which the Secretary of the Air Force shall pay the costs of road maintenance incurred by such districts that are attributable to Air Force operations associated with the Juniper Butte Range.

SEC. 2912. MANAGEMENT OF WITHDRAWN AND ACQUIRED MINERAL RESOURCES.

Except as provided in subsection 2908(f), the Secretary of the Interior shall manage all withdrawn and acquired mineral resources within the boundaries of the Juniper Butte Range in accordance with the Act of February 28, 1958 (known as the Engle Act; 43 U.S.C. 155–158).

SEC. 2913. HUNTING, FISHING, AND TRAPPING.

All hunting, fishing, and trapping on the lands withdrawn and reserved by this title shall be conducted in accordance with the provision of section 2671 of title 10, United States Code.

SEC. 2914. WATER RIGHTS.

(a) LIMITATION.—The Secretary of the Air Force shall not seek or obtain any water rights associated with any water pipeline modified or extended, or above ground water reservoir constructed, for purposes of consideration under section 2907.

(b) NEW RIGHTS.—

(1) Nothing in this title shall be construed to establish a reservation in favor of the United States with respect to any water or water right on the lands withdrawn and reserved by this title.

(2) Nothing in this title shall be construed to authorize the appropriation of water on the lands withdrawn and reserved by this title by the United States after the date of enactment of this title unless such appropriation is carried out in accordance with the laws of the State of Idaho.

(c) APPLICABILITY.—This section may not be construed to affect any water rights acquired by the United States before the date of enactment of this title.

SEC. 2915. DURATION OF WITHDRAWAL.

(a) TERMINATION.—

(1) Except as otherwise provided in this section and section 2916, the withdrawal and reservation of lands by this title shall, unless extended as provided herein, terminate at one minute before midnight on the 25th anniversary of the date of the enactment of this title.

(2) At the time of termination, the previously withdrawn lands shall not be open to the general land laws including the mining laws and the mineral and geothermal leasing laws until the Secretary of the Interior publishes in the Federal Register an appropriate order which shall state the date upon which such lands shall be opened.

(b) RELINQUISHMENT.—

(1) If the Secretary of the Air Force determines under subsection (c) of this section that the Air Force has no continuing military need for any lands withdrawn and reserved by this title, the Secretary of the Air Force shall submit to the Secretary of the Interior a notice of intent to relinquish jurisdiction over such lands back to the Secretary of the Interior.

(2) The Secretary of the Interior may accept jurisdiction over any lands covered by a notice of intent to relinquish jurisdiction under paragraph (1) if the Secretary of the Interior determines that the Secretary of the Air Force has completed the environmental review required under section 2916(a) and the conditions under section 2916(c) have been met.

(3) If the Secretary of the Interior decides to accept jurisdiction over lands under paragraph (2) before the date of termination, as provided for in subsection (a)(1) of this section, the Secretary of the Interior shall publish in the Federal Register an appropriate order which shall—

(A) revoke the withdrawal and reservation of such lands under this title;

(B) constitute official acceptance of administrative jurisdiction over the lands by the Secretary of the Interior; and

(C) state the date upon which such lands shall be opened to the operation of the general land laws, including the mining laws and the mineral and geothermal leasing laws, if appropriate.

(4) The Secretary of the Interior shall manage any lands relinquished under this subsection as multiple use status lands.

(5) If the Secretary of the Interior declines pursuant to paragraph (b)(2) of this section to accept jurisdiction of any parcel of the land proposed for relinquishment that parcel shall remain under the continued administration of the Secretary of the Air Force pursuant to section 2916(d).

(c) EXTENSION.—

(1) In the case of any lands withdrawn and reserved by this title that the Air Force proposes to include in a notice of extension because of continued military need under paragraph (2) of this subsection, the Secretary of the Air Force shall prior to issuing the notice under paragraph (2)—

(A) evaluate the environmental effects of the extension of the withdrawal and reservation of such lands in accordance with all applicable laws and regulations; and

(B) hold at least one public meeting in the State of Idaho regarding that evaluation.

(2) Notice of need for extension of withdrawal—

(A) Not later than 2 years before the termination of the withdrawal and reservation of lands by this title under subsection (a), the Secretary of the Air Force shall notify Congress and the Secretary of the Interior as to whether or not the Air Force has a continuing military need for any of the lands withdrawn and reserved by this title, and not previously relinquished under this section, after the termination date as specified in subsection (a) of this section.

(B) The Secretary of the Air force shall specify in the notice under subparagraph (A) the duration of any extension or further extension of withdrawal and reservation of such lands under this title; Provided however, the duration of each extension or further extension shall not exceed 25 years.

(C) The notice under subparagraph (A) shall be published in the Federal Register and a newspaper of local distribution with the opportunity for comments, within a 60-day period, which shall be provided to the Secretary of the Air Force and the Secretary of the Interior.

(3) Effect of notification.—

(A) Subject to subparagraph (B), in the case of any lands withdrawn and reserved by this title that are covered by a notice of extension under subsection (c)(2), the withdrawal and reservation of such lands shall extend under the provisions of this title after the termination date otherwise provided for under subsection (a) for such period as is specified in the notice under subsection (c)(2).

(B) Subparagraph (A) shall not apply with respect to any lands covered by a notice referred to in that paragraph until 90 legislative days after the date on which the notice with respect to such lands is submitted to Congress under paragraph (2).

SEC. 2916. ENVIRONMENTAL REMEDIATION OF RELINQUISHED WITHDRAWN LANDS OR UPON TERMINATION OF WITHDRAWAL.

(a) ENVIRONMENTAL REVIEW.—

(1) Before submitting under section 2915 a notice of an intent to relinquish jurisdiction over lands withdrawn and reserved by this title, and in all cases not later than two years prior to the date of termination of withdrawal and reservation, the Secretary of the Air Force shall, in consultation with the Secretary of the Interior, complete a review that fully characterizes the environmental conditions of such lands (including any water and air associated with such lands) in order to identify any contamination on such lands.

(2) The Secretary of the Air Force shall submit to the Secretary of the Interior a copy of the review prepared with respect to any lands under paragraph (1). The Secretary of the Air Force shall also submit at the same time any notice of intent to relinquish jurisdiction over such lands under section 2915.

(3) The Secretary of the Air Force shall submit a copy of any such review to Congress.

(b) ENVIRONMENTAL REMEDIATION OF LANDS.—The Secretary of the Air Force shall, in accordance with applicable State and Federal law, carry out and complete environmental remediation—

(1) before relinquishing jurisdiction to the Secretary of the Interior over any lands identified in a notice of intent to relinquish under subsection 2915(b); or,

(2) prior to the date of termination of the withdrawal and reservation, except as provided under subsection (d) of this section.

(c) POSTPONEMENT OF RELINQUISHMENT.—The Secretary of the Interior shall not accept jurisdiction over any lands that are the subject of activities under subsection (b) of this section until the Secretary of the Interior determines that environmental conditions on the lands are such that—

(1) all necessary environmental remediation has been completed by the Secretary of the Air Force;

(2) the lands are safe for nonmilitary uses; and

(3) the lands could be opened consistent with the Secretary of the Interior's public land management responsibilities.

(d) JURISDICTION WHEN WITHDRAWAL TERMINATES.—If the determination required by section (c) cannot be achieved for any parcel of land subject to the withdrawal and reservation prior to the termination date of the withdrawal and reservation, the Secretary of the Air Force shall retain administrative jurisdiction over such parcels of land notwithstanding the termination date for the limited purposes of:

(1) environmental remediation activities under subsection (b); and,

(2) any activities relating to the management of such lands after the termination of the withdrawal reservation for military purposes that are provided for in the integrated

natural resources management plan under section 2909.

(e) REQUEST FOR APPROPRIATIONS.—The Secretary of the Air Force shall request an appropriation pursuant to section 2919 sufficient to accomplish the remediation under this title.

SEC. 2917. DELEGATION OF AUTHORITY.

(a) AIR FORCE FUNCTIONS.—Except for executing the agreement referred to in section 2907, the Secretary of the Air Force may delegate that Secretary's functions under this title.

(b) INTERIOR FUNCTIONS.—

(1) Except as provided in paragraph (2), the Secretary of the Interior may delegate that Secretary's functions under this title.

(2) The order referred to in section 2915(b)(3) may be approved and signed only by the Secretary of the Interior, the Deputy Secretary of the Interior, or an Assistant Secretary of the Interior.

(3) The approvals granted by the Bureau of Land Management shall be pursuant to the decisions of the Secretary of the Interior, or the Assistant Secretary for Land and Minerals Management.

SEC. 2918. SENSE OF SENATE REGARDING MONITORING OF WITHDRAWN LANDS.

(a) FINDING.—The Senate finds that there is a need for the Department of the Air Force, the Bureau of Land Management, the State of Idaho, and Owyhee County to develop a cooperative effort to monitor the impact of military activities on the natural, cultural, and other resources and values of the lands withdrawn and reserved by this title as well as other Federal and State lands affected by military activities associated with the Juniper Butte Range.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of the Air Force should ensure that the budgetary planning of the Department of the Air Force makes available sufficient funds to assure Air Force participation in the cooperative effort developed by the Department of the Air Force, the Bureau of Land Management, and the State of Idaho to monitor the impact of military activities on the natural, cultural, and other resources and values of the lands withdrawn and reserved by this title as well as other Federal and State lands affected by military activities associated with the Juniper Butte Range.

SEC. 2919. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

AMENDMENT NO. 2893

On page 348, strike out line 1 and all that follows through page 366, line 13, and insert in lieu thereof the following:

TITLE XXIX—JUNIPER BUTTE RANGE WITHDRAWAL

SEC. 2901. SHORT TITLE.

This title may be cited as the ''Juniper Butte Range Withdrawal Act''.

SEC. 2902. WITHDRAWAL AND RESERVATION.

(a) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this title, the lands at the Juniper Butte Range, Idaho, referred to in subsection (c), are withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral and geothermal leasing laws, but not the Materials Act of 1947 (30 U.S.C. 601–604).

(b) RESERVED USES.—The land withdrawn under subsection (a) are reserved for use by the Secretary of the Air Force for—

(1) a high hazard training area;

(2) dropping non-explosive training ordnance with spotting charges;

(3) electronic warfare and tactical maneuvering and air support;

(4) other defense-related purposes consistent with the purposes specified in paragraphs (1), (2), and (3), including continued natural resource management and environmental remediation in accordance with section 2916;

(c) SITE DEVELOPMENT PLANS.—Site development plans shall be prepared prior to construction; site development plans shall be incorporated in the Integrated Natural Resource Management Plan identified in section 2909; and, except for any minimal improvements, development on the withdrawn lands of any facilities beyond those proposed and analyzed in the Air Force's Enhanced Training in Idaho Environmental Impact Statement, the Enhanced Training in Idaho Record of Decision dated March 10, 1998, and the site development plans shall be contingent upon review and approval of the Idaho State Director, Bureau of Land Management.

(d) GENERAL DESCRIPTION.—The public lands withdrawn and reserved by this section comprise approximately 11,300 acres of public land in Owhyee County, Idaho, as generally depicted on the map entitled ''Juniper Butte Range Withdrawal-Proposed'', dated June 1998, that will be filed in accordance with section 2903. The withdrawal is for an approximately 10,600-acre tactical training range, a 640-acre no-drop target site, four 5-acre no-drop target sites and nine 1-acre electronic threat emitter sites.

SEC. 2903. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the effective date of this Act, the Secretary of the Interior shall—

(1) publish in the Federal Register a notice containing the legal description of the lands withdrawn and reserved by this title; and

(2) file a map or maps and the legal description of the lands withdrawn and reserved by this title with the Committee on Energy and Natural Resources of the Senate and with the Committee on Resources of the House of Representatives.

(b) INCORPORATION BY REFERENCE.—Such maps and legal description shall have the same force and effect as if included in this title.

(c) CORRECTION OF ERRORS.—The Secretary of the Interior may correct clerical and typographical errors in such map or maps and legal description.

(d) AVAILABILITY.—Copies of such map or maps and the legal description shall be available for public inspection in the office of the Idaho State Director of the Bureau of Land Management; the offices of the managers of the Lower Snake River District, Bureau Field Office and Jarbidge Field Office of the Bureau of Land Management; and the Office of the Commander, Mountain Home Air Force Base, Idaho. To the extent practicable, the Secretary of the Interior shall adopt the legal description and maps prepared by the Secretary of the Air Force in support of this Title.

(e) The Secretary of the Air Force shall reimburse the Secretary of the Interior for the costs incurred by the Department of the Interior in implementing this section.

SEC. 2905. RIGHT-OF-WAY GRANTS.

In addition to the withdrawal under section 2902 and in accordance with all applicable laws, the Secretary of the Interior shall process and grant the Secretary of the Air Force rights-of-way using the Department of the Interior regulations and policies in effect at the time of filing applications for the one-quarter acre electronic warfare threat emitter sites, roads, powerlines, and other ancillary facilities as described and analyzed in the Enhanced Training in Idaho Final Environmental Impact Statement, dated January 1998.

SEC. 2907. ACTIONS CONCERNING RANCHING OPERATIONS IN WITHDRAWN AREA.

The Secretary of the Air Force is authorized and directed to, upon such terms and conditions as the Secretary of the Air Force considers just and in the national interest, conclude and implement agreements with the grazing permittees to provide appropriate consideration, including future grazing arrangements. Upon the conclusion of these agreements, the Assistant Secretary, Land and Minerals Management, shall grant rights-of-way and approvals and take such actions as are necessary to implement promptly this title and the agreements with the grazing permittees. The Secretary of the Air Force and the Secretary of the Interior shall allow the grazing permittees for lands withdrawn and reserved by this title to continue their activities on the lands in accordance with the permits and their applicable regulations until the Secretary of the Air Force has fully implemented the agreement with the grazing permittees under this section. Upon the implementation of these agreements, the Bureau of Land Management is authorized and directed, subject to the limitations included in this section, to terminate grazing on the lands withdrawn.

SEC. 2908. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.

(a) IN GENERAL.—Except as provided in section 2916(d), during the withdrawal and reservation of any lands under this title, the Secretary of the Air Force shall manage such lands for purposes relating to the uses set forth in section 2902(b).

(b) MANAGEMENT ACCORDING TO PLAN.—The lands withdrawn and reserved by this title shall be managed in accordance with the provisions of this title under the integrated natural resources management plan prepared under section 2909.

(c) AUTHORITY TO CLOSE LAND.—If the Secretary of the Air Force determines that military operations, public safety, or the interests of national security require the closure to public use of any road, trail or other portion of the lands withdrawn by this title that are commonly in public use, the Secretary of the Air Force may take such action; Provided, that such closures shall be limited to the minimum areas and periods required for the purposes specified in this subsection. During closures, the Secretary of the Air Force shall keep appropriate warning notices posted and take appropriate steps to notify the public about the closure.

(d) LEASE AUTHORITY.—The Secretary of the Air Force may enter into leases for State lands with the State of Idaho in support of the Juniper Butte Range and operations at the Juniper Butte Range.

(e) PREVENTION AND SUPPRESSION OF FIRE.—

(1) The Secretary of the Air Force shall take appropriate precautions to prevent and suppress brush fires and range fires that occur within the boundaries of the Juniper Butte Range, as well as brush and range fires occurring outside the boundaries of the Range resulting from military activities.

(2) Notwithstanding section 2465 of title 10, United States Code, the Secretary of the Air Force may obligate funds appropriated or otherwise available to the Secretary of the Air Force to enter into contracts for firefighting.

(3)(A) The memorandum of understanding under section 2910 shall provide for the Bureau of Land Management to assist the Secretary of the Air Force in the suppression of the fires described in paragraph (1).

(B) The memorandum of understanding shall provide that the Secretary of the Air Force reimburse the Bureau of Land Management for any costs incurred by the Bureau of Land Management under this paragraph.

(f) USE OF MINERAL MATERIALS.—Notwithstanding any other provision of this title or the Act of July 31, 1947 (commonly known as the ''Materials Act of 1947'') (30 U.S.C. 601 et

seq.), the Secretary of the Air Force may use, from the lands withdrawn and reserved by this title, sand, gravel, or similar mineral material resources of the type subject to disposition under the Act of July 31, 1947, when the use of such resources is required for construction needs of the Juniper Butte Range.

SEC. 2909. INTEGRATED NATURAL RESOURCE MANAGEMENT PLAN.

(a) REQUIREMENT.—

(1) Not later than 2 years after the date of enactment of this title, the Secretary of the Air Force shall, in cooperation with the Secretary of the Interior, the State of Idaho and Owyhee County, develop an integrated natural resources management plan to address the management of the resources of the lands withdrawn and reserved by this title during their withdrawal and reservation under this title. Additionally, the Integrated Natural Resource Management Plan will address mitigation and monitoring activities by the Air Force for State and Federal lands affected by military training activities associated with the Juniper Butte Range. The foregoing will be done cooperatively between the Air Force and the Bureau of Land Management, the State of Idaho and Owyhee County.

(2) Except as otherwise provided under this title, the integrated natural resources management plan under this section shall be developed in accordance with, and meet the requirements of, section 101 of the Sikes Act (16 U.S.C. 670a).

(3) Site development plans shall be prepared prior to construction of facilities. These plans shall be reviewed by the Bureau of Land Management for Federal lands and the State of Idaho for State lands for consistency with the proposal assessed in the Enhanced Training in Idaho Environmental Impact Statement. The portion of the site development plans describing reconfigurable or replacement targets may be conceptual.

(b) ELEMENTS.—The integrated natural resources management plan under subsection (a) shall—

(1) include provisions for the proper management and protection of the natural, cultural, and other resources and values of the lands withdrawn and reserved by this title and for the use of such resources in a manner consistent with the uses set forth in section 2902(b);

(2) permit livestock grazing at the discretion of the Secretary of the Air Force in accordance with section 2907 or any other authorities relating to livestock grazing that are available to that Secretary;

(3) permit fencing, water pipeline modifications and extensions, and the construction of aboveground water reservoirs, and the maintenance and repair of these items on the lands withdrawn and reserved by this title, and on other lands under the jurisdiction of the Bureau of Land Management; and

(4) otherwise provide for the management by the Secretary of Air Force of any lands withdrawn and reserved by this title while retained under the jurisdiction of that Secretary under this title.

(c) PERIODIC REVIEW.—The Secretary of the Air Force shall, in cooperation with the Secretary of the Interior and the State of Idaho, review the adequacy of the provisions of the integrated natural resources management plan developed under this section at least once every 5 years after the effective date of the plan.

SEC. 2910. MEMORANDUM OF UNDERSTANDING.

(a) REQUIREMENT.—The Secretary of the Air Force, the Secretary of the Interior, and the Governor of the State of Idaho shall jointly enter into a memorandum of understanding to implement the integrated natural resources management plan required under section 2909.

(b) TERM.—The memorandum of understanding under subsection (a) shall apply to any lands withdrawn and reserved by this title until their relinquishment by the Secretary of the Air Force under this title.

(c) MODIFICATION.—The memorandum of understanding under subsection (a) may be modified by agreement of all the parties specified in that subsection.

SEC. 2911. MAINTENANCE OF ROADS.

The Secretary of the Air Force shall enter into agreements with the Owyhee County Highway District, Idaho, and the Three Creek Good Roads Highway District, Idaho, under which the Secretary of the Air Force shall pay the costs of road maintenance incurred by such districts that are attributable to Air Force operations associated with the Juniper Butte Range.

SEC. 2912. MANAGEMENT OF WITHDRAWN AND ACQUIRED MINERAL RESOURCES.

Except as provided in subsection 2908(f), the Secretary of the Interior shall manage all withdrawn and acquired mineral resources within the boundaries of the Juniper Butte Range in accordance with the Act of February 28, 1958 (known as the Engle Act; 43 U.S.C. 155–158).

SEC. 2913. HUNTING, FISHING, AND TRAPPING.

All hunting, fishing, and trapping on the lands withdrawn and reserved by this title shall be conducted in accordance with the provision of section 2671 of title 10, United States Code.

SEC. 2914. WATER RIGHTS.

(a) LIMITATION.—The Secretary of the Air Force shall not seek or obtain any water rights associated with any water pipeline modified or extended, or above ground water reservoir constructed, for purposes of consideration under section 2907.

(b) NEW RIGHTS.—

(1) Nothing in this title shall be construed to establish a reservation in favor of the United States with respect to any water or water right on the lands withdrawn and reserved by this title.

(2) Nothing in this title shall be construed to authorize the appropriation of water on the lands withdrawn and reserved by this title by the United States after the date of enactment of this title unless such appropriation is carried out in accordance with the laws of the State of Idaho.

(c) APPLICABILITY.—This section may not be construed to affect any water rights acquired by the United States before the date of enactment of this title.

SEC. 2915. DURATION OF WITHDRAWAL.

(a) TERMINATION.—

(1) Except as otherwise provided in this section and section 2916, the withdrawal and reservation of lands by this title shall, unless extended as provided herein, terminate at one minute before midnight on the 25th anniversary of the date of the enactment of this title.

(2) At the time of termination, the previously withdrawn lands shall not be open to the general land laws including the mining laws and the mineral and geothermal leasing laws until the Secretary of the Interior publishes in the Federal Register an appropriate order which shall state the date upon which such lands shall be opened.

(b) RELINQUISHMENT.—

(1) If the Secretary of the Air Force determines under subsection (c) of this section that the Air Force has no continuing military need for any lands withdrawn and reserved by this title, the Secretary of the Air Force shall submit to the Secretary of the Interior a notice of intent to relinquish jurisdiction over such lands back to the Secretary of the Interior.

(2) The Secretary of the Interior may accept jurisdiction over any lands covered by a notice of intent to relinquish jurisdiction under paragraph (1) if the Secretary of the Interior determines that the Secretary of the Air Force has completed the environmental review required under section 2916(a) and the conditions under section 2916(c) have been met.

(3) If the Secretary of the Interior decides to accept jurisdiction over lands under paragraph (2) before the date of termination, as provided for in subsection (a)(1) of this section, the Secretary of the Interior shall publish in the Federal Register an appropriate order which shall—

(A) revoke the withdrawal and reservation of such lands under this title;

(B) constitute official acceptance of administrative jurisdiction over the lands by the Secretary of the Interior; and

(C) state the date upon which such lands shall be opened to the operation of the general land laws, including the mining laws and the mineral and geothermal leasing laws, if appropriate.

(4) The Secretary of the Interior shall manage any lands relinquished under this subsection as multiple use status lands.

(5) If the Secretary of the Interior declines pursuant to paragraph (b)(2) of this section to accept jurisdiction of any parcel of the land proposed for relinquishment that parcel shall remain under the continued administration of the Secretary of the Air Force pursuant to section 2916(d).

(c) EXTENSION.—

(1) In the case of any lands withdrawn and reserved by this title that the Air Force proposes to include in a notice of extension because of continued military need under paragraph (2) of this subsection, the Secretary of the Air Force shall prior to issuing the notice under paragraph (2)—

(A) evaluate the environmental effects of the extension of the withdrawal and reservation of such lands in accordance with all applicable laws and regulations; and

(B) hold at least one public meeting in the State of Idaho regarding that evaluation.

(2) Notice of need for extension of withdrawal—

(A) Not later than 2 years before the termination of the withdrawal and reservation of lands by this title under subsection (a), the Secretary of the Air Force shall notify Congress and the Secretary of the Interior as to whether or not the Air Force has a continuing military need for any of the lands withdrawn and reserved by this title, and not previously relinquished under this section, after the termination date as specified in subsection (a) of this section.

(B) The Secretary of the Air force shall specify in the notice under subparagraph (A) the duration of any extension or further extension of withdrawal and reservation of such lands under this title; Provided however, the duration of each extension or further extension shall not exceed 25 years.

(C) The notice under subparagraph (A) shall be published in the Federal Register and a newspaper of local distribution with the opportunity for comments, within a 60-day period, which shall be provided to the Secretary of the Air Force and the Secretary of the Interior.

(3) Effect of notification.—

(A) Subject to subparagraph (B), in the case of any lands withdrawn and reserved by this title that are covered by a notice of extension under subsection (c)(2), the withdrawal and reservation of such lands shall extend under the provisions of this title after the termination date otherwise provided for under subsection (a) for such period as is specified in the notice under subsection (c)(2).

(B) Subparagraph (A) shall not apply with respect to any lands covered by a notice referred to in that paragraph until 90 legislative days after the date on which the notice

with respect to such lands is submitted to Congress under paragraph (2).

SEC. 2916. ENVIRONMENTAL REMEDIATION OF RELINQUISHED WITHDRAWN LANDS OR UPON TERMINATION OF WITHDRAWAL.

(a) ENVIRONMENTAL REVIEW.—

(1) Before submitting under section 2915 a notice of an intent to relinquish jurisdiction over lands withdrawn and reserved by this title, and in all cases not later than two years prior to the date of termination of withdrawal and reservation, the Secretary of the Air Force shall, in consultation with the Secretary of the Interior, complete a review that fully characterizes the environmental conditions of such lands (including any water and air associated with such lands) in order to identify any contamination on such lands.

(2) The Secretary of the Air Force shall submit to the Secretary of the Interior a copy of the review prepared with respect to any lands under paragraph (1). The Secretary of the Air Force shall also submit at the same time any notice of intent to relinquish jurisdiction over such lands under section 2915.

(3) The Secretary of the Air Force shall submit a copy of any such review to Congress.

(b) ENVIRONMENTAL REMEDIATION OF LANDS.—The Secretary of the Air Force shall, in accordance with applicable State and Federal law, carry out and complete environmental remediation—

(1) before relinquishing jurisdiction to the Secretary of the Interior over any lands identified in a notice of intent to relinquish under subsection 2915(b); or,

(2) prior to the date of termination of the withdrawal and reservation, except as provided under subsection (d) of this section.

(c) POSTPONEMENT OF RELINQUISHMENT.—The Secretary of the Interior shall not accept jurisdiction over any lands that are the subject of activities under subsection (b) of this section until the Secretary of the Interior determines that environmental conditions on the lands are such that—

(1) all necessary environmental remediation has been completed by the Secretary of the Air Force;

(2) the lands are safe for nonmilitary uses; and

(3) the lands could be opened consistent with the Secretary of the Interior's public land management responsibilities.

(d) JURISDICTION WHEN WITHDRAWAL TERMINATES.—If the determination required by section (c) cannot be achieved for any parcel of land subject to the withdrawal and reservation prior to the termination date of the withdrawal and reservation, the Secretary of the Air Force shall retain administrative jurisdiction over such parcels of land notwithstanding the termination date for the limited purposes of:

(1) environmental remediation activities under subsection (b); and,

(2) any activities relating to the management of such lands after the termination of the withdrawal reservation for military purposes that are provided for in the integrated natural resources management plan under section 2909.

(e) REQUEST FOR APPROPRIATIONS.—The Secretary of the Air Force shall request an appropriation pursuant to section 2919 sufficient to accomplish the remediation under this title.

SEC. 2917. DELEGATION OF AUTHORITY.

(a) AIR FORCE FUNCTIONS.—Except for executing the agreement referred to in section 2907, the Secretary of the Air Force may delegate that Secretary's functions under this title.

(b) INTERIOR FUNCTIONS.—

(1) Except as provided in paragraph (2), the Secretary of the Interior may delegate that Secretary's functions under this title.

(2) The order referred to in section 2915(b)(3) may be approved and signed only by the Secretary of the Interior, the Deputy Secretary of the Interior, or an Assistant Secretary of the Interior.

(3) The approvals granted by the Bureau of Land Management shall be pursuant to the decisions of the Secretary of the Interior, or the Assistant Secretary for Land and Minerals Management.

SEC. 2918. SENSE OF SENATE REGARDING MONITORING OF WITHDRAWN LANDS.

(a) FINDING.—The Senate finds that there is a need for the Department of the Air Force, the Bureau of Land Management, the State of Idaho, and Owyhee County to develop a cooperative effort to monitor the impact of military activities on the natural, cultural, and other resources and values of the lands withdrawn and reserved by this title as well as other Federal and State lands affected by military activities associated with the Juniper Butte Range.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of the Air Force should ensure that the budgetary planning of the Department of the Air Force makes available sufficient funds to assure Air Force participation in the cooperative effort developed by the Department of the Air Force, the Bureau of Land Management, and the State of Idaho to monitor the impact of military activities on the natural, cultural, and other resources and values of the lands withdrawn and reserved by this title as well as other Federal and State lands affected by military activities associated with the Juniper Butte Range.

SEC. 2919. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

WELLSTONE AMENDMENT NO. 2894

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the appropriate place, add the following:

Paragraph (1) of section 1076(e) of Title 10, United States Code, is amended to read as follows:

(1) The administering Secretary shall furnish an abused dependent of a former member of a uniformed service described in paragraph (4), during that period that the abused dependent is in receipt of transitional compensation under section 1059 of this title, with medical and dental care, including mental health services, in facilities of the uniformed services in accordance with the same eligibility and benefits as were applicable for that abused dependent during the period of active service of the former member.

TORRICELLI (AND LAUTENBERG) AMENDMENT NO. 2895

(Ordered to lie on the table.)

Mr. TORRICELLI (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

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

SEC. 350. PERSONNEL REDUCTIONS IN ARMY MATERIEL COMMAND.

Not later than March 31, 1999, the Comptroller General shall submit to the congressional defense committees a report concerning—

(1) the effect that the proposed personnel reductions in the Army Materiel Command will have on workload and readiness if implemented; and

(2) the likelihood that the cost savings projected to occur from such reductions will actually be achieved.

ROBB AMENDMENT NO. 2896

(Ordered to lie on the table.)

Mr. ROBB submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 268, between lines 8 and 9, insert the following:

SEC. 1064. STANDARDIZATION OF AREAS OF RESPONSIBILITY FOR DEPARTMENTS AND AGENCIES HAVING MISSIONS ABROAD.

(a) STANDARDIZATION.—(1) The President shall submit to Congress a proposal for standardizing the geographic areas of responsibility of the departments and agencies of the Federal Government with respect to the responsibilities, if any, of those departments and agencies for matters abroad that involve the national security interests of the United States.

(2) The standardization of areas of responsibility of the departments and agencies under paragraph (1) shall conform the areas of responsibility of such departments and agencies to the geographic areas of responsibility assigned to the unified combatant commands.

(b) CONSULTATION.—In preparing the standardization of areas of responsibility under subsection (a), the President should consult with the Secretary of Defense, the Secretary of State, the Director of Central Intelligence, the National Security Advisor, the heads of the other departments and agencies to be covered by the standardization rules, and such other Federal officials as the President considers appropriate.

ROBB (AND COATS) AMENDMENT NO. 2897

(Ordered to lie on the table.)

Mr. ROBB (for himself, and Mr. COATS) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

On page 196, between lines 18 and 19, insert the following:

SEC. 908. PANEL ON INFRASTRUCTURE REFORM.

(a) ESTABLISHMENT.—Not later than December 1, 1998, the Secretary of Defense shall establish a nonpartisan, independent panel to be known as the Panel on Infrastructure Reform (in this section referred to as the ''Panel''). The Panel shall have the duties set forth in this section.

(b) MEMBERSHIP.—The Panel shall be composed of a chairman and six other individuals appointed by the Secretary, in consultation with the Chairman and Ranking Member of the Committee on Armed Services of the Senate and the Chairman and Ranking Member of the Committee on National Security of the House of Representatives, from among individuals in the private sector who are recognized experts in matters relating to defense and civilian infrastructure in the United States.

(c) DUTIES.—(1) The Panel shall—

(A) carry out an assessment of the current infrastructure and the projected infrastructure of the Department of Defense in order to identify the infrastructure required to sustain the proposed force structure of the Armed Forces through 2015;

(B) identify the infrastructure that is or will be excess to the infrastructure identified under paragraph (1); and

(C) develop a plan for restructuring the infrastructure in order to reduce unnecessary costs and inefficiencies associated with the infrastructure and to improve the effectiveness of the infrastructure in supporting the warfighting missions of the Armed Forces.

(2) In carrying out its duties under this subsection, the Panel shall, to the maximum extent practicable take into account the results and findings of the following:

(A) The Report of the Department of Defense on Base Realignment and Closure, dated April 1998.

(B) The Report of the National Defense Panel, dated December 1997.

(C) The Defense Reform Initiative, dated November 1997.

(D) The Report of the Quadrennial Defense Review, dated May 1997.

(E) The Report of the Commission on Roles and Missions of the Armed Forces, dated May 1995.

(d) REPORT.—(1) Not later than October 31, 1999, the Panel shall submit to the Secretary a report on its activities under subsection (c). The report shall—

(A) review the concept for future warfighting described in the document entitled ''Joint Vision 2010'' and assess how the infrastructure of the Department of Defense can be restructured to better support the operational concepts outlined in that document;

(B) assume the authorization of a base closure round in 2001;

(C) assess other restructuring options for the infrastructure that may be required to sustain the proposed force structure of the Armed Forces through 2015;

(D) assess the benefits, risks, and feasibility of new concepts for the infrastructure, including joint bases and facilities, so-called ''superbases'', offshore bases, and the so-called ''new base concept'' outlined in the report of the National Defense Panel;

(E) assess opportunities for further regionalization of administrative and other functions shared across many installations;

(F) assess the need for excess installation capacity in light of future remobilization requirements and prospects for further reductions in overseas basing options;

(G) assess the need for construction of new installations in the United States;

(H) assess the future role of overseas installations in supporting the proposed force structure of the Armed Forces;

(I) compare the infrastructure design of the United States with the defense infrastructure designs of other nations;

(J) recommend such modifications in the 1990 base closure law as the Panel considers appropriate to improve the efficiency and objectivity of the base closure process;

(K) compare the merits of requiring one additional round of base closures under that law with the merits of requiring more than one additional round of base closures under that law;

(L) recommend such alternative methods of eliminating excess infrastructure capacity as the Panel considers appropriate;

(M) develop methods and measures to further improve the ability of the Department of Defense to compare categories of infrastructure across the military departments;

(N) to the extent practicable, estimate the funding required to implement the changes proposed by the Panel, as well as the savings to be anticipated from such changes; and

(O) propose any recommendations for legislation that the Panel considers appropriate.

(2) Not later than November 30, 1999, the Secretary shall, after consultation with the Chairman of the Joint Chiefs of Staff, submit to the committees referred to in subsection (b) a copy of the report under paragraph (1), together with the Secretary's comments on the report.

(e) INFORMATION FROM FEDERAL AGENCIES.—The Panel may secure directly from the Department of Defense and any of its components and from any other Federal department and agency such information as the Panel considers necessary to carry out its duties under this section. The head of the department or agency concerned shall ensure that information requested by the Panel under this subsection is promptly provided.

(f) PERSONNEL MATTERS.—(1) Each member of the Panel shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Panel.

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

(3)(A) The chairman of the Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director, and a staff of not more than four additional individuals, if the Panel determines that an executive director and staff are necessary in order for the Panel to perform its duties effectively. The employment of an executive director shall be subject to confirmation by the Panel.

(B) The chairman may fix the compensation of the executive director without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) Any Federal Government employee may be detailed to the Panel without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege. The Secretary shall ensure that sufficient personnel are detailed to the Panel to enable the Panel to carry out its duties effectively.

(5) To the maximum extent practicable, the members and employees of the Panel shall travel on military aircraft, military ships, military vehicles, or other military conveyances when travel is necessary in the performance of a duty of the Panel, except that no such aircraft, ship, vehicle, or other conveyance may be scheduled primarily for the transportation of any such member or employee when the cost of commercial transportation is less expensive.

(g) ADMINISTRATIVE PROVISIONS.—(1) The Panel may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(2) The Secretary shall furnish the Panel any administrative and support services requested by the Panel.

(3) The Panel may accept, use, and dispose of gifts or donations of services or property.

(h) PAYMENT OF PANEL EXPENSES.—The compensation, travel expenses, and per diem allowances of members and employees of the Panel shall be paid out of funds available to the Department of Defense for the payment of compensation, travel allowances, and per diem allowances, respectively, of civilian employees of the Department. The other expenses of the Panel shall be paid out of funds available to the Department for the payment of similar expenses incurred by the Department.

(i) TERMINATION.—The Panel shall terminate 30 days after the date on which the Panel submits its report to the Secretary under subsection (d)(1).

(j) DEFINITIONS.—In this section:

(1) The term ''infrastructure'' means the facilities, equipment, personnel, and other programs and activities of the Department of Defense that provide support to combat mission programs of the Department, including programs and activities relating to acquisition, installation support, central command, control, and communications, force management, central logistics, central medical, central personnel, and central training.

(2) The term ''1990 base closure law'' means the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

BINGAMAN AMENDMENTS NOS. 2898–2901

(Ordered to lie on the table.)

Mr. BINGAMAN submitted four amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2898

On page 16, line 8, strike ''$780,150,000'', and insert in lieu thereof ''$855,150,000''.

On page 14, line 1, strike ''$1,466,508,000'', and insert in lieu thereof ''$1,402,508,000''.

On page 14, line 5, strike ''$1,010,155,000'', and insert in lieu thereof ''$999,150,000''.

AMENDMENT NO. 2899

On page 16, line 8, strike ''$780,150,000'', and insert in lieu thereof ''$855,150,000''.

AMENDMENT NO. 2900

On page 14, line 1, strike ''$1,466,508,000'', and insert in lieu thereof ''$1,402,508,000''.

AMENDMENT NO. 2901

On page 14, line 5, strike ''$1,010,155,000'', and insert in lieu thereof ''$999,150,000''.

WELLSTONE AMENDMENT NO. 2902

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 200, between lines 14 and 15, insert the following:

SEC. 1005. CHILD DEVELOPMENT PROGRAM.

(a) ADDITIONAL FUNDING.—The amount authorized to be appropriated by this Act for the Child Development Program of the Department of Defense is hereby increased by $270,000,000.

(b) OFFSET.—(1) Notwithstanding any other provision of this Act, the total amount authorized to be appropriated by this Act (other than the amount authorized to be appropriated for the Child Development Program) is reduced by $270,000,000.

(2) The Secretary of Defense shall allocate the amount of the reduction made by paragraph (1) equitably across each budget activity, budget activity group, budget subactivity group, program, project, or activity for which funds are authorized to be appropriated by this Act.

(c) USE OF FUNDS.—(1) The amount made available by subsection (a) shall be available for obligation and expenditure as follows:

(A) $41,000,000 shall be available in fiscal year 1999.

(B) $46,000,000 shall be available in fiscal year 2000.

(C) $53,000,000 shall be available in fiscal year 2001.

(D) $61,000,000 shall be available in fiscal year 2002.

(E) $70,000,000 shall be available in fiscal year 2003.

(2) Amounts available under this section shall be available for any programs under the Child Development Program, including programs for school-age care.

KENNEDY AMENDMENT NO. 2903

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 76, between lines 7 and 8, insert the following:

SEC. . JOINT DEPARTMENT OF DEFENSE—DEPARTMENT OF HEALTH AND HUMAN SERVICES PROGRAM TO PROMOTE KEY ELEMENTS OF THE MILITARY CHILDCARE SYSTEM.

(a) $10 million shall be reduced from line 44, Other Procurement Army for the ACUS Modification Program and made available for the program described under paragraph (B).

(b) The Secretary of Defense in cooperation with the Secretary of Health and Human Services shall design and implement a national program of technical assistance to states and communities to promote the key elements of the military child care model (including family child care networks, salary scales, accreditation, and monitoring.) At least 75 percent of funds shall be provided in the form of initiative matching grants to states and local communities interested in demonstrating key elements of the DOD childcare model.

BROWNBACK AMENDMENT NO. 2904

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. ___. SENSE OF SENATE REGARDING THE AUGUST 1995 ASSASSINATION ATTEMPT AGAINST PRESIDENT SHEVARDNADZE OF GEORGIA.

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

(1) On Tuesday, August 29, 1995, President Eduard Shevardnadze of Georgia narrowly survived a car bomb attack as he departed his offices in the Georgian Parliament building to attend the signing ceremony for the new constitution of Georgia.

(2) The former Chief of the Georgian National Security Service, Lieutenant General Igor Giorgadze, after being implicated in organizing the August 29, 1995, assassination attempt on President Shevardnadze, fled Georgia from the Russian-controlled Varziani airbase on a Russian military aircraft.

(3) Lieutenant General Giorgadze has been seen openly in Moscow and is believed to have been given residence at a Russian government facility despite the fact that Interpol is conducting a search for Lieutenant General Giorgadze for his role in the assassination attempt against President Shervardnadze.

(4) The Russian Interior Ministry claims that it is unable to locate Lieutenant General Giorgadze in Moscow.

(5) The Georgian Security and Interior Ministries presented information to the Russian Interior Ministry on November 13, 1996; January 17, 1997; March 7, 1997; March 24, 1997 and August 12, 1997, which included the exact location in Moscow of where Lieutenant General Giorgadze's family lived, the exact location where Lieutenant General Giorgadze lived outside of Moscow in a dacha of the Russian Ministry of Defense; as well as the changing official Russian government license tag numbers and description of the automobile that Lieutenant General Giorgadze uses; the people he associates with; the apartments he visits, and the places including restaurants, markets, and companies, that he frequents.

(6) On May 12, 1998, the Moscow-based Russian newspaper Zavtra carried an interview with Lieutenant General Giorgadze in which Lieutenant General Giorgadze calls for the overthrow of the Government of Georgia.

(7) Title II of the Foreign Operations Appropriations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105–118) prohibits assistance to any government of the new independent states of the former Soviet Union if that government directs any action in violation of the national sovereignty of any other new independent state.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Defense should—

(1) urge the Government of the Russian Federation to extradite the former Chief of the Georgian National Security Service, Lieutenant General Igor Giorgadze, to Georgia for the purpose of standing trial for his role in the attempted assassination of Georgian President Eduard Shevardnadze on August 29, 1995;

(2) request cooperation from the Minister of Defense of the Russian Federation in ensuring that Russian military bases on Georgian territory are no longer used to facilitate the escape of assassins seeking to kill the freely elected President of Georgia;

(3) make any joint United States-Russian programs funded under the authority of the National Defense Authorization Act for Fiscal Year 1999 contingent upon Russian respect for the national sovereignty of its neighbors; and

(4) use all authorities available to the Department of Defense to provide urgent and immediate assistance to bolster the training of personnel, and the delivery of equipment such as weapons, vehicles, vehicle armor, body armor, secure communications, surveillance and counter surveillance equipment, and bomb detection equipment, to ensure to the maximum extent practicable the personal security of President Shevardnadze.

SESSIONS AMENDMENTS NOS. 2905–2907

(Ordered to lie on the table.)

Mr. SESSIONS submitted three amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2905

On page 398, between lines 9 and 10, insert the following:

SEC. 3144. DEADLINE FOR SELECTION OF TECHNOLOGY FOR TRITIUM PRODUCTION.

(a) DEADLINE.—The Secretary of Energy shall select a technology for the production of tritium not later than December 31, 1998.

(b) OPTIONS AVAILABLE FOR SELECTION.—Notwithstanding any provision of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), the Secretary shall make the selection under subsection (a) from between the following:

(1) The light-water reactor facility (Bellefonte Plant) in Hollywood, Alabama.

(2) Accelerator production of tritium.

AMENDMENT NO. 2906

On page 398, between lines 9 and 10, insert the following:

SEC. 3144. DEADLINE FOR SELECTION OF TECHNOLOGY FOR TRITIUM PRODUCTION.

(a) DEADLINE.—The Secretary of Energy shall select a technology for the production of tritium not later than December 31, 1998.

(b) OPTIONS AVAILABLE FOR SELECTION.—Notwithstanding any provision of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), the Secretary shall make the selection under subsection (a) from between the following:

(1) A United States Government owned and operated commercial light water reactor.

(2) Accelerator production of tritium.

AMENDMENT NO. 2907

On page 398, between lines 9 and 10, insert the following:

SEC. 3144. DEADLINE FOR SELECTION OF TECHNOLOGY FOR TRITIUM PRODUCTION.

(a) DEADLINE.—The Secretary of Energy shall select a technology for the production of tritium not later than December 31, 1998.

(b) OPTIONS AVAILABLE FOR SELECTION.—Notwithstanding any provision of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), after the completion of the Department of Energy's evaluation of their Interagency Review on the production of Tritium, the Secretary shall make the selection for tritium production consistent with the laws, regulations and procedures of the Department of Energy as stated in subsection (a).

BROWNBACK AMENDMENT NO. 2908

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle A of title XXVII, add the following:

SEC. 2705. LIMITATION RELATING TO HOUSING OF RECRUITS DURING BASIC TRAINING.

(a) LIMITATION.—None of the funds authorized to be appropriated by this division may be used for military construction unless the Secretary of the military department having jurisdiction of that armed force—

(1) requires by October 1, 2001 that during basic training, male and female recruits of that armed force be housed in separate barracks or other troop housing facilities; and

(2) If the Secretary of the military department concerned determines that facilities at that installation are insufficient for the purposes of compliance with the requirement for separate housing, the Secretary shall require that male and female recruits not be housed on the same floor of a barracks or other troop housing facility; and

(3) restricts the access by drill sergeants and other training personnel to a barracks floor on which recruits are housed during basic training, after the end of the training day, to drill sergeants and other training personnel who are of the same sex as the recruits housed on that floor, other than in case of an emergency or other exigent circumstance.

(b) SECTION 527 NOT TO TAKE EFFECT.—Section 527 shall not take effect.

STEVENS AMENDMENTS NOS. 2909–2911

(Ordered to lie on the table.)

Mr. STEVENS submitted three amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2909

At the end of subtitle B of title VI, add the following:

SEC. 620. RETENTION INCENTIVES INITIATIVE FOR CRITICALLY SHORT MILITARY OCCUPATIONAL SPECIALTIES.

(a) REQUIREMENT FOR NEW INCENTIVES.—The Secretary of Defense shall establish and provide for members of the Armed Forces qualified in critically short military occupational specialties a series of new incentives that the Secretary considers potentially effective for increasing the rates at which those members are retained in the Armed Forces for service in such specialties.

(b) CRITICALLY SHORT MILITARY OCCUPATIONAL SPECIALTIES.—For the purposes of this section, a military occupational specialty is a critically short military occupational specialty for an armed force if the number of members retained in that armed force in fiscal year 1998 for service in that specialty is less than 50 percent of the number of members of that armed force that were projected to be retained in that armed force for service in the specialty by the Secretary of the military department concerned as of October 1, 1997.

(c) INCENTIVES.—It is the sense of Congress that, among the new incentives established and provided under this section, the Secretary of Defense should include the following incentives:

(1) Family support and leave allowances.

(2) Increased special reenlistment or retention bonuses.

(3) Repayment of educational loans.

(4) Priority of selection for assignment to preferred permanent duty station or for extension at permanent duty station.

(5) Modified leave policies.

(6) Special consideration for Government housing or additional housing allowances.

(d) RELATIONSHIP TO OTHER INCENTIVES.—Incentives provided under this section are in addition to any special pay or other benefit that is authorized under any other provision of law.

(e) REPORTS.—(1) Not later than July 1, 1998, the Secretary of Defense shall submit to the congressional defense committees a report that identifies, for each of the Armed Forces, the critically short military occupational specialties to which incentives under this section are to apply.

(2) Not later than October 15, 1998, the Secretary of Defense shall submit to the congressional defense committees a report that specifies, for each of the Armed Forces, the incentives that are to be provided under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Defense for fiscal year 1999, in addition amounts authorized under the other provisions of this Act, such amount as may be necessary to carry out this section.

AMENDMENT NO. 2910

On page 199 of the bill, delete Subsection (c) of Sec. 1002.

AMENDMENT NO. 2911

In lieu of subsection (c) of Sec. 1002 in the bill insert the following:

''Senate Resolution 209, as agreed to by the Senate on April 2, 1998, is modified by striking the following text:

(1) $266,635,000,000 in total budget outlays, and

(2) $271,570,000,000 in total new budget authority; and inserting in lieu thereof the following:

(1) $268,169,000,000 in total budget outlays, and

(2) $273,428,600,000 in total new budget authority;''

SMITH AMENDMENT NO. 2912

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. POLICY ON DEPLOYMENT OF UNITED STATES FORCES IN BOSNIA AND HERZEGOVINA.

(a) LIMITATION.—None of the funds authorized to be appropriated under this Act may be expended after March 31, 1999, to support the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina unless, on or before such date, each House of Congress votes on passage of legislation that, if adopted, would specifically authorize the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina.

(b) PLAN FOR WITHDRAWAL OF FORCES.—If legislation referred to in subsection (a) is not presented to the President on or before March 31, 1999, the President shall submit to Congress, not later than September 30, 1999, a plan that provides for the ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina to be withdrawn from Bosnia and Herzegovina in an orderly and safe manner.

(c) PROHIBITION.—

(1) USE OF FUNDS AFTER MARCH 31, 1999.—After March 31, 1999, none of the funds authorized to be appropriated by this or any other Act may be obligated or expended to support the continued deployment of United States ground combat forces in Bosnia and Herzegovina, except for the purpose of implementing the withdrawal plan.

(2) CONDITION.—The prohibition on use of funds in paragraph (1) shall not take effect if a joint resolution described in subsection (d)(1) is enacted on or before March 31, 1999.

(d) PROCEDURES FOR JOINT RESOLUTION OF APPROVAL.—

(1) CONTENT OF JOINT RESOLUTION.—For the purposes of subsection (c)(2), ''joint resolution'' means only a joint resolution that sets forth as the matter after the resolving clause only the following: ''That the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina is authorized.''.

(2) REFERRAL TO COMMITTEE.—A resolution described in paragraph (1) that is introduced in the Senate shall be referred to the Committee on Armed Services of the Senate. A resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on National Security of the House of Representatives.

(3) DISCHARGE OF COMMITTEE.—If the committee to which is referred a resolution described in paragraph (1) has not reported such resolution (or an identical resolution) at the end of 7 calendar days after its introduction, the committee shall be deemed to be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar of the House involved.

(4) FLOOR CONSIDERATION.—

(A) IN GENERAL.—When the committee to which a resolution is referred has reported, or has been deemed to be discharged (under paragraph (3)) from further consideration of, a resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(B) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee.

(B) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(6) CONSIDERATION OF VETO.—

(A) ACTION UPON RECEIPT OF MESSAGE.—Upon receipt of a message from the President returning the joint resolution unsigned to the House of origin and setting forth his objections to the joint resolution, the House receiving the message shall immediately enter the objections at large on the journal of that House and the House shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. Upon receipt of a message of a House transmitting the joint resolution and the objections of the President, the House receiving the message shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. A motion to refer the joint resolution to a committee shall not be in order in either House.

(B) MOTION TO PROCEED.—After the receipt of a message by a House as described in subparagraph (A), it is at any time in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the reconsideration of the joint resolution the objections of the President to the contrary notwithstanding. The motion is highly privileged in the House of Representatives and is a question of highest privilege in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the reconsideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(C) DEBATE.—Debate on reconsideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to notwithstanding the objections of the President or disagreed to is not in order.

(D) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on reconsideration of the resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on the question of passage, the objections of the President to the contrary notwithstanding, shall occur.

(7) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

DOMENICI (AND BINGAMAN) AMENDMENT NO. 2913

(Ordered to lie on the table.)

Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 397, between lines 6 and 7, insert the following:

SEC. 3137. ACTIVITIES OF THE CONTRACTOR-OPERATED FACILITIES OF THE DEPARTMENT OF ENERGY.

(a) RESEARCH AND ACTIVITIES ON BEHALF OF NON-DEPARTMENT PERSONS AND ENTITIES.—(1) The Secretary of Energy may conduct research and other activities referred to in paragraph (2) through contractor-operated facilities of the Department of Energy on behalf of other departments and agencies of the Government, agencies of State and local governments, and private persons and entities.

(2) The research and other activities that may be conducted under paragraph (1) are those which the Secretary is authorized to conduct by law, and include, but are not limited to, research and activities authorized under the following:

(A) Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053).

(B) Section 107 of the Energy Reorganization Act of 1974 (42 U.S.C. 5817).

(C) The Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5901 et seq.).

(b) CHARGES.—(1) The Secretary shall impose on the department, agency, or person or entity for whom research and other activities are carried out under subsection (a) a charge for such research and activities equal to not more than the full cost incurred by the contractor concerned in carrying out such research and activities, which cost shall include—

(A) the direct cost incurred by the contractor in carrying out such research and activities; and

(B) the overhead cost associated with such research and activities.

(2)(A) Subject to subparagraph (B), the Secretary shall also impose on the department, agency, or person or entity concerned a Federal administrative charge (which includes any depreciation and imputed interest charges) in an amount not to exceed 3 percent of the full cost incurred by the contractor concerned in carrying out the research and activities concerned.

(B) The Secretary shall waive the imposition of the Federal administrative charge required by subparagraph (A) in the case of research and other activities conducted on behalf of small business concerns, institutions of higher education, non-profit entities, and State and local governments.

(3) Not later than 2 years after the date of enactment of this Act, the Secretary shall terminate any waiver of charges under section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) that were made before such date, unless the Secretary determines that such waiver should be continued.

(c) PILOT PROGRAM OF REDUCED FACILITY OVERHEAD CHARGES.—(1) The Secretary may, with the cooperation of participating contractors of the contractor-operated facilities of the Department, carry out a pilot program under which the Secretary and such contractors reduce the facility overhead charges imposed under this section for research and other activities conducted under this section.

(2) The Secretary shall carry out the pilot program at contractor-operated facilities selected by the Secretary in consultation with the contractors concerned.

(3) The Secretary and the contractor concerned shall determine the facility overhead charges to be imposed under the pilot program based on their joint review of all items included in the overhead costs of the facility concerned in order to determine which items are appropriately incurred as facility overhead charges by the contractor in carrying out research and other activities at such facility under this section.

(4) The Secretary shall commence carrying out the pilot program not later than October 1, 1999, and shall terminate the pilot program on September 30, 2003.

(5) Not later than January 31, 2003, the Secretary shall submit to the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and other appropriate committees of the House of Representatives an interim report on the results of the pilot program under this subsection. The report shall include any recommendations for the extension or expansion of the pilot program, including the establishment of multiple rates of overhead charges for various categories of persons and entities seeking research and other activities in contractor-operated facilities of the Department.

(d) PARTNERSHIPS AND INTERACTIONS.—(1) The Secretary of Energy shall encourage partnerships and interactions between each contractor-operated facility of the Department of Energy and universities and private businesses.

(2) The Secretary may take into account the progress of each contractor-operated facility of the Department in developing and expanding partnerships and interactions under paragraph (1) in evaluating the annual performance of such contractor-operated facility.

(e) SMALL BUSINESS TECHNOLOGY PARTNERSHIP PROGRAM.—(1) The Secretary may require that each contractor operating a facility of the Department establish a program at such facility under which the contractor shall enter into partnerships with small businesses at such facility relating to technology.

(2) The amount of funds expended by a contractor under a program under paragraph (1) at a particular facility may not exceed an amount equal to 0.25 percent of the total operating budget of the facility.

(3) Amounts expended by a contractor under a program—

(A) shall be used to cover the costs (including research and development costs and technical assistance costs) incurred by the contractor in connection with activities under the program; and

(B) may not be used for direct grants to small businesses.

(4) The Secretary shall submit to the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and the appropriate committee of the House of Representatives, together with the budget of the President for each fiscal year that is submitted to Congress under section 1105 of title 31, United States Code, an assessment of the program under this subsection during the preceding year, including the effectiveness of the program in providing opportunities for small businesses to interact with and use the resources of the contractor-operated facilities of the Department.

● Mr. DOMENICI. Mr. President, partnerships among our federal laboratories, universities, and industry provide important benefits to our nation. They help to create innovative new products and services that drive our economy and improve our quality of life. Today I submit the DOE Partnership Amendment to the National Defense Authorization Bill for Fiscal Year 1999. This Amendment improves the capabilities at the DOE sites for effective partnerships and interactions with other federal agencies, with the private sector, and with universities.

I have personally observed the positive impacts of well crafted partnerships. These partnerships enhance the ability of the laboratories and other contractor-operated facilities of the Department of Energy to accomplish their federal missions at the same time that the companies benefit though enhanced competitiveness from the technical resources available at these sites.

I have also seen important successes achieved by other federal agencies and companies that utilized the resources of the national laboratories and other

Department sites through contract research mechanisms. Contract research enables these sites to contribute their technical expertise in cases where the private sector can not supply a customer's needs. Partnerships and other interactions enable companies and other agencies to accomplish their own missions better, faster, and cheaper.

I've seen spectacular examples where small businesses have been created around breakthrough technologies from the national laboratories and other contractor-operated sites of the DOE. But, at present, only the Department's Defense Programs has a specific program for small business partnerships and assistance.

All programs of the Department have expertise that can be driving small business successes. Historically, in the United States, small businesses have often been the most innovative and the fastest to exploit new technical opportunities—all of the Department's programs should be open to the small business interactions that Defense Programs has so effectively utilized.

I have been concerned that barriers to these partnerships and interactions continue to exist within the Department of Energy. In addition, the Department's laboratories and other sites need continuing encouragement to be fully receptive to partnership opportunities that meet both their own mission objectives and industry's goals. And finally, small business interactions should be encouraged across the Department of Energy, not only in Defense Programs.

For these reasons, I introduced S. 1874 on March 27, 1998, the Department of Energy Small Business and Industry Partnership Enhancement Act of 1998, which was co-sponsored by Senators Thompson, Craig, Kempthorne, Bingaman, Reid, and Lieberman. The National Coalition for Advanced Manufacturing, or NACFAM, endorsed our actions with S. 1874, describing it as ''a crucial step in reducing barriers to cooperation between the national laboratories and private industry, higher education institutions, non-profit entities, and state and local governments.'' NACFAM also noted that this ''bill supports our shared conviction that collaborative R&D will further strengthen America's productivity growth and national security.''

Today I submit, with Senator BINGAMAN as a co-sponsor, language for amendment of the National Defense Authorization Bill for Fiscal Year 1999 that accomplishes almost the same goals as S. 1874. This Amendment was developed through consultation with several of the co-sponsors, the Senate Energy and Natural Resources Committee, the Senate Committee on Armed Services, and the Department of Energy.

This Amendment removes barriers to more effective utilization of all of the Department's contractor-operated facilities by industry, other federal agencies, and universities. The Amendment covers all the Department's contractor-operated facilities—national laboratories and their other sites like Kansas City, Pantex, Hanford, Savannah River, or the Nevada Test Site.

This Amendment also provides important encouragement to the contractor-operated sites to increase their partnerships and other interactions with universities and companies. And finally, it creates opportunities for small businesses to benefit from the technical resources available at all of the Department's contractor-operated facilities.

This Amendment supplements the authority of the Atomic Energy Act, which limited the areas wherein the Department's facilities could provide research and other services, not in competition with the private sector, to only those mission areas undertaken in the earliest days of the AEC. My Amendment recognizes that the Department's responsibilities are far broader than the original AEC, and that all parts of the Department should be available to help on a contract basis wherever capabilities are not available from private industry.

One barrier at the Department to contract research involves charges added by the Department to the cost of work accomplished by a site. At some laboratories, these charges now range up to 25%. This Amendment requires that charges to customers for research and other services at these facilities be fully recovered, and sharply limits addition of extra charges by the Department to only 3%. The Amendment further requires waiver of these extra charges for small business and nonprofit entities and provides a process for the Secretary of Energy to continue any pre-existing waivers.

The Amendment creates a five-year pilot program for external customers that enables facilities to examine their overhead rates and determine if an alternative lower rate serves to cover services actually used by these customers. For example, where companies or universities do not require secure facilities or do not utilize the extensive special nuclear material capabilities of the laboratories, then the customer will be charged an overhead rate that excludes security costs and environmental legacy costs. This pilot program will enable the Department and facilities to evaluate the impact of these lower overhead rates for one important class of external customers. The Department is required to report in 2003 on the interim results of this Pilot and to provide recommendations on possibly continuing this Pilot and even extending it to include other federal customers.

The Amendment provides direct encouragement for expansion of partnerships and interactions with companies and universities by requiring that each facility be annually judged for success in expanding these interactions in ways that support each facility's missions. The Amendment requires that the external partnership and interaction program be considered in evaluating the annual contract performance at each site.

And finally, the Amendment sets up a new Small Business Partnership Program in which all of the Department sites participate. This action will enable small businesses across the United States to better access and partner with any of the Department's contractor-owned facilities. A fund for such interactions up to 0.25 percent of the total site budget is available for these small business interactions.

With these changes, Mr. President, the Department of Energy facilities will be better able to meet their critical national missions, while at the same time assisting other federal agencies, large and small businesses, and universities in better meeting their goals and missions.●

THURMOND (AND DOMENICI) AMENDMENT NO. 2914

(Ordered to lie on the table.)

Mr. THURMOND (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the appropriate place add the following:

Section 3307 of title 5, United States Code, is amended as follows:

(1) by striking in subsection (a) ''and (d)'' and inserting in its place ''(d), (e), and (f)''; and

(2) by adding the following new subsection (f) after subsection (e); ''(f) The Secretary of Energy may determine and fix the maximum age limit for an original appointment to a position as a Department of Energy nuclear materials courier, so defined by section 8331(27) of this title.

SEC. 2. Section 8331 of Title 5, United States Code, is amended as follows:

By adding the following new paragraph (27) after paragraph (26):

''(27) Department of Energy nuclear materials courier means an employee of the Department of Energy or its predecessor agencies, the duties of whose position are primarily to transport, and provide armed escort and protection during transit of, nuclear weapons, nuclear weapon components, strategic quantities of special nuclear materials or other materials related to national security, including an employee who remains fully certified to engage in this activity who is transferred to a supervisory, training, or administrative position''.

SEC. 3 (a) The first sentence of Section 8334(a)(1) of Title 5. United States Code, is amended by striking ''and a firefighter,'' and inserting in its place ''a firefighter, and a Department of Energy nuclear materials courier,''.

(b) Section 8334(c) of Title 5, United States Code, is amended by adding the following new schedule after the schedule for a Member of the Capitol Police:

''Department of Energy nuclear materials courier for courier service (while employed by DOE and its predecessor agencies):

5: July 1, 1942 to June 30, 1948.

6: July 1, 1948 to October 31, 1956.

6½: November 1, 1956 to December 31, 1969.

7: January 1, 1970 to December 31, 1974.

7½: After December 31, 1974.''.

SEC. 4. Section 8336(c)(1) of Title 5, United States Code, is amended by striking ''or firefighter'' and inserting in its place, ''a firefighter, or a Department of Energy nuclear materials courier,''.

SEC. 5. Section 8401 of title 5, United States Code, is amended as follows:

By adding the following new paragraph (33) after paragraph (32): ''(33) Department of Energy nuclear materials courier means an employee of the Department of Energy or its predecessor agencies, the duties of whose position are primarily to transport, and provide armed escort and protection during transit of, nuclear weapons, nuclear weapons components, strategic quantities of special nuclear materials, or other materials related to national security, including an employee who remains fully certified to engage in this activity who is transferred to a supervisory, training, or administrative position.''.

SEC. 6. Section 8412(d) of Title 5, United States Code, is amended by striking ''or firefighter'' in paragraphs (1) and (2) and inserting in its place, ''a firefighter, or a Department of Energy nuclear materials courier.''.

SEC. 7. Section 8415(g) of Title 5, United States Code, is amended by striking ''firefighter'' and inserting in its place ''firefighter, Department of Energy nuclear materials courier,''.

SEC. 8. Section 8422(a)(3) of Title 5, United States Code, is amended by striking ''firefighter'' in the schedule and inserting in its place ''firefighter, Department of Energy nuclear materials courier,''.

SEC. 9. Sections 8423(a)(1)(B)(i) and 8423(a)(3)(A) of Title 5, United States Code, are amended by striking ''Firefighters'' and inserting in its place ''firefighters, Department of Energy nuclear materials couriers,''.

SEC. 10. Section 8335(b) of title 5, United States Code, is amended by adding the words ''or Department of Energy Nuclear Materials Couriers'' after the word ''officer'' in the second sentence.

SEC. 11. These amendments are effective at the beginning of the first pay period after the date of enactment of this Act.

CONRAD (AND OTHERS) AMENDMENT NO. 2915

(Ordered to lie on the table.)

Mr. CONRAD (for himself, Mr. KEMPTHORNE, Mr. KENNEDY, and Mr. BINGAMAN) submitted an amendment intended to be proposed by them to the bill, S. 2057, supra; as follows:

At the appropriate place in subtitle D of title X, insert the following:

SEC. RUSSIAN NON-STRATEGIC NUCLEAR WEAPONS.

(a) SENSE OF THE SENATE.—It is the Sense of the Senate that

(1) the 7,000 to 12,000 or more non-strategic (or ''tactical'') nuclear weapons estimated by the United States Strategic Command to be in the Russian arsenal may present the greatest threat of sale or theft of a nuclear warhead in the world today;

(2) as the number of deployed strategic warheads in the Russian and United States arsenals declines to just a few thousand under the START accords, Russia's vast superiority in tactical nuclear warheads—many of which have yields equivalent to strategic nuclear weapons—could become strategically destabilizing;

(3) while the United States has unilaterally reduced its inventory of tactical nuclear warheads by nearly ninety percent since the end of the Cold War, Russia is behind schedule in implementing the steep tactical nuclear arms reductions pledged by former Soviet President Gorbachev in 1991 and Russian President Yeltsin in 1992, perpetuating the dangers from Russia's tactical nuclear stockpile;

(4) the President of the United States should call on the Russian Federation to expedite reduction of its tactical nuclear arsenal in accordance with the promises made in 1991 and 1992, and pledge continued cooperation from the United States in reducing Russia's tactical nuclear stockpile; and

(5) it is a top foreign policy priority of the United States to work aggressively to reduce the threats from the non-strategic nuclear arsenal of the Russian Federation, through continued cooperation on accounting for, security, and reducing Russia's stockpile of tactical nuclear warheads and associated fissile material.

(b) REPORT.—Not later than March 15, 1999, the Secretary of Defense shall submit to the Congress a report on Russia's non-strategic nuclear weapons, including

(1) estimates regarding the current numbers, types, yields, viability, and locations of such warheads;

(2) an assessment of the strategic implications of the Russian Federation's non-strategic arsenal, including the potential use of such warheads in a strategic role or the use of their components in strategic nuclear systems;

(3) an assessment of the extent of the current threat of theft, sale, or unauthorized use of such warheads, including an analysis of Russian command and control as it concerns the use of tactical nuclear warheads;

(4) a summary of past, current, and planned efforts to work cooperatively with the Russian Federation to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile material; and

(5) options for additional threat reduction initiatives concerning Russia's tactical nuclear stockpile.

This report shall include the views of the Director of Central Intelligence and the Commander in Chief of the United States Strategic Command.

Strike out section 527, and insert in lieu thereof the following:

SEC. 527. REQUIREMENTS RELATING TO RECRUIT BASIC TRAINING.

(a) ARMY.—(1) Chapter 401 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4319. Recruit basic training: separate platoons and separate housing for male and female recruits

''(a) SEPARATE PLATOONS.—The Secretary of the Army shall require that during basic training—

''(1) male recruits shall be assigned to platoons consisting only of male recruits; and

''(2) female recruits shall be assigned to platoons consisting only of female recruits.

''(b) SEPARATE HOUSING FACILITIES.—The Secretary of the Army shall require that during basic training male and female recruits be housed in separate barracks or other troop housing facilities.

''(c) INTERIM AUTHORITY FOR HOUSING RECRUITS ON SEPARATE FLOORS.—(1) If the Secretary of the Army determines that it is not feasible, during some or all of the period beginning on April 15, 1999, and ending on October 1, 2001, to comply with subsection (b) at any particular installation at which basic training is conducted because facilities at that installation are insufficient for such purpose, the Secretary may grant a waiver of subsection (b) with respect to that installation. Any such waiver may not be in effect after October 1, 2001, and may only be in effect while the facilities at that installation are insufficient for the purposes of compliance with subsection (b).

''(2) If the Secretary grants a waiver under paragraph (1) with respect to an installation, the Secretary shall require that male and female recruits in basic training at that installation during any period that the waiver is in effect not be housed on the same floor of a barracks or other troop housing facility.

''(d) BASIC TRAINING DEFINED.—In this section, the term 'basic training' means the initial entry training program of the Army that constitutes the basic training of new recruits.''.

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

''4319. Recruit basic training: separate platoons and separate housing for male and female recruits.''.

(3) The Secretary of the Army shall implement section 4319 of title 10, United States Code, as added by paragraph (1), as rapidly as feasible and shall ensure that the provisions of that section are applied to all recruit basic training classes beginning not later than the first such class that enters basic training on or after April 15, 1999.

(b) NAVY AND MARINE CORPS.—(1) Part III of subtitle C of title 10, United States Code, is amended by inserting after chapter 601 the following new chapter:

''CHAPTER 602—TRAINING GENERALLY

''Sec.

''6931. Recruit basic training: separate small units and separate housing for male and female recruits.

''§ 6931. Recruit basic training: separate small units and separate housing for male and female recruits

''(a) SEPARATE SMALL UNIT ORGANIZATION.—The Secretary of the Navy shall require that during basic training—

''(1) male recruits in the Navy shall be assigned to divisions, and male recruits in the Marine Corps shall be assigned to platoons, consisting only of male recruits; and

''(2) female recruits in the Navy shall be assigned to divisions, and female recruits in the Marine Corps shall be assigned to platoons, consisting only of female recruits.

''(b) SEPARATE HOUSING.—The Secretary of the Navy shall require that during basic training male and female recruits be housed in separate barracks or other troop housing facilities.

''(c) INTERIM AUTHORITY FOR HOUSING RECRUITS ON SEPARATE FLOORS.—(1) If the Secretary of the Navy determines that it is not feasible, during some or all of the period beginning on April 15, 1999, and ending on October 1, 2001, to comply with subsection (b) at any particular installation at which basic training is conducted because facilities at that installation are insufficient for that purpose, the Secretary may grant a waiver of subsection (b) with respect to that installation. Any such waiver may not be in effect after October 1, 2001, and may only be in effect while the facilities at that installation are insufficient for the purposes of compliance with subsection (b).

''(2) If the Secretary grants a waiver under paragraph (1) with respect to an installation, the Secretary shall require that male and female recruits in basic training at that installation during any period that the waiver is in effect not be housed on the same floor of a barracks or other troop housing facility.

''(d) BASIC TRAINING DEFINED.—In this section, the term 'basic training' means the initial entry training programs of the Navy and Marine Corps that constitute the basic training of new recruits.''.

(2) The tables of chapters at the beginning of subtitle C, and at the beginning of part III of subtitle C, of such title are amended by inserting after the item relating to chapter 601 the following new item:

''602. Training Generally ..... 6931''.

(3) The Secretary of the Navy shall implement section 6931 of title 10, United States Code, as added by paragraph (1), as rapidly as feasible and shall ensure that the provisions of that section are applied to all recruit

basic training classes beginning not later than the first such class that enters basic training on or after April 15, 1999.

(c) AIR FORCE.—(1) Chapter 901 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 9319. Recruit basic training: separate flights and separate housing for male and female recruits

''(a) SEPARATE FLIGHTS.—The Secretary of the Air Force shall require that during basic training—

''(1) male recruits shall be assigned to flights consisting only of male recruits; and

''(2) female recruits shall be assigned to flights consisting only of female recruits.

''(b) SEPARATE HOUSING.—The Secretary of the Air Force shall require that during basic training male and female recruits be housed in separate dormitories or other troop housing facilities.

''(c) INTERIM AUTHORITY FOR HOUSING RECRUITS ON SEPARATE FLOORS.—(1) If the Secretary of the Air Force determines that it is not feasible, during some or all of the period beginning on April 15, 1999, and ending on October 1, 2001, to comply with subsection (b) at any particular installation at which basic training is conducted because facilities at that installation are insufficient for such purpose, the Secretary may grant a waiver of subsection (b) with respect to that installation. Any such waiver may not be in effect after October 1, 2001, and may only be in effect while the facilities at that installation are insufficient for the purposes of compliance with subsection (b).

''(2) If the Secretary grants a waiver under paragraph (1) with respect to an installation, the Secretary shall require that male and female recruits in basic training at that installation during any period that the waiver is in effect not be housed on the same floor of a dormitory or other troop housing facility.

''(d) BASIC TRAINING DEFINED.—In this section, the term 'basic training' means the initial entry training program of the Air Force that constitutes the basic training of new recruits.''.

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

''9319. Recruit basic training: separate flights and separate housing for male and female recruits.''.

(3) The Secretary of the Air Force shall implement section 9319 of title 10, United States Code, as added by paragraph (1), as rapidly as feasible and shall ensure that the provisions of that section are applied to all recruit basic training classes beginning not later than the first such class that enters basic training on or after April 15, 1999.

SANTORUM AMENDMENTS NOS. 2917–2918

(Ordered to lie on the table.)

Mr. SANTORUM submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2917

On page 157, between lines 13 and 14, insert the following:

(i) REQUIREMENT RELATING TO PHARMACY BENEFIT.—In carrying out the demonstration projects under this section, the Secretary shall ensure that the copayments, deductibles, or other financial incentives or disincentives applicable to participating eligible individuals with respect to prescription drugs apply uniformly regardless of the delivery method of the prescription drugs concerned.

AMENDMENT NO. 2918

At the appropriate place, insert the following new section:

SEC. . The Committee directs the Secretary of Defense to complete a review of the Defense Automated Printing Service (DAPS), utilizing a private sector source, and provide a report by March 31, 1999. The report shall include:

(1) A list of each inherently national security-oriented and non-inherently national security-oriented functions performed by DAPS;

(2) A description of the management structure of DAPS, including the location of all DAPS sites;

(3) The total number of personnel employed by DAPS and their location;

(4) A description of the functions performed by DAPS and the number of DAPS employees performing each of the DAPS functions;

(5) A site assessment of the type of equipment at each DAPS site;

(6) The type and explanation of the networking and technology integration linking all DAPS sites;

(7) Identify current and future customer requirements;

(8) Assess the effectiveness of DAPS current structure in supporting current and future customer needs and plans to address any shortcomings;

(9) Identify and discuss best business practices that are utilized by DAPS, and such practices that could be utilized by DAPS; and

(10) Provide options on maximizing the DAPS structure and services to provide the most cost effective service to its customers.

BAUCUS AMENDMENT NO. 2919

(Ordered to lie on the table.)

Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the appropriate place add the following:

In Title III—Operation and Maintenance, Sec. 301. Operation and Maintenance Finding, (17) Environmental Restoration Defensewide, there is authorized to be appropriated under this heading, $10,500,000 for a curatorial collections and processing facility at the Museum of the Rockies, a division of Montana State University-Bozeman.

D'AMATO AMENDMENT NO. 2920

(Ordered to lie on the table.)

Mr. D'AMATO submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

CHAPTER 45. THE UNIFORM

SEC. 772. WHEN WEARING BY PERSONS NOT ON ACTIVE DUTY AUTHORIZED.

''Chapter 45 of title 10, United States Code, is amended by adding at the end of section 772, the following new subsection:

''(k) A member of a state militia force (other than the Army National Guard or the Air National Guard) or a state defense force that is authorized and administered pursuant to state law may wear the uniform prescribed for that state militia force or that state defense force by competent state authority.''

KYL AMENDMENT NO. 2921

(Ordered to lie on the table)

Mr. KYL submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

Section 3155 of National Defense Authorization Act for Fiscal Year 1996 (P.L. 104–106) is amended by inserting the following:

''(c) Agencies, including the National Archives and Records Administration, shall conduct a visual inspection of all permanent records of historical value which are 25 years old of older prior to declassification to ascertain that they contain no pages with Restricted Data or Formerly Restricted Data (FRD) markings (as defined by the Atomic Energy Act or 1954, as amended). Record collection in which marked RD or FRD is found shall be set aside pending the completion of a review by the Department of Energy.''

BAUCUS AMENDMENT NO. 2922

(Ordered to lie on the table)

Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

Strike page 51, line 3—page 52 line 9 and replace with the following:

''(a) AUTHORITY TO TRANSPORT.—(1) Subject to paragraphs (2) and (3), the Secretary of the Defense and the Secretaries of the military departments may provide for the transportation into the customs territory of the United States of polychlorinated biphenyls generated by or under the control of the Department of Defense for purposes of their disposal, treatment, or storage in the customs territory of the United States.

''(2) Polychlorinated biphenyls may be transported into the customs territory of the United States under paragraph (1) only if the Administrator of the Environmental Protection Agency determines that: (A) the transportation and disposal, treatment or storage will not result in an unreasonable risk of injury to health or the environment; and (B) there is no reasonably available alternative location for disposition in an environmentally sound manner.

''(3) Not later than 60 days after enactment of this Act, the Department shall submit to the Administrator of EPA a plan that provides for the transportation and disposition of foreign manufactured PCBs that the Department seeks to transport to the United States from abroad. The plan shall include information that specifies the type, volume, concentration and source of all PCBs that the Department seeks to transport to the United States, the identification of the receiving facility, and information required under subparagraph (2)(B). If, after public notice and comment, the Administrator of EPA determines that the plan meets the criteria under paragraph (2), the Department may transport PCBs in accordance with the plan.

''(b) DISPOSAL.—(1) The disposal, treatment, and storage of polychlorinated biphenyls transported into the customs territory of the United States under subsection (a) shall be governed by the provisions of the Toxic Substances Control Act (15 U.S.C. 2601 et seq.).

''(2) A chemical waste landfill may not be used for the disposal, treatment, or storage of polychlorinated biphenyls transported into the customs territory of the United States under subsection (a) unless the landfill meets all of the technical requirements specified in section 761.75(b)(8) of title 40. Code of Federal Regulations, as in effect on the date that was one year before the date of enactment of the National Defense Authorization Act for Fiscal Year 1999.

''(c) CUSTOMS TERRITORY OF THE UNITED STATES DEFINED.—In this section, the term 'customs territory of the United States' has the meaning given that term in General Note 2 of the Harmonized Tariff Schedule of the United States.''.

''(d) The Department shall submit to Congress an annual report on the transport and disposal of PCBs under this section.

DURBIN AMENDMENT NO. 2923

(Ordered to lie on the table.)

Mr. DURBIN submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the appropriate place add the following:

SEC. 708. AVAILABILITY OF REHABILITATIVE SERVICES UNDER TRICARE FOR HEAD INJURIES.

The Assistant Secretary of Defense for Health Affairs shall revise the TRICARE policy manual to clarify that rehabilitative services are available to a patient for a head injury when the treating physician certifies that such services would be beneficial for the patient and there is potential for the patient to recover from the injury.

The Assistant Secretary of Defense for Health Affairs shall review whether each regional TRICARE PRIME health plan has a sufficient number, distribution, and variety of qualified participating health care providers to ensure that all covered health care services, including specialty services, will be available and accessible in a timely manner to all participants, beneficiaries, and enrollees under the plan or coverage.

If a plan does not have an adequate network of providers in proximity to the location where the enrollee or their family is stationed, then the plan will refer the individual to another appropriate health care provider, specialist, facility, or center, at no additional cost to the individual beyond what the individual would otherwise pay for services received by such a specialist or facility that is a participating provider.

DODD AMENDMENTS NOS. 2924–2925

(Ordered to lie on the table.)

Mr. DODD submitted two amendments intended to be proposed by him to the bill, S. 2057, supra; as follows:

AMENDMENT NO. 2924

At the appropriate place, insert the following:

SEC. 634. ARMY PENSION PROGRAM.

(a) $750,000 will be authorized to be appropriated from existing Department of the Army funds to alleviate the backlog of pension packages for Army, Army Reserve and National Guard retirees.

(b) The Secretary of the Army shall alleviate such backlog by December 31, 1998 and report to Congress no later than January 31, 1999 regarding the current status of the backlog and what, if any, additional measures are needed to ensure that pension packages are processed in a timely fashion.

AMENDMENT NO. 2925

At the appropriate place, insert the following:

SEC. 634. ARMY PENSION PROGRAM.

(a) $750,000 will be authorized to be appropriated from existing Department of the Army funds to alleviate the backlog of pension packages for Army, Army Reserve and National Guard retirees.

(b) The Secretary of the Army shall alleviate such backlog by December 31, 1998 and report to Congress no later than January 31, 1999 regarding the current status of the backlog and what, if any, additional measures are needed to ensure that pension packages are processed in a timely fashion.

LEAHY AMENDMENT NO. 2926

(Ordered to lie on the table.)

Mr. LEAHY submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

On page 42, between lines 9 and 10, insert the following:

SEC. 232. LANDMINES.

(a) AVAILABILITY OF FUNDS.—(1) Of the amounts authorized to be appropriated in section 201, $17,200,000 shall be available for activities relating to the identification, adaptation, modification, research, and development of existing and new tactics, technologies, and operational concepts that—

(A) would provide a combat capability that is comparable to the combat capability provided by anti-personnel landmines, including anti-personnel landmines used in mixed mine systems; and

(B) comply with the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

(2) The amount available under paragraph (1) shall be derived as follows:

(A) $12,500,000 shall be available from amounts authorized to be appropriated by section 201(1).

(B) $4,700,000 shall be available from amounts authorized to be appropriated by section 201(4).

(b) STUDIES.—(1) Not later than 30 days after the date of enactment of this Act, the Secretary of Defense shall enter into a contract with each of two appropriate scientific organizations for purposes of identifying existing and new tactics, technologies, and concepts referred to in subsection (a).

(2) Each contract shall require the organization concerned to submit a report to the Secretary and to Congress, not later than one year after the execution of such contract, describing the activities under such contract and including recommendations with respect to the adaptation, modification, and research and development of existing and new tactics, technologies, and concepts identified under such contract.

(3) Amounts available under subsection (a) shall be available for purposes of the contracts under this subsection.

(c) REPORTS.—Not later than April 1 of each of 1999 through 2001, the Secretary shall submit to the congressional defense committees a report describing the progress made in identifying and deploying tactics, technologies, and concepts referred to in subsection (a).

(d) DEFINITIONS.—In this section:

(1) ANTI-PERSONNEL LANDMINE.—The term ''anti-personnel landmine'' has the meaning given the term ''anti-personnel mine'' in Article 2 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

(2) MIXED MINE SYSTEM.—The term ''mixed mine system'' includes any system in which an anti-vehicle landmine or other munition is constructed with or used with one or more anti-personnel landmines, but does not include an anti-handling device as that term is defined in Article 2 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

GRAMM AMENDMENTS NOS. 2927–2928

(Ordered to lie on the table.)

Mr. GRAMM submitted two amendments intended to be proposed by him to the bill, S. 2047, supra; as follows:

AMENDMENT NO. 2927

At the appropriate place, add the following:

SEC. . INCREASED NUMBER OF NAVAL RESERVE OFFICERS' TRAINING CORPS SCHOLARSHIPS AUTHORIZED AT EACH SENIOR MILITARY COLLEGE.

Section 2107(h) of title 10, United States Code, is amended by adding at the end the following:

''(3)(A) Subject to subparagraph (B), up to 40 entering freshmen midshipmen of the Naval Reserve Officers' Training Corps at each senior military college shall receive financial assistance under this section. Midshipmen must be qualified by the Navy and must choose to attend the senior military college.

''(B) In the case of a senior military college with more than 1,000 members of its total Corps of Cadets at the college, the number under subparagraph (A) shall be increased by one for each 100 members of its total Corps of Cadets at such college in excess of 1,000 members. The Corps of Cadets' size shall be based on the enrollment at the beginning of the academic year.

''(C) In this paragraph, the term 'senior military college' means an institution of higher education listed in section 2111a(d) of this title.''.

''(D) Nothing in this section shall prevent the Navy from allowing a larger number of midshipmen to attend a given senior military college.

AMENDMENT NO. 2928

SEC. 644. INCREASED NUMBER OF NAVAL RESERVE OFFICERS' TRAINING CORPS SCHOLARSHIPS AUTHORIZED AT EACH SENIOR MILITARY COLLEGE.

Section 2107(h) of title 10, United States Code, is amended by adding at the end the following:

''(3)(A) Subject to subparagraph (B), up to 40 entering freshmen midshipmen of the Naval Reserve Officers' Training Corps at each senior military college shall received financial assistance under this section. Midshipmen must be qualified by the Navy and must choose to attend the senior military college.

''(B) In the case of a senior military college with more than 1,000 members of its total Corps of Cadets at the college, the number under subparagraph (A) shall be increased by one for each 100 members of its total Corps of Cadets at such college in excess of 1,000 members. The Corps of Cadets' size shall be based on the enrollment at the beginning of the academic year.

''(C) In this paragraph, the term 'senior military college' means an institution of higher education listed in section 2111a(d) of this title.''.

''(D) Nothing in this section shall prevent the Navy from allowing a larger number of midshipmen to attend a given senior military college.

KENNEDY AMENDMENT NO. 2929

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

At the appropriate place add the following:

Subtitle E—Other Programs

SEC. 141. ASSISTANCE AND GRANTS TO STATE AND LOCAL GOVERNMENTS FOR IMPLEMENTATION OF KEY ELEMENTS OF THE MILITARY CHILD CARE MODEL.

(a) PROGRAM.—The Secretary of Defense shall, in consultation with the Secretary of Health and Human Services, develop and implement a program of assistance to State and local governments nationwide in order to promote the implementation by such governments of the key elements of the military child care model (including family child care networks, salary scales, accreditation, and monitoring, and other programs and requirements associated with that model).

(b) PROGRAM ELEMENTS.—(1) Under the program, the Secretary shall—

(A) provide technical assistance to State and local governments nationwide in the implementation of the key elements of the military child care model; and

(B) make grants to States interested in demonstrating key elements of the model for purposes of the implementation of such elements by such States and localities within such States.

(2) The Secretary may make a grant to a State under paragraph (1)(B) only if the State commits an amount equal to the amount of the grant for purposes of the implementation by the State and localities within the State of the key elements of the military child care model.

(c) USES OF FUNDS.—Of the amounts available under subsection (d) for the program under this section—

(1) not less than 75 percent shall be available for grants under subparagraph (B) of subsection (b)(1); and

(2) the remainder shall be available for the provision of technical assistance under subparagraph (A) of subsection (b)(1).

(d) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated by section 101(5), $10,000,000 shall be available for purposes of the program under this section.

WARNER AMENDMENT NO. 2930

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to amendment No. 2791 submitted by Ms. MIKULSKI to the bill, S. 2057, supra; as follows:

Beginning on page 2, strike out line 12 and all that follows through page 4, line 5.

WARNER AMENDMENT NO. 2931

(Ordered to lie on the table.)

Mr. WARNER submitted an amendment intended to be proposed by him to the bill, S. 2057, supra; as follows:

Beginning on page 2, strike out line 12 and all that follows through page 4, line 5.

NOTICE OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a Executive Session of the Senate Committee on Labor and Human Resources, will be held on Wednesday, June 24, 1998, 9:30 a.m., in SD–430 of the Senate Dirksen Building. The Committee will consider Human Services Reauthorization Amendments of 1998.

For further information, please call the committee 202/224–5375.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, June 24, 1998 at 2:30 p.m. to conduct a business meeting to markup S. 1925, to make technical corrections to laws relating to Native Americans and; S. 1998, to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, to be followed immediately by a joint hearing with the Subcommittee on Water and Power of the Committee on Energy and Natural Resources on S. 1771, to amend the Colorado Ute Indian Water Rights Settlement Act and S. 1899, the Chippewa Cree Tribe of the Rocky Boy's Reservation Indian Reservation Water Rights Settlement Act of 1998. The meeting/hearing will be held in room 628 of the Dirksen Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 202/24–2251.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Thursday, June 25, 1998, 10:00 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is ''Health Insurance and Older Workers.'' For further information, please call the committee, 202/224–5375.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that a field hearing has been scheduled before the Committee on Energy and Natural Resources of the Senate.

The hearing will take place in Kenai, Alaska at the Kenai Visitor and Convention Bureau on Friday, August 21, 1998, at 9:00 a.m. The Kenai visitor and Convention Bureau is located at 11471 Kenai Spur Highway, Kenai, Alaska.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Amie Brown or Mark Rey at (202) 224–6170.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GRASSLEY. Mr. President, I ask unanimous consent on behalf of the Government Affairs Committee to meet on Monday, June 22, 1998, at 2:00 p.m. for a hearing on the nomination of Jacob J. Lew to be Director of the Office of Management and Budget

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

CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Caucus on International Narcotics Control be authorized to meet in Miami, Florida, during the session of the Senate on Monday, June 22 at 9:00 a.m. to receive testimony on drug trafficking and the flow of illegal drugs into Florida.

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

ADDITIONAL STATEMENTS

NOMINATION OF LOUIS CALDERA TO BE SECRETARY OF THE ARMY

● Mr. WARNER. Mr. President, in considering the nomination of Louis Caldera before the Senate Armed Services Committee to be the Secretary of the Army, I raised the issue of the Washington Aqueduct—the public water system for the Metropolitan Washington area that is owned by the Federal government and administered by the Corps of Engineers.

As my colleagues may recall, the conditions at the Washington Aqueduct gained national attention when the Environmental Protection Agency issued a ''boil-water'' order in December, 1993 for the metropolitan Washington region. There was significant concern that the water supply for the nation's capital was contaminated. This incident brought to light the significant capital improvements that are needed at the facility to meet current federal drinking water standards.

In order to address the tremendous water quality issues that are facing the District, Arlington County, and the city of Falls Church, I included in the Safe Drinking Water Act Amendments of 1996, Section 306 entitled the Washington Aqueduct. I wrote this section so that the customers of the Washington Aqueduct would have a reliable and safe source of drinkable water. The Aqueduct is in need of many capital improvements to insure that the water remains safe and drinkable. Improvements to the Aqueduct are self-financed by the users. It is estimated that significant costs remain, between $250 and $400 million.

To allow for these crucial improvements, Section 306 directs the Army Corps of Engineers to transfer the Washington Aqueduct, with the consent of a majority of the three customers, to a non-federal, public or private entity. Since this effort would be a significant undertaking, the Safe Drinking Water Act gave the customers and the Corps three years, until August 6, 1999, to gain consensus. Congress authorized the Corps to borrow funds from the Treasury during an interim three year period to begin the necessary infrastructure improvements. This borrowing authority totaled $75 million and would be repaid by the ratepayers.

Recently, I learned that the Corps has signed a Memorandum of Understanding with the three customers for the Corps to retain ownership of the Aqueduct.

There are problems with the Corps remaining the owner of the Washington Aqueduct, besides that this seems inconsistent with existing law. First and foremost, the Corps does not have the means to finance the capital improvements that are needed. Once the three year borrowing expires, the Corps only has means to finance daily operations at the Corps. Given the current condition at the Aqueduct, this is hardly the way to insure that the ratepayers have drinkable water. In addition, in the event of another boil water scare, the Corps would have no means to address the immediate problem. If the Corps does not have funding to perform needed upgrades to the Aqueduct nor have the financing to address an emergency