in the morning up until early afternoon, and then to take up appropriations in the afternoon—so that we can work through the appropriations bills that we know we must get done.

We will be unable to go to appropriations bills in the future if we can't continue to accommodate each other's needs. I think this is working well. I hope we can continue to work well to work off the list of amendments. Senator REID does his magic with our list, and I know we have our colleagues on the other side who are attempting to do the same there. But we ought to have these votes and debates. I think it is good for the country and good for the institution to be able to have the opportunity to debate some of these issues. That is what we are doing, and that is why you see the cooperation you have this week.

I yield the floor.

Mr. LOTT. Mr. President, one of the reasons Senator DASCHLE and I decided to try to proceed on this dual track, trying to work on the Defense authorization bill in the morning and appropriations bills in the afternoon—it was Senator DASCHLE's suggestion that we do that for the very purpose we are achieving here. It keeps people focused. Out of sight, out of mind. If we were not trying to come back to DOD authorization, everybody would go off to committee hearings and other work and would not focus on trying to get an orderly way to do it. So while it is not agreed to yet, it is exactly what we had in mind—to make everybody understand we are going to keep trying to do the Transportation appropriations bill, and we are going to focus on amendments and try to get order and process to go back to the Department of Defense authorization.

JOHN WARNER and Senator LEVIN, the two managers of this legislation, are trying very hard to find a way to work through this maze that they are faced with to get a Defense authorization bill for the national security of our country. Senator WARNER, working with others, has 41 amendments that we can clear. At that rate, in 2 or 3 days, maybe we can eliminate a couple hundred amendments. So we will keep trying to do that.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001—Continued

AMENDMENTS NOS. 3382 THROUGH 3424, EN BLOC

Mr. WARNER. Mr. President, I send a series of amendments to the desk en bloc, and I ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes amendments numbered 3382 through 3424, en bloc.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

Mr. WARNER. Mr. President, I ask unanimous consent that the amendments be agreed to en bloc, that the motions to reconsider be laid upon the table and, finally, that any statements relating to any of these individual amendments be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments (Nos. 3382 through 3424), were agreed to en bloc as follows:

AMENDMENT NO. 3382

(Purpose: To clarify the duties of the Chief of Naval Research as the Navy's manager of research funds)

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

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

(a) CLARIFICATION OF DUTIES.—Section 5022 of title 10, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by inserting after paragraph (1) of subsection (a) the following:

''(b)(1) The Chief of Naval Research is the head of the Office of Naval Research.''; and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) CHIEF AS MANAGER OF RESEARCH FUNDS.—The Chief of Naval Research shall manage the Navy's basic, applied, and advanced research funds to foster transition from science and technology to higher levels of research, development, test, and evaluation.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of such section is amended by striking ''(a)(1)'' and inserting ''(a)''.

AMENDMENT NO. 3383

(Purpose; To provide, with an offset, $5,000,000 for research, development, test, and evaluation Defense-wide for the Strategic Environmental Research and Development Program (PE603716D) for technologies for the detection and transport of pollutants resulting from live-fire activities)

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

SEC. 222. TECHNOLOGIES FOR DETECTION AND TRANSPORT OF POLLUTANTS ATTRIBUTABLE TO LIVE-FIRE ACTIVITIES.

(a) INCREASE IN AMOUNT.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation Defense-wide is hereby increased by $5,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount authorized to be appropriated by section 201(4), as increased by subsection (a), the amount available for the Strategic Environmental Research and Development Program (PE6034716D) is hereby increased by $5,000,000, with the amount of such increase available for the development and test of technologies to detect, analyze, and map the presence of, and transport of, pollutants and contaminants at sites undergoing the detection and remediation of constituents attributable to live-fire activities in a variety of hydrogeological scenarios.

(c) ADDITIONAL REQUIREMENT.—Performance measures shall be established for the technologies described in subsection (b) for purposes of facilitating the implementation and utilization of such technologies by the Department of Defense.

(d) OFFSET.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby decreased by $5,000,000, with the amount of such decrease applied to Combat Vehicle and Automotive Advanced Technology (PE603005A).

AMENDMENT NO. 3384

(Purpose: To increase by $45,000,000 the amount authorized to be appropriated for environmental restoration of formerly used defense sites and reduce defense-wide operations and maintenance accounts by $45,000,000 for mobility enhancements)

On page 55, strike lines 13 and 14, and insert the following:

(18) For Environmental Restoration, Formerly Used Defense Sites, $231,499,000.

On page 54, line 16, strike ''$11,973,569,000'' and insert ''$11,928,569,000''.

AMENDMENT NO. 3385

(Purpose: To set aside for weatherproofing of facilities at Keesler Air Force Base, Mississippi, $2,800,000 of the amount authorized to be appropriated for the Air Force for operation and maintenance)

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

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

Of the total amount authorized to be appropriated by section 301(4), $2,800,000 is available for the weatherproofing of facilities at Keesler Air Force Base, Mississippi.

AMENDMENT NO. 3386

(Purpose: To remove the inclusion of housing in the determining of income eligibility for WIC support for members of the Armed Forces overseas)

On page 239, after line 22, insert the following:

SEC. 656. DETERMINATIONS OF INCOME ELIGIBILITY FOR SPECIAL SUPPLEMENTAL FOOD PROGRAM.

Section 1060a(c)(1)(B) of title 10, United States Code, is amended by striking the second sentence and inserting the following: ''In the application of such criterion, the Secretary shall exclude from income any basic allowance for housing as permitted under section 17(d)(2)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)).''.

Mr. HARKIN. Mr. President, I am offering a bipartisan amendment with my distinguished colleagues, Mr. LUGAR and Mr. LEAHY. This amendment would simply change the rules on eligibility of overseas troops for the supplemental nutrition program to be the same as the rules for troops in the United States. It corrects an inequity that would otherwise harm thousands of our troops overseas.

We have had much discussion of the disgrace that some of our men and women in uniform, who are risking their lives to serve our nation, have to rely on welfare to feed their families. Thousands of our troops are eligible for food stamps and WIC, the supplemental nutrition program. This is an outrage, and I will continue to work to increase the pay of our enlisted men and women, the real solution to this problem.

But it is even more outrageous that some of our troops who need this assistance cannot get it, just because of where they are stationed. WIC is administered by the States. Since our troops overseas are not in a State, in the past they have not received any

support from WIC. When they are stationed here, they can get the food they need to feed their families; they get transferred overseas, and suddenly they are ineligible, and the assistance on which they have come to rely disappears. No wonder it's so hard to convince them to sign up for another tour.

Last year this body passed an amendment I proposed to end this unfairness by having the Defense Department provide WIC assistance to troops overseas. The amendment simply required the Defense Department to set up a WIC program similar to those run by the states that would serve Department personnel who are overseas. The Department is proceeding to implement that program. In fact the Department is uniquely situated to efficiently run such a program because of the network of medical treatment facilities and commissaries that is already in place. But in conference a significant change was made to the provision. A sentence was added that requires the Department to include the value of on-base housing in calculating income to determine eligibility for the program. That one sentence knocked more than half of those who should be eligible from the program.

It also failed to correct the fundamental unfairness. The regulations governing WIC specifically prohibit states from counting in-kind housing and other in-kind assistance in appplicants' income when determining eligibility. They bar states from doing what we required the Pentagon to do. That makes no sense. It means that people who were receiving food stamps in the U.S. still may be kicked out of the program when their period of eligibility is up, even though their income and expenses have not changed, just because they were transferred out of the country. And when my staff talked with the Defense Department officials who are setting up the program, they agreed that the rules should be changed so that eligibility overseas would match eligibility in the U.S.

So this amendment strikes the one sentence, leaving the overall principle that the Secretary of Defense should seek to apply the eligibility rules in the regulations governing state implementation of WIC.

Those regulations leave one ambiguity, however. I have talked about in-kind housing, that is housing on military bases. Troops who live off-base instead receive a basic housing allowance to help them pay for their own housing. As directed in the Child Nutrition Act of 1966, the rules on WIC state that states have the choice in determining income eligibility of whether to count the basic housing allowance received by military personnel living off the base. I understand that as of 1994, the last time states were surveyed, not one of the fifty states had chosen to include the housing in income. That only makes sense. It would be patently unfair to let troops living on-base receive support, but withhold it from troops living off-base whose real income is no higher. In fact the troops off-base usually have higher expenses because the housing allowance usually does not fully cover their housing expense.

So this amendment directs the Secretary of Defense to follow the current practice of the states in excluding the basic allowance for housing when determining income eligibility. Thus it would allow the Secretary to restore full fairness by treating troops overseas the same as troops at home, and troops who live on-base the same as troops who live off-base. And most importantly it would allow thousands of troops to receive the food they need to keep their families healthy.

I thank my colleagues on both sides of the aisle for their favorable consideration and am glad that this correction has been accepted as a manager's amendment.

AMENDMENT NO. 3387

(Purpose: To improve access to health care under the TRICARE program by prohibiting a requirement for statements of nonavailability or preauthorization for certain services under that program)

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

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

(a) WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION.—In the case of a covered beneficiary under chapter 55 of title 10, United States Code, who is enrolled in TRICARE Standard, the Secretary of Defense may not require with regard to authorized health care services (other than mental health services) under any new contract for the provision of health care services under such chapter that the beneficiary—

(1) obtain a nonavailability statement or preauthorization from a military medical treatment facility in order to receive the services from a civilian provider; or

(2) obtain a nonavailability statement for care in specialized treatment facilities outside the 200-mile radius of a military medical treatment facility.

(b) NOTICE.—The Secretary may require that the covered beneficiary inform the primary care manager of the beneficiary of any health care received from a civilian provider or in a specialized treatment facility.

(c) EXCEPTIONS.—Subsection (a) shall not apply if—

(1) the Secretary demonstrates significant cost avoidance for specific procedures at the affected military medical treatment facilities;

(2) the Secretary determines that a specific procedure must be maintained at the affected military medical treatment facility to ensure the proficiency levels of the practitioners at the facility; or

(3) the lack of nonavailability statement data would significantly interfere with TRICARE contract administration.

(d) EFFECTIVE DATE.—This section shall take effect on October 1, 2001.

AMENDMENT NO. 3388

(Purpose: To modify the time for use by members of the Selected Reserve of entitlement to certain educational assistance)

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

SEC. 656. MODIFICATION OF TIME FOR USE BY CERTAIN MEMBERS OF THE SELECTED RESERVE OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Subsection (a) of section 16133 of title 10, United States Code, is amended by striking ''(1) at the end'' and all that follows through the end and inserting ''on the date the person is separated from the Selected Reserve.''.

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

(c) CONFORMING AMENDMENTS.—Subsection (b) of that section is further amended—

(1) in paragraph (2), by striking ''subsection (a)'' and inserting ''subsections (a) and (b)(1)'';

(2) in paragraph (3), by striking ''subsection (a)'' and inserting ''subsection (b)(1)''; and

(3) in paragraph (4)—

(A) in subparagraph (A), by striking ''subsection (a)'' and inserting ''subsections (a) and (b)(1)''; and

(B) in subparagraph (B), by striking ''clause (2) of such subsection'' and inserting ''subsection (a)''.

AMENDMENT NO. 3389

(Purpose: To treat as veterans individuals who served in the Alaska Territorial Guard during World War II)

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

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

(a) IN GENERAL.—Section 106 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(f) Service as a member of the Alaska Territorial Guard during World War II of any individual who was honorably discharged therefrom under section 656(b) of the National Defense Authorization Act for Fiscal Year 2001 shall be considered active duty for purposes of all laws administered by the Secretary.''.

(b) DISCHARGE.—(1) The Secretary of Defense shall issue to each individual who served as a member of the Alaska Territorial Guard during World War II a discharge from such service under honorable conditions if the Secretary determines that the nature and duration of the service of the individual so warrants.

(2) A discharge under paragraph (1) shall designate the date of discharge. The date of discharge shall be the date, as determined by the Secretary, of the termination of service of the individual concerned as described in that paragraph.

(c) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits shall be paid to any individual for any period before the date of the enactment of this Act by reason of the enactment of this section.

AMENDMENT NO. 3390

(Purpose: To extend to members of the National Guard and other reserve components not on active duty the entitlement to receive special duty assignment pay)

On page 220, between lines 13 and 14, insert the following:

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

(a) AUTHORITY.—Section 307(a) of title 37, United States Code, is amended by inserting after ''is entitled to basic pay'' in the first

sentence the following: '', or is entitled to compensation under section 206 of this title in the case of a member of a reserve component not on active duty,''.

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

Mr. FEINGOLD. Mr. President, today I offer an amendment that will restore a measure of pay equity for our nation's Guardsmen and Reservists. I offered this same amendment last year to S. 4, the military pay increase bill, and it was adopted by voice vote.

I understand that this amendment is acceptable to the managers on both sides, and I thank the chairman and the ranking member of the Armed Services Committee for their continuing cooperation on this important issue.

Mr. President, the men and women who serve in the Guard and Reserves are cornerstones of our national defense and domestic infrastructure, and they deserve to be adequately and equitably compensated for their dedicated service to this country.

The Guard and Reserve are integral parts of overseas missions, including recent and ongoing missions in places, including Iraq and the Balkans. According to statements by Department of Defense officials, Guardsmen and Reservists will continue to play an increasingly important role in our national defense strategy as they are called upon to shoulder more of the burden of military operations both at home and abroad. The National Guard and Reserves deserve the full support they need to carry out their duties.

Mr. President, my amendment would correct special duty assignment pay inequities between the Reserve components of our Armed Forces and their active duty counterparts. These inequities should be address to take into account the National Guard and Reserves' increased role in our national security, especially on the front lines.

My amendment allows a Guardsmen or Reservist who is entitled to basic pay and is performing a special duty to be paid special duty assignment pay.

Right now, Guardsmen and Reservists are getting shortchanged despite the vital role they play in our national defense. The special duty assignment pay program ensures readiness by compensating specific soldiers who are assigned to duty positions that demand special training and extraordinary effort to maintain a level of satisfactory performance. The program, as it stands now, effectively reduces the ability of the National Guard and Reserve to retain highly dedicated and specialized soldiers.

The special duty assignments pay program provides an additional monthly financial incentive paid to enlisted soldiers and airmen who are required to perform extremely demanding duties that require an unusual degree of responsibility. These special duty assignments include certain command sergeants major, guidance counselors, retention non-commissioned officers (NCO's), drill sergeants, and members of the Special Forces. These soldiers, however, do not receive special duty assignment pay while in on IDT status (drill weekends).

I am pleased that the underlying bill as reported by the Armed Services Committee contains a provision that increases the maximum rate for special duty assignment pay from $275 per month to $600 per month. This modest increase, coupled with my amendment, will help to ensure that our Guardsmen and Reservists are fairly compensated for their service.

This is especially important since National Guard and Reserve members give up their civilian salaries during the time they are called up for, or volunteer for, active duty.

Mr. President, as the U.S. military prepares to face the challenges of the next century and beyond, the National Guard and Reserves will be called more frequently to active duty for domestic support roles and various peacekeeping efforts abroad. They will also be vital players on special teams trained to deal with emerging threats, including the possibility of the deployment of weapons of mass destruction within our own borders. According to many military experts, this represents a more salient threat to the United States than the threat of a ballistic missile attack that many of our colleagues have spent so much time addressing.

Mr. President, I have had the opportunity to see some of these soldiers off as they embarked on these missions and have welcomed them home upon their return. I am struck by the courage and professionalism they displayed as they prepare to meet these varied assignments. In Wisconsin, the State Guard provides vital support during natural disasters and state emergencies, including floods, ice storms, and train derailments.

We have a duty to honor the service of our National Guardsmen and Reservists. One way to do that is to equitably compensate them for their service.

Again, I thank the managers of the bill for their courtesy and for their cooperation on this important amendment.

AMENDMENT NO. 3391

(Purpose: To authorize the expansion of service areas for transferees of former uniformed services treatment facilities that are included in the uniformed services health care delivery system)

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

SEC. 744. SERVICE AREAS OF TRANSFEREES OF FORMER UNIFORMED SERVICES TREATMENT FACILITIES THAT ARE INCLUDED IN THE UNIFORMED SERVICES HEALTH CARE DELIVERY SYSTEM.

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

(1) by inserting ''(1)'' after ''(e) SERVICE AREA.—''; and

(2) by adding at the end the following:

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

AMENDMENT NO. 3392

(Purpose: To refine and advance Federal acquisition streamlining)

In section 801(a), strike ''The Secretary of Defense shall ensure that, not later than 180 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation is revised'' and insert ''Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421) shall be revised''.

At the end of title VIII, add the following:

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

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

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

(1) by striking the second sentence of paragraph (1);

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

(3) by inserting after paragraph (1) the following new paragraph (2):

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

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

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

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

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

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

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

(1) in subparagraph (A)—

(A) by striking '', other than the Administrator for Federal Procurement Policy,'';

(B) by striking clause (i);

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

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

(2) by striking subparagraph (C).

(d) OTHER BOARD PERSONNEL.—(1) Subsection (b) of such section is amended to read as follows:

''(b) SENIOR STAFF.—The Chairman, after consultation with the Board, may appoint an executive secretary and two additional staff members without regard to the provisions of

title 5, United States Code, governing appointments in the competitive service and in senior-level positions. The Chairman may pay such employees without regard to the provisions of chapter 51 (relating to classification of positions), and subchapter III of chapter 53 of such title and section 5376 of such title (relating to the rates of basic pay under the General Schedule and for senior-level positions, respectively), except that no individual so appointed may receive pay in excess of the maximum rate of basic pay payable for a senior-level position under such section 5376.''.

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

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

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

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

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

(B) by inserting before the period at the end the following: '', including rules and procedures for the public conduct of meetings of the Board''.

(4) Paragraph (5)(C) of such subsection is amended to read as follows:

''(C) The head of an executive agency may not delegate the authority under subparagraph (A) or (B) to any official in the executive agency below a level in the executive agency as follows:

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

''(ii) The head of a procuring activity, in the case of a firm, fixed price contract or subcontract for which the requirement to obtain cost or pricing data under subsection (a) of section 2306a of title 10, United States Code, or subsection (a) of section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b) is waived under subsection (b)(1)(C) of such section, respectively.''.

(5) Paragraph (5)(E) of such subsection is amended by inserting before the period at the end the following: ''in accordance with requirements prescribed by the Board''.

(f) REQUIREMENTS FOR STANDARDS.—(1) Subsection (g)(1)(B) of section 26 of the Office of Federal Procurement Policy Act is amended by inserting before the semicolon at the end the following: '', together with a solicitation of comments on those issues''.

(g) INTEREST RATE APPLICABLE TO CONTRACT PRICE ADJUSTMENTS.—Subsection (h)(4) of such section is amended by inserting ''(a)(2)'' after ''6621'' both places that it appears.

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

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

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

(2) in paragraph (3), by striking ''under the authority set forth in section 6 of this Act'' and inserting ''exercising the authority provided in section 6 of this Act in consultation with the Chairman''.

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

''Chairman, Cost Accounting Standards Board.''.

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

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

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

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

(a) PILOT PROJECTS UNDER THE PROGRAM.—Section 5312 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1492) is amended—

(1) in subsection (a), by striking ''subsection (d)(2)'' and inserting ''subsection (d)''; and

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

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

''(1) not more than 10 projects, each of which has an estimated cost of at least $25,000,000 and not more than $100,000,000; and

''(2) not more than 10 projects for small business concerns, each of which has an estimated cost of at least $1,000,000 and not more than $5,000,000.''.

(b) ELIMINATION OF REQUIREMENT FOR FEDERAL FUNDING OF PROGRAM DEFINITION PHASE.—Subsection (c)(9)(B) of such section is amended by striking ''program definition phase (funded, in the case of the source ultimately awarded the contract, by the Federal Government)—'' and inserting ''program definition phase—''.

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

(a) AMENDMENT OF THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421) shall be amended to address the use of personnel experience and educational requirements in the procurement of information technology services.

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

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

(2) specify—

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

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

(c) CONSTRUCTION OF REGULATION.—The amendment issued pursuant to subsection (a) shall include a rule of construction that a prohibition included in the amendment under paragraph (1) or (2)(B) does not prohibit the consideration of the experience and educational levels of the personnel of bidders in the selection of a bidder to be awarded a contract.

(d) GAO REPORT.—Not later than 1 year after the date on which the regulations required by subsection (a) are published in the Federal Register, the Comptroller General shall submit to Congress an evaluation of—

(1) executive agency compliance with the regulations; and

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

(e) DEFINITIONS.—In this section:

(1) The term ''executive agency'' has the meaning given that term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

(2) The term ''performance-based contract'' means a contract that includes performance work statements setting forth contract requirements in clear, specific, and objective terms with measurable outcomes.

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

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

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

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

Mr. THOMPSON. Mr. President, I offer this amendment on behalf of myself as chairman of the Governmental Affairs Committee and Senator LIEBERMAN, the Committee's ranking minority member, and Senators WARNER and LEVIN, the chairman and ranking minority member of the Armed Services Committee. Senator LIEBERMAN and I thank the Armed Services chairman and ranking member for their cooperation and assistance in preparing this amendment which will benefit not only the procurement process within the Department of Defense, but other agencies across the Federal government as well.

The amendment which we offer today began as a request from the administration and others to include additional procurement-related reforms to those enacted over the past several years and those already included in S. 2549. Our amendment includes language which would (1) express a government-wide preference for performance-based service contracting; (2) move the Cost Accounting Standards (CAS) Board out of the Office of Federal Procurement Policy, making it a separate office within the Office of Management and Budget, and conform the delegation of authority levels relating to the CAS with those for the Truth in Negotiations Act; (3) extend the authority of certain pilot programs under the Clinger-Cohen Act of 1996; (4) prohibit the use of mandatory minimum educational and experience requirements on performance-based service contracts and certain other contracts; and (5) ensure that the implementing regulations

of the Prompt Payment Act treat partial payments on contracts for services as periodic payments covered by the Act. I ask unanimous consent that a joint statement of sponsors explaining the amendment be placed in the RECORD immediately following my statement. This statement represents the consensus view of the sponsors as to the meaning and intent of the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT OF SPONSORS REGARDING THE THOMPSON-LIEBERMAN-WARNER-LEVIN PROCUREMENT STREAMLINING AMENDMENT

1. Performance-based service contracting

The amendment would make government-wide a provision included in section 801 of the bill, which establishes a preference for performance-based service contracting. Successful performance of services contracts throughout government can be ensured by establishing clear goals which give vendors the flexibility to propose different approaches, while giving the government a firm basis for cost and quality comparison.

2. Organization of the Cost Accounting Standards Board

The Cost Accounting Standards (CAS standards) are a set of 19 accounting principles developed and maintained by the Cost Accounting Standards Board (CAS Board), a body created by Congress to develop uniform and consistent standards. The CAS standards require government contractors to account for their costs on a consistent basis and prohibit any shifting of overhead or other costs from commercial contracts to government contracts, or from fixed-price contracts to cost-type contracts.

Currently, the CAS Board is located in the Office of Federal Procurement Policy (OFPP) and chaired by the Administrator of OFPP. Concerns have been raised that OFPP's broader procurement policy mission has distracted past Administrators from the task of maintaining the CAS standards. In order to ensure that the CAS standards receive the focused attention of qualified accounting professionals, the amendment would remove the CAS Board from OFPP and make it an independent board within the Office of Management and Budget.

The amendment would retain the CAS Board's ''exclusive authority'' to make, promulgate, amend, and rescind cost accounting standards and interpretations thereof. Because of the need for consistent cost accounting standards for all government contracts, no other Federal agency is authorized to issue cost accounting standards or regulations. However, the amendment would make the CAS Board's authority ''subject to the direction of the Director of the Office of Management and Budget'' in recognition of the existing relationship of the CAS Board with the Director of OMB and the requirement that federal rules and regulations be adopted by an officer with the authority to take such action.

Further, the amendment clarifies the level to which Federal agencies may delegate authority to waive the applicability of CAS standards in certain circumstances, to conform to waiver authority under the Truth in Negotiations Act and ensure that the same official may waive the requirements of both statutes in cases where it makes sense to do so.

3. Revision of authority for solutions-based contracting pilot program

The amendment would amend section 5312 of the Clinger-Cohen Act, the solutions-based contracting pilot program, to remove detailed statutory requirements concerning the development of a pilot plan, including the requirement to form a public-private working group. The elimination of this requirement is intended to avoid concerns raised regarding which private industry specialists would participate on working groups and the extent to which it would be appropriate for such participants to compete for later solutions-based contracts. The provision also would eliminate a requirement to fund the awardee's efforts during the program definition phase and instead leave this decision to the contracting officer's discretion on a case-by-case basis.

4. Appropriate use of personnel experience and educational requirements in the procurement of information technology services

Many in the information technology industry have argued that minimum education or experience requirements included in agency solicitations for information technology services are contributing to the serious worker shortage by requiring contractors to use more highly trained and educated workers to perform some services required by government contracts that could be done just as well by less educated or experienced workers. They argue that these mandatory minimum requirements are often included in information technology service contracts without regard to whether it is necessary to perform the work and that it drives up the cost of contracts.

The amendment would prohibit the use of minimum experience or educational requirements for contractor personnel in performance-based services contracts. Minimum experience requirements are inappropriate for such contracts, which are supposed to be awarded on the basis of measurable outcomes. The provision would also require the issuance of regulations on the appropriate use of minimum experience or educational requirements for other services contracts other than performance-based contracts.

It is the sponsors' view that this amendment will have no negative impact on Federal employees performing similar information technology work for the Federal government.

5. Treatment of partial payments under service contracts

When the Prompt Payment Act was amended in 1988, Congress recognized the failure of Federal agencies to implement the requirement in the Act to pay, during the contract period, for the periodic delivery of supplies or the periodic performance of services if permitted by the contract. As a result, the Act was amended to require that periodic payments were covered by the Act's requirement that agencies pay interest on late payments.

The amendment would clarify that partial payments, other than progress payments, made under service contracts are periodic payments for purposes of the Prompt Payment Act and that interest must be paid on such partial payments which are not paid timely.

AMENDMENT NO. 3393

(Purpose: To increase by $2,500,000 the amount provided for the Army for operation and maintenance for the ceremonial rifle program; and to offset that increase by reducing by $2,500,000 the amount provided for operation and maintenance, Defense-wide, for spectrum database upgrades)

On page 54, line 11, strike ''$19,028,531,000'' and insert ''$19,031,031,000''.

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

AMENDMENT NO. 3394

(Purpose: To set aside up to $1,000,000 for the support of programs to promote informal region-wide dialogues on arms control and regional security issues for Arab, Israeli, and United States officials and experts)

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

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

Of the amount authorized to be appropriated by section 301(5), up to $1,000,000 is available for the support of programs to promote informal region-wide consultations among Arab, Israeli, and United States officials and experts on arms control and security issues concerning the Middle East region.

AMENDMENT NO. 3395

(Purpose: To amend title 10, United States Code, to authorize the United States Air Force Institute of Technology)

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

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

(a) AUTHORITY.—(1) Part III of subtitle D of title 10, United States Code, is amended by inserting after chapter 903 the following:

''CHAPTER 904—UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY

''Sec.
''9321. Establishment; purposes.
''9322. Sense of the Senate.

''SEC. 9321. ESTABLISHMENT; PURPOSES.

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

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

''(1) To perform research.

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

''SEC. 9322. SENSE OF THE SENATE REGARDING THE UTILIZATION OF THE AIR FORCE INSTITUTE OF TECHNOLOGY.

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

''(1) The grade of the Commandant

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

''(3) The employment and compensation of civilian professors at the Institute

''(4) The processes for the identification of requirements for advanced degrees within the Air Force, identification for annual enrollment quotas and selection of candidates

''(5) Post graduation opportunities for graduates of the Institute

''(6) The policies and practices regarding the admission of

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

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

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

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

''(E) others eligible for admission.''

AIR FORCE INSTITUTE OF TECHNOLOGY

Mr. DEWINE. Mr. President, the amendment I have offered is designed

to ensure the continued viability of and effectiveness in a vital Air Force asset—the Air Force Institute of Technology, known as AFIT. AFIT, located at Wright-Patterson Air Force Base in Dayton, Ohio, provides defense-focused graduate and continuing education, research, and consultation to the Air Force and the Department of Defense.

The U.S. Army established AFIT in 1919, as the Air School of Application. This school, located at historic McCook field in Dayton, Ohio, provided technical training to pilots. In 1926, the Army Air Corps relocated the engineering school to Wright Field. In 1947, when the Air Force became a separate service, the school assumed its current name. Under the guidance of Theodore Von Karman, AFIT developed a graduate education program to support the vision of a technologically superior Air Force.

Today, the AFIT Graduate School of Engineering and Management offers Masters of Science degrees in 20 areas of defense-focused specialization, and Doctors of Philosophy (PhD) in 13 of these areas. At any one time, AFIT has 400 full-time graduate students, including officers and civilians from the Air Force, sister services, and allied and foreign services. International students from more than 50 countries have participated since 1961, and 21 international students are currently enrolled. AFIT has awarded more than 13,000 Masters and 300 PhD degrees since it became accredited in 1954. Among AFIT's illustrious graduates are 11 current and former astronauts, including Steve Lindsay, the pilot of the shuttle mission of our former colleague, retired Senator John Glenn.

Mr. President, AFIT is critical to the Air Force's long-term ability to retain technological superiority. AFIT trains the mid-career officers and civilians required to provide the expertise necessary to act as informed, technically astute buyers in our acquisition corps and skilled innovators in our laboratories. AFIT graduates eventually progress through their careers to become senior level leaders with the technical backgrounds needed to provide the vision for the Air Force to retain its ability to provide air superiority well into this century. I have long said that Wright-Patterson is the brain power behind our air power. AFIT is the source of a great deal of that air power.

Despite this past success, AFIT's future is uncertain. AFIT's Board of Visitors completed a troubling report on the long-term viability of the school. The report states that the Institute is ''in passive, but inexorable shutdown mode'' due to an attitude of ''studied inaction by the Air Force at all levels.'' In response to this report, I joined with Senator VOINOVICH and Congressmen HOBSON and HALL in a letter to Air Force Secretary Peters, calling on the Air Force to respond to the Board of Visitors' disturbing findings. The amendment I have offered today is designed to reinforce the importance of AFIT by giving it a statutory designation in the U.S. Code. My amendment also contains a sense of the Senate that details the issues that need to be reviewed by the Air Force leadership if AFIT is to continue to be a significant contributor to our nation's aeronautical dominance.

Mr. President, I urge my colleagues to support this important amendment.

AMENDMENT NO. 3396 TO AMENDMENT NO. 3237

(Purpose: To make a technical correction)

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

AMENDMENT NO. 3397

(Purpose: To increase the TRICARE maximum allowable charge for physicians in rural States, and to require a report on nonparticipation of physicians in TRICARE in rural States)

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

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

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

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

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

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

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

''(B) A customary and reasonable charge shall be determined for the purposes of subparagraph (A) under regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries. In prescribing the regulations, the Secretary may also consult with the Administrator of the Health Care Financing Administration of the Department of Health and Human Services.''; and

(4) by adding at the end the following:

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

''(A) less than 76 residents per square mile; and

''(B) less than 211 actively practicing physicians (not counting physicians employed by the United States) per 100,000 residents.''.

(b) REPORT.—(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the extent to which physicians are choosing not to participate in contracts for the furnishing of health care in rural States under chapter 55 of title 10, United States Code.

(2) The report shall include the following:

(A) The number of physicians in rural States who are withdrawing from participation, or otherwise refusing to participate, in the health care contracts.

(B) The reasons for the withdrawals and refusals.

(C) The actions that the Secretary of Defense can take to encourage more physicians to participate in the health care contracts.

(D) Any recommendations for legislation that the Secretary considers necessary to encourage more physicians to participate in the health care contracts.

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

Mr. MURKOWSKI. Mr. President, I commend Chairman WARNER for the significant improvements he and his committee have proposed for the TRICARE system. However I am concerned that the current proposals do not address access problems in rural states, and I am offering this amendment to alleviate this problem.

Military healthcare is one of the most important quality of life issues for my constituents. I have heard countless times how civilian doctors are refusing to see TRICARE patients because of the extremely low rates at which they are reimbursed. Because an adequate civilian healthcare provider network is required to supplement the military healthcare system, especially in rural states, TRICARE is failing to provide the kind of healthcare our service members, retirees and their dependents deserve.

In rural states like my home state of Alaska, this is a huge problem. Medical costs are much higher than average, and there are fewer doctors. Having fewer doctors to compete with reduces physicians' incentive to accept the extremely low pay from TRICARE. In fact, in Alaska, doctors who see TRICARE patients are paid less than when they see Medicaid patients.

Frankly, I am very concerned that the government would consider those who serve in our armed forces as less worthy of quality care than welfare recipients. When doctors refuse to see TRICARE beneficiaries and their dependents, they are forced to pay for their care themselves, or go without it all together. I have heard too often from Alaskans in the military who are frustrated that they cannot receive care because doctors cannot afford to see them. I would like to read the following letter from one of my constituents and ask unanimous consent that it be entered into the RECORD.

The Department of Defense has the authority to raise the rates they pay doctors if they decide that a region has access problems. In fact, they are in the process of doing this in parts of Alaska. However they have excluded Anchorage, the largest city in the state. This is where the largest portion of beneficiaries live, and where the largest access problem exists. It is clear to me that the Department of Defense is not properly assessing where access is a problem. Because of this, it is time for Congress to act.

My amendment will raise the rates the Department of Defense pays to civilian doctors who see TRICARE patients. It also calls on the Department of Defense to conduct a study assessing access problems in rural states, and present Congress ways to solve these problems.

When men and women in the armed services, retirees and their dependents are refused treatment by civilian doctors, it has a direct effect on morale. They begin to think twice when it comes time to reenlist or leave. I am sure they are not recommending service to the young people in their family and community. With our current recruitment and retention problems in the military, I think it is our responsibility in the Senate to give TRICARE beneficiaries the kind of high quality healthcare they have earned through their dedication to this nation.

I urge my colleagues to accept this important amendment.

AMENDMENT NO. 3398

(Purpose: To extend the authority of the Federal Government to conduct public interest law enforcement conveyances of surplus property)

At the appropriate place, insert the following:

SEC. . IMPROVING PROPERTY MANAGEMENT.

(a) IN GENERAL.—Section 203(p)(1)(B)(ii) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)(1)(B)(ii)) is amended by striking ''July 31, 2000'' and inserting ''December 31, 2002''.

(b) CONFORMING AMENDMENT.—Section 233 of Appendix E of Public Law 106–113 (113 Stat. 1501A–301) is repealed.

Mr. FEINGOLD. Mr. President, I thank the bill's managers, the Senior Senator from Virginia, Mr. WARNER, and the Senior Senator from Michigan, Mr. LEVIN, for assisting me with this amendment. I also deeply appreciate the efforts of the Senator from Tennessee, Mr. THOMPSON, who joins me as a co-sponsor of this amendment, and of his staff who assisted my staff in developing an acceptable final version.

This amendment extends the authority of the General Services Administration to convey surplus property to local governments for law enforcement purposes for two years until the end of December 2002. This amendment will help a number of communities across the country seeking to use surplus property to protect their citizens and provide safe, secure facilities for their police departments. Without this amendment, the authority to convey surplus property for law enforcement purposes would expire at the end of July, 2000. Communities that want to use the GSA process, and have counted upon doing so, to negotiate the use of property for law enforcement purposes at a reduced cost would have been shut out in the matter of a few weeks.

In fact, Mr. President, I have just such a situation in my own home state. The City of Kewaunee, Wisconsin wants to acquire the city's Army Reserve Center, which is a former federal armory building. The City intends to use the property as a municipal building in which they would house their police force and other municipal offices.

Congress has specified a number of public purpose uses for which property can be transferred to local governments at a reduced cost. The Federal Property and Administrative Services Act allows property to be transferred to public agencies and institutions at discounts of up to 100 percent of fair market value for a number of purposes: public health or educational uses, public parks or recreational areas, historic monuments, homeless assistance, correctional institutions, port facilities, public airports, wildlife conservation, and self-help housing. This type of transfer is called a public interest conveyance.

I strongly believe that law enforcement is an important public purpose for which surplus property should be used. Moreover, in fairness to local communities with tight budgets, Congress needs to preserve this option for communities that are counting on being able to use this authority.

Again, I am delighted that the bill managers have decided to accept this amendment, and I hope that this provision will be retained in Conference.

AMENDMENT NO. 3399

(Purpose: To require a report on the status of domestic preparedness against the threat of biological terrorism)

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

SEC. 1027. REPORT ON THE STATUS OF DOMESTIC PREPAREDNESS AGAINST THE THREAT OF BIOLOGICAL TERRORISM.

(a) REPORT REQUIRED.—Not later than March 31, 2001, the President shall submit to the Speaker of the House of Representatives and the President Pro Tempore of the Senate a report on domestic preparedness against the threat of biological terrorism.

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

(1) The current state of United States preparedness to defend against a biologic attack.

(2) The roles that various Federal agencies currently play, and should play, in preparing for, and defending against, such an attack.

(3) The roles that State and local agencies and public health facilities currently play, and should play, in preparing for, and defending against, such an attack.

(4) The advisability of establishing an intergovernmental task force to assist in preparations for such an attack.

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

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

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

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

(9) The beneficial consequences of such efforts on—

(A) the treatment of naturally occurring infectious disease;

(B) the efficiency of the United States health care system;

(C) the maintenance in the United States of a competitive edge in biotechnology; and

(D) the United States economy.

AMENDMENT NO. 3400

(Purpose: To authorize a land conveyance, former National Ground Intelligence Center, Charlottesville, Virginia)

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

PART IV—OTHER CONVEYANCES

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

(a) CONVEYANCE AUTHORIZED.—The Administrator of General Services may convey, without consideration, to the City of Charlottesville, Virginia (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, formerly occupied by the National Ground Intelligence Center and known as the Jefferson Street Property.

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

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

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

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

(1) Sections 2667 and 2696 of title 10, United States Code.

(2) Section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411).

(3) Sections 202 and 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483, 484).

(f) LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.—(1) Subject to paragraph (2), if at any time after the Administrator makes the conveyance authorized by subsection (a) the City conveys any portion of the parcel conveyed under that subsection to a private entity, the City shall pay to the United States an amount equal to the fair market value (as determined by the Administrator) of the portion conveyed at the time of its conveyance under this subsection.

(2) Paragraph (1) applies to a conveyance described in that paragraph only if the Administrator makes the conveyance authorized by subsection (a) without consideration.

(3) The Administrator shall deposit any amounts paid the United States under this subsection into the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)). Any amounts so deposited shall be available to the Administrator for real property management and related activities as provided for under paragraph (2) of that section.

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

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

AMENDMENT NO. 3401

(Purpose: To authorize a land conveyance, Army Reserve Center, Winona, Minnesota)

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

SEC. 2836. LAND CONVEYANCE, ARMY RESERVE CENTER, WINONA, MINNESOTA.

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

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

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

AMENDMENT NO. 3402

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING TAX TREATMENT OF MEMBERS RECEIVING SPECIAL PAY.

It is the sense of the Senate that members of the Armed Forces who receive special pay for duty subject to hostile fire or imminent danger (37 U.S.C. 310) should receive the same tax treatment as members serving in combat zones.

AMENDMENT NO. 3403

(Purpose: To modify the basic allowance for housing)

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

SEC. 610. BASIC ALLOWANCE FOR HOUSING.

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

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

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

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

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

''(C) if the member is assigned to duty in that area under the conditions of low-cost or no-cost permanent change of station or permanent change of assignment and the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, a basic allowance for housing on the cost of housing in the area to which the member is reassigned, the member shall receive a basic allowance for housing as if the member were assigned to duty at the member's last duty station.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2000, and shall apply with respect to pay periods beginning on and after that date.

AMENDMENT NO. 3404

(Purpose: To authorize the acceptance and use of gifts from the Air Force Museum Foundation for the construction of a third building for the United States Air Force Museum at Wright-Patterson Air Force Base, Ohio)

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

SEC. 2882. ACCEPTANCE AND USE OF GIFTS FOR CONSTRUCTION OF THIRD BUILDING AT UNITED STATES AIR FORCE MUSEUM, WRIGHT-PATTERSON AIR FORCE BASE, OHIO.

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

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

(b) DEPOSIT IN ESCROW ACCOUNT.—The Secretary, acting through the Comptroller of the Air Force Materiel Command, shall deposit the amount of any cash, instruments, or securities accepted as a gift under subsection (a) in an escrow account established for that purpose.

(c) INVESTMENT.—Amounts in the escrow account under subsection (b) not required to meet current requirements of the account shall be invested in public debt securities with maturities suitable to the needs of the account, as determined by the Comptroller of the Air Force Materiel Command, and bearing interest at rates that take into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to and form a part of the account.

(d) UTILIZATION.—(1) Amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), that are attributable to a particular portion of the building described in subsection (a) shall be utilized by the Comptroller of the Air Force Materiel Command to pay the costs of the design and construction of such portion of the building, including progress payments for such design and construction.

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

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

(e) LIMITATION ON CONTRACTS.—The Corps of Engineers may not enter into a contract for the design or construction of a particular portion of the building described in subsection (a) until amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), that are attributable to such portion of the building are sufficient to cover the amount of such contract.

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

(2) Any amounts in the account upon final payment of invoices and claims as described in paragraph (1) shall be available to the Secretary for such purposes as the Secretary considers appropriate.

AMENDMENT NO. 3405

(Purpose: To require a GAO review of the AH–64 program of the Army)

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

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

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

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

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

(B) There is insufficient sustaining system technical support.

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

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

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

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

AMENDMENT NO. 3406

(Purpose: To make available, with an offset, an additional $2,500,000 for research, development, test, and evaluation for the Army for Countermine Systems (PE602712A) for research in acoustic mine detection)

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

SEC. 222. ACOUSTIC MINE DETECTION.

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

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

(b) OFFSET.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation Defense-wide is hereby decreased by $2,500,000, with the amount of such decrease to be applied to Sensor Guidance Technology (PE603762E).

AMENDMENT NO. 3407

(Purpose: To permit the lease of the Naval Computer Telecommunications Center, Cutler, Maine, pending its conveyance)

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

(e) LEASE OF PROPERTY PENDING CONVEYANCE.—(1) Pending the conveyance by deed of the property authorized to be conveyed by subsection (a), the Secretary may enter into one or more leases of the property.

(2) The Secretary shall deposit any amounts paid under a lease under paragraph (1) in the appropriation or account providing funds for the protection, maintenance, or repair of the property, or for the provision of utility services for the property. Amounts so deposited shall be merged with funds in the appropriation or account in which deposited, and shall be available for the same purposes, and subject to the same conditions and limitations, as the funds with which merged.

AMENDMENT NO. 3408

(Purpose: To modify the authorized conveyee of certain land at Ellsworth Air Force Base, South Dakota)

On page 543, strike line 20 and insert the following:

PART III—AIR FORCE CONVEYANCES

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

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

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

PART IV—DEFENSE-AGENCIES CONVEYANCES

AMENDMENT NO. 3409

(Purpose: To consent to the retransfer by the Government of Greece to USS LST Ship Memorial, Inc., of an alternative LST excess to the needs of the Government of Greece)

At the end of title XII, add the following:

SEC. ___. AUTHORITY TO CONSENT TO RETRANSFER OF ALTERNATIVE FORMER NAVAL VESSEL BY GOVERNMENT OF GREECE.

Section 1012 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 740) is amended—

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

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

AMENDMENT NO. 3410

(Purpose: To require a report on the establishment of a global missile launch early warning center)

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

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

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

AMENDMENT NO. 3411

(Purpose: To require a GAO review of the working-capital fund activities of the Department of Defense, including the use of carryover authority between fiscal years)

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

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

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

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

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

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

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

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

AMENDMENT NO. 3412

(Purpose: To impose requirements for the implementation of the Navy-Marine Corps Intranet)

Beginning on page 295, after line 22, insert the following:

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

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

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

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

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

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

(1) developing a comprehensive plan for the transition of such employees to the performance of other functions within the Department of the Navy;

(2) taking full advantage of transition authorities available for the benefit of employees;

(3) encouraging the retraining of employees who express a desire to qualify for reassignment to the performance of other functions within the Department of the Navy; and

(4) including a provision in the Navy-Marine Corps Intranet contract that requires the contractor to provide a preference for hiring employees of the Department of the Navy who, as of the date of the enactment of this Act, are performing functions that are included in the scope of the contract.

AMENDMENT NO. 3413

(Purpose: To enhance authorities relating to education partnerships to encourage scientific study)

On page 53, after line 23, add the following:

SEC. 243. ENHANCEMENT OF AUTHORITIES REGARDING EDUCATION PARTNERSHIPS FOR PURPOSES OF ENCOURAGING SCIENTIFIC STUDY.

(a) ASSISTANCE IN SUPPORT OF PARTNERSHIPS.—Subsection (b) of section 2194 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting '', and is encouraged to provide,'' after ''may provide'';

(2) in paragraph (1), by inserting before the semicolon the following: ''for any purpose and duration in support of such agreement that the director considers appropriate''; and

(3) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or any provision of law or regulation relating to transfers of surplus property, transferring to the institution any defense laboratory equipment (regardless of the nature of type of such equipment) surplus to the needs of the defense laboratory that is determined by the director to be appropriate for support of such agreement;''.

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

''(e) In this section:

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

''(2) The term 'local educational agency' has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).''.

AMENDMENT NO. 3414

(Purpose: To make available, with an offset, an additional $5,000,000 for research, development, test, and evaluation for the Army for Concepts Experimentation Program (PE605326A) for test and evaluation of future operational technologies for use by mounted maneuver forces)

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

SEC. 222. OPERATIONAL TECHNOLOGIES FOR MOUNTED MANEUVER FORCES.

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

(2) Of the amount authorized to be appropriated by section 201(1), as increased by paragraph (1), the amount available for Concepts Experimentation Program (PE605326A) is hereby increased by $5,000,000, with the amount of such increase available for test and evaluation of future operational technologies for use by mounted maneuver forces.

(b) OFFSET.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation Defense-wide is hereby decreased by $5,000,000, with the amount of such decrease to be applied to Computing Systems and Communications Technology (PE602301E).

AMENDMENT NO. 3415

(Purpose: To provide for the development of a Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia)

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

SEC. 2882. DEVELOPMENT OF MARINE CORPS HERITAGE CENTER AT MARINE CORPS BASE, QUANTICO, VIRGINIA.

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

(b) AUTHORITY TO ACCEPT CERTAIN LAND.—(1) The Secretary may, if the Secretary determines it to be necessary for the facility described in subsection (a), accept without compensation any portion of the land known as Locust Shade Park which is now offered by the Park Authority of the County of Prince William, Virginia, as a potential site for the facility.

(2) The Park Authority may convey the land described in paragraph (1) to the Secretary under this section without regard to any limitation on its use, or requirement for its replacement upon conveyance, under section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8(f)(3)) or under any other provision of law.

(c) DESIGN AND CONSTRUCTION.—For each phase of development of the facility described in subsection (a), the Secretary may—

(1) permit the Marine Corps Heritage Foundation to contract for the design, construction, or both of such phase of development; or

(2) accept funds from the Marine Corps Heritage Foundation for the design, construction, or both of such phase of development.

(d) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the facility described in subsection (a) by the Marine Corps Heritage Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Marine Corps Heritage Foundation, the facility shall become the property of the Department of the Navy with all right, title, and interest in and to facility being in the United States.

(e) LEASE OF FACILITY.—(1) The Secretary may lease, under such terms and conditions as the Secretary considers appropriate for the joint venture authorized by subsection (a), portions of the facility developed under that subsection to the Marine Corps Heritage Foundation for use in generating revenue for activities of the facility and for such administrative purposes as may be necessary for support of the facility.

(2) The amount of consideration paid the Secretary by the Marine Corps Heritage Foundation for the lease under paragraph (1) may not exceed an amount equal to the actual cost (as determined by the Secretary) of the operation of the facility.

(3) Notwithstanding any other provision of law, the Secretary shall use amounts paid under paragraph (2) to cover the costs of operation of the facility.

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

AMENDMENT NO. 3416

(Purpose: To require a the Army National Guard to carry out a demonstration project to provide Internet access and services to rural communities that are unserved or underserved by the Internet)

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

SEC. 313. DEMONSTRATION PROJECT FOR INTERNET ACCESS AND SERVICES IN RURAL COMMUNITIES.

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

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

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

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

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

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

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

(3) Businesses located in such communities.

(4) Personnel and elements of local governments in such communities.

(5) Other appropriate individuals and entities located in such communities.

(d) REPORT.—Not later than February 1, 2005, the Secretary shall submit to Congress a report on the demonstration project. The report shall describe the activities under the demonstration project and include any recommendations for the improvement or expansion of the demonstration project that the Secretary considers appropriate.

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

(2) Of the amount authorized to be appropriated by section 301(10), as increased by paragraph (1), $15,000,000 shall be available for the demonstration project required by this section.

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

AMENDMENT NO. 3417

(Purpose: To authorize, with an offset, $300,000 for research, development, test, and evaluation Defense-wide for Generic Logistics Research and Development Technology Demonstrations (PE603712S) for air logistics technology)

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

SEC. 222. AIR LOGISTICS TECHNOLOGY.

(a) AVAILABILITY OF AMOUNT.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation Defense-wide, the amount available for Generic Logistics Research and Development Technology Demonstrations (PE603712S) is hereby increased by $300,000, with the amount of such increase available for air logistics technology.

(b) OFFSET.—Of the amount authorized to be appropriated by section 201(4), the amount available for Computing Systems and Communications Technology (PE602301E) is hereby decreased by $300,000.

AMENDMENT NO. 3418

(Purpose: To authorize the President to award a gold medal on behalf of Congress to General Wesley K. Clark, United States Army, in recognition of his outstanding leadership and service during the military operations against the Federal Republic of Yugoslavia (Serbia and Montenegro))

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

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

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

(1) While serving as Supreme Allied Commander in Europe, General Wesley K. Clark demonstrated the highest degree of professionalism in leading over 75,000 troops from 37 countries in military operations against the Federal Republic of Yugoslavia (Serbia and Montenegro).

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

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

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

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

(b) CONGRESSIONAL GOLD MEDAL.—

(1) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, a gold medal of appropriate design to General Wesley K. Clark, in recognition of his outstanding leadership and service as Supreme Allied Commander in Europe during the military operations against the Federal Republic of Yugoslavia (Serbia and Montenegro).

(2) DESIGN AND STRIKING.—For the purpose of the presentation referred to in paragraph (1), the Secretary of the Treasury (hereafter in this section referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) DUPLICATE MEDALS.—The Secretary may strike and sell duplicates in bronze of

the gold medal struck pursuant to subsection (b) under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, overhead expenses, and the cost of the gold medal.

(d) NATIONAL MEDALS.—The medals struck pursuant to this section are national medals for purposes of chapter 51 of title 31, United States Code.

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

(1) AUTHORIZATION OF APPROPRIATIONS.—There authorized to be charged against the Numismatic Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medal authorized by this section.

(2) PROCEEDS OF SALE.—Amounts received from the sales of duplicate bronze medals under subsection (c) shall be deposited in the Numismatic Public Enterprise Fund.

AMENDMENT NO. 3419

(Purpose: To conform the requirement for verbatim records of the proceedings of special courts-martial to the increased punishment authority of special courts-martial)

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

SEC. 566. VERBATIM RECORDS IN SPECIAL COURTS-MARTIAL.

(a) WHEN REQUIRED.—Subsection (c)(1)(B) of section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice), is amended by inserting after ''bad-conduct discharge'' the following: '', confinement for more than six months, or forfeiture of pay for more than six months''.

(b) RETROACTIVE EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of April 1, 2000, and shall apply with respect to charges referred on or after that date to trial by special courts-martial.

AMENDMENT NO. 3420

(Purpose: To require the Secretary of Defense to prescribe policies and procedures for Department of Defense decisionmaking on actions to be taken in cases of false claims submitted to the Department of Defense)

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

SEC. 1061. DEPARTMENT OF DEFENSE PROCESS FOR DECISIONMAKING IN CASES OF FALSE CLAIMS.

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

(b) REFERRAL AND INTERVENTION DECISIONS.—The policies and procedures shall specifically require that—

(1) an official at an appropriately high level in the Department of Defense make the decision on whether to refer to the Attorney General a case involving a claim submitted to the Department of Defense or to recommend that the Attorney General intervene in, or seek dismissal of, a qui tam action involving such a claim; and

(2) before making any such decision, the official determined appropriate under the policies and procedures take into consideration the applicable laws, regulations, and agency guidance implementing the laws and regulations, and an examination of all of the available alternative remedies.

(c) REPORT.—(1) Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report on the Qui Tam Review Panel, including its status.

(2) For the purposes of paragraph (1), the Qui Tam Review Panel is the panel that was established by the Secretary of Defense for an 18-month trial period to review extraordinary cases of qui tam actions involving false contract claims submitted to the Department of Defense.

AMENDMENT NO. 3421

(Purpose: Expressing the sense of the Senate that long-term economic development aid should be immediately provided to assist communities rebuilding from Hurricane Floyd)

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds that—

(1) during September 1999, Hurricane Floyd ran a path of destruction along the entire eastern seaboard from Florida to Maine;

(2) Hurricane Floyd was the most destructive natural disaster in the history of the State of North Carolina and most costly natural disaster in the history of the State of New Jersey;

(3) the Federal Emergency Management Agency declared Hurricane Floyd the eighth worst natural disaster of the past decade;

(4) although the Federal Emergency Management Agency coordinates the Federal response to natural disasters that exceed the capabilities of State and local governments and assists communities to recover from those disasters, the Federal Emergency Management Agency is not equipped to provide long-term economic recovery assistance;

(5) it has been 9 months since Hurricane Floyd and the Nation has hundreds of communities that have yet to recover from the devastation caused by that disaster;

(6) in the past, Congress has responded to natural disasters by providing additional economic community development assistance to communities recovering from those disasters, including $250,000,000 for Hurricane Georges in 1998, $552,000,000 for Red River Valley Floods in North Dakota in 1997, $25,000,000 for Hurricanes Fran and Hortense in 1996, and $725,000,000 for the Northridge Earthquake in California in 1994;

(7) additional assistance provided by Congress to communities recovering from natural disasters has been in the form of community development block grants administered by the Department of Housing and Urban Development Administration;

(8) communities affected by Hurricane Floyd are facing similar recovery needs as have victims of other natural disasters and will need long-term economic recovery plans to make them strong again; and

(9) on April 7, 2000, the Senate passed amendment number 3001 to S. Con. Res. 101, which amendment would allocate $250,000,000 in long-term economic development aid to assist communities rebuilding from Hurricane Floyd, including $150,000,000 in community development block grant funding and $50,000,000 in rural facilities grant funding.

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

(1) communities devastated by Hurricane Floyd should know that, in the past, Congress has responded to natural disasters by demonstrating a commitment to helping affected States and communities to recover;

(2) the Federal response to natural disasters has traditionally been quick, supportive, and appropriate;

(3) recognizing that communities devastated by Hurricane Floyd are facing tremendous challenges as they begin their recovery, the Federal agencies that administer community and regional development programs should expect an increase in applications and other requests from these communities;

(4) community development block grants administered by the Department of Housing and Urban Development, grant programs administered by the Economic Development Administration, and the Community Facilities Grant Program administered by the Department of Agriculture are resources that communities have used to accomplish revitalization and economic development following natural disasters; and

(5) additional community and regional development funding, as provided for in amendment number 3001 to S. Con. Res. 101, as passed by the Senate on April 7, 2000, should be appropriated to assist communities in need of long-term economic development aid as a result of damage suffered by Hurricane Floyd.

AMENDMENT NO. 3422

(Purpose: To amend S. 2549, to provide for the coverage and treatment of unutilized and underutilized plant-capacity costs of United States arsenals when making supplies and providing services for the United States Armed Forces)

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

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

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

(b) UNUTILIZED AND UNDERUTILIZED PLANT CAPACITY AT UNITED STATES ARSENALS.—

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

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

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

(c) DEFINITION OF UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS.—For purposes of this section, the term ''unutilized and underutilized plant-capacity cost'' shall mean the cost associated with operating and maintaining arsenal facilities and equipment that the Secretary of the Army determines are required to be kept for mobilization needs, in those months in which the facilities and equipment are not used or are used only 20% or less of available work days.

Mr. FITZGERALD. Mr. President, this is an amendment that corrects a flaw in Department of Defense procurement rules that has increased military costs and had a severe impact on this nation's arsenals. Recently implemented rules requires U.S. arsenals to overstate their true cost of supplying goods and services to the military. As a result, arsenals have been losing bids

on contracts under competitive bidding procedures, even when use of an arsenal would lead to lower overall costs for the Department of Defense. This quirk in the rules has not only increased Department of Defense expenditures; it has also led to severe underutilization of the arsenals, threatening the viability of an invaluable national resource.

Under Defense Working Capital Fund procurement rules, which were implemented in 1996, government-owned military suppliers are required to charge the military the full cost of any good or service that they supply to the Armed Forces. The idea behind these rules was to discourage overconsumption of goods and services by the military, and to promote cost transparency—to make it clear to the government how much it was paying to have a good or service supplied by a government-owned facility. Individual military departments were encouraged to seek the lowest price available for goods and services—and to allow private companies to compete with government-owned facilities for military contracts.

Unfortunately, the DWCF rules also include a number of provisions that place domestic facilities at a substantial disadvantage to their private competitors. The domestic suppliers are required to include a number of items in their contract bids that are unrelated to their marginal cost of actually supplying a good or and service to the military. For example, suppliers are now required to bill their net capital investment costs in a given year to all of their customers in that year—even if the equipment that was purchased has no relation to the customers' contracts. More severe for the arsenals is the DWCF rules' treatment of reserve capacity. All U.S. arsenals are required to maintain excess capacity, in order to be able to ramp up production immediately in the event of a war or military crisis. This unused plant capacity is something that no private business would maintain—a private business would simply sell off or lease out its unused assets. And the costs of maintaining this capacity are substantial. But DWCF rules, as they presently exist, require the arsenals to include reserve capacity costs in their bids when they compete with private companies for military contracts.

The results of this system have been predictable. Arsenals have repeatedly lost work to private companies, even when the true marginal cost of having the work performed by an arsenal is less than the price charged by a private contractor. Moreover, the United States government ends up paying for the arsenals' unused capacity anyway—either through higher costs on other arsenal contracts, or through accumulated operating deficits built up by the arsenals. Though the individual military department saves money when its purchasing agents buy from a private contractor instead of an arsenal, when those purchasing decisions are driven by avoidance of reserve capacity costs, the military as a whole loses. The government pays for reserve capacity anyway, and the military pays more to have the work done by a private company that the true marginal cost of having it done by an arsenal.

These conclusions are confirmed by a 1999 Department of Defense report on the DWCF system. The Defense Working Capital Fund Task Force's Issue Paper emphasizes that under the current system, though immediate purchasers may pay a lower price, ''the DoD will ultimately pay twice for maintaining both the essential organic capability as well as contracting out'' for the good or service. The DWCF rules' overpricing of arsenal services not only ''encourage[] behavior that is not optimal for the military as a whole,'' it also leads to an increasing disparity between military and private suppliers that ''results in an increasing abandonment of DWCF services.''

For these reasons, I introduce the present amendment. This amendment provides for direct funding of unused plant-capacity costs at United States arsenals. By removing these reserve-capacity costs from arsenal bid prices, the amendment would allow arsenals to compete on an equal footing with private companies. And by allowing arsenal prices to reflect true marginal costs, it would not only bring more business to the arsenals; it would save money for the government. No longer would military purchasers be discouraged from using an arsenal when its actual marginal costs—those that would be charged by a private business—are less than the prices charged by a private contractor. And finally, direct funding would promote the goal of cost transparency—the original goal of the DWCF system. Separately budgeting for reserve capacity—while also allowing arsenal prices to reflect the true costs of providing goods and services.

Finally, I wish to emphasize that allowing the arsenals to fall into disuse would be a grave loss for the United States military. In my home state of Illinois, the Rock Island Arsenal has long been an important military resource. It is a proven, cost-effective producer of high-quality military equipment. It has also served as a valuable supplier of last resort, providing mission-critical parts and services to the Department of Defense when private contractors have lacked capacity or breached their contracts. The arsenal has been called on to provide M16 gun bolts when a private contractor defaulted on a contract. It has also produced mission-critical shims and pins for the Apache helicopter when outside suppliers were unable to meet the Army's deadline.

The U.S. government acquired Rock Island, which lies in the Mississippi River between Illinois and Iowa, in 1804. The first U.S. military base on the island was Fort Armstrong, established in 1816. In 1862, Congress passed a law that established the Rock Island Arsenal. Construction of the first manufacturing buildings began in 1866 and finished with the last stone shop in 1893.

In the late 1980s, the Department of Defense invested $222 million in Rock Island Arsenal's capabilities. The arsenal is now the Department of Defense's only general-purpose metal manufacturing facility, providing forging, sheet metal, and welding and heat treating operations that cover the entire range of technologically feasible processes. The Rock Island Arsenal also has a machine shop capable of specialized operations such as gear cutting, die sinking, and tool making; a paint shop certified to apply chemical agent resistant coatings to items as large as tanks; and a plating shop that can apply chrome, nickel, cadmium, and copper and can galvanize, parkerize, anodize, and apply oxide finishes.

Direct budgeting of unused plant capacity will allow arsenals' bids to reflect their true marginal costs of production and service, thereby increasing efficient use of the arsenals, reducing costs for the Department of Defense as a whole, and preserving an invaluable military resource.

AMENDMENT NO. 3423

At the appropriate place, insert the following:

SEC. . REGARDING LAND CONVEYANCE, MARINE CORPS BASE, CAMP LEJEUNE, NORTH CAROLINA.

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

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

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

(d) DESCRIPTION OF THE PROPERTY.—The exact acreage and legal description of the

real property authorized to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

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

AMENDMENT NO. 3424

(Purpose: To authorize, with an offset, $1,450,000 for a contribution by the Air National Guard to construction of a new airport tower at Cheyenne Airport, Cheyenne, Wyoming)

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

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

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

(b) OFFSET.—The amounts authorized to be appropriated by section 2403(a), and by paragraph (2) of that section, are each hereby reduced by $1,450,000. The amount of the reduction shall be allocated to the project authorized in section 2401(b) for the Tri-Care Management Agency for the Naval Support Activity, Naples, Italy.

(c) AVAILABILITY OF FUNDS FOR CONTRIBUTION TO TOWER.—Of the amounts authorized to be appropriated by section 2601(3)(A), as increased by subsection (a), $1,450,000 shall be available to the Secretary of the Air Force for a contribution to the costs of construction of a new airport tower at Cheyenne Airport, Cheyenne, Wyoming.

(d) AUTHORITY TO MAKE CONTRIBUTION.—The Secretary may, using funds available under subsection (c), make a contribution, in an amount considered appropriate by the Secretary and consistent with applicable agreements, to the costs of construction of a new airport tower at Cheyenne Airport, Cheyenne, Wyoming.

Mr. WARNER. Mr. President, I understand under the unanimous consent request, the Senate is ready to turn to the consideration of the Transportation bill.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WARNER. Mr. President, I inform the Senate that we are currently under a unanimous consent request whereby the authorization bill for Defense is laid aside and we are going to the question of the Transportation appropriations.

Am I not correct in that?

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. The reason for the quorum call is to accommodate the chairman of the Subcommittee on Appropriations who will be here, as I understand it, momentarily.

Senator LEVIN and I have just had the opportunity to talk on the telephone with the Secretary of Energy. It had been our intention and the Committee on Armed Services is currently scheduled to have a hearing at 9:30 tomorrow morning on the problems associated with the missing disks at the Los Alamos Laboratories.

In view of the fact that at least one committee—the Energy Committee, and I think to some extent the Intelligence Committee—are conducting the hearing on this subject now, and basically the same witnesses would be involved, Senator LEVIN and I are of the opinion that time should be given for the Secretary of Energy and/or his staff to make certain assessments, and then we would proceed to address these issues in our committee.

I point out that our committee has explicit jurisdiction over these problems under the Standing Rules of the Senate. Nevertheless, other committees are looking at the situation. Secretary Richardson has agreed to appear as a witness before our committee, together with General Habinger, Ed Curran, and the Lab Director of Los Alamos. We will have that group of witnesses on Wednesday morning beginning at 9:30.

Senator LEVIN and I wish to notify Senators that we are rescheduling the hearing for tomorrow morning until 9:30 next Wednesday morning.

I ask Senator LEVIN if he wishes to add anything.

Mr. LEVIN. Mr. President, only that John Brown is the fourth witness who will be invited. He is the Director at the Los Alamos Lab.

MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent, notwithstanding the agreement in place, that there now be a period for morning business with the time between now and 2 p.m. equally divided between the two leaders, and that at 2 p.m. the Senate turn to the Transportation appropriations bill.

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

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HAGEL). The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FLAG DAY 2000

Mr. BYRD. Mr. President, today is the 223rd anniversary of the adoption, by the Continental Congress meeting in Philadelphia, of a resolution establishing a new symbol for the new nation that was then in its birth throes. The resolution, passed on June 14, 1777, was a model of simplicity, specifying only ''that the flag be 13 stripes alternate red and white; that the union be 13 stars, white in a blue field, representing a new constellation.'' Although the flag reputedly stitched by Betsy Ross arranged the stars in a full circle, other versions of this first flag placed the stars in a half circle or in rows, as the resolution did not state how the new constellation was to be configured.

This first flag, like the Constitution to follow it in 1787, was not entirely new, but rather predicated on flags that had come before it. An English flag, known as the Red Ensign, flew over the thirteen colonies from 1707 until the Revolution. The body of this flag was red, with a Union Jack design in the upper left corner composed of the combined red-on-white Cross of St. George, patron of England, and the white-on-blue diagonal cross of St. Andrew, patron of Scotland. The Red Ensign was the merchant flag of England, reinforcing for the colonists and their status as an unequal and lesser partner in their relationship with Mother England.

The Grand Union flag that first succeeded the Red Ensign was raised on January 1, 1776, approximately a year after the American Revolution had begun, over George Washington's headquarters in the outskirts of Boston. The Grand Union flag retained the Union Jack in the upper left corner, but the solid red body of the English trade flag was now broken by six white stripes. However, the stripes alone did not represent enough of a separation from England, and, a year later, the patron saints of England and Scotland were removed from the flag, to be replaced by the ''new constellation,'' more representative of the new nation which was then decisively vying for freedom.

In the ensuing years, stars and stripes were added to the flag, reflecting the growth of the young nation. The flag flying over Fort McHenry during the naval bombardment of September 13 and 14, 1814, that inspired Francis Scott Key to compose the immortal words that became our national anthem, contained fifteen stars and fifteen stripes. By 1818, the number of stars had climbed to twenty, while the number of stripes had shrunk back to the more manageable thirteen. On April 4, 1818, Congress adopted another resolution to specify that the number of stripes on the flag would forever remain at thirteen, representing the original thirteen colonies, while a star would be added to the flag for each new state to join the union.

Henry Ward Beecher once said:

A thoughtful mind, when it sees a Nation's flag, sees not the flag only, but the Nation itself; and whatever may be its symbols, its insignia, he reads chiefly in the flag the Government, the principles, the truths, the history which belongs to the Nation that sets if forth.

Certainly, knowing the history and evolution of the American flag from the Red Ensign, through the Grand Union flag, to the Stars and Stripes,