

“(1) By force and without consent. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for life without eligibility for parole.”

Paragraph 51e(3) is amended to read as follows:

“(3) With a child under the age of 12 years at the time of the offense. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for life without eligibility for parole.”

Paragraph 92e is amended to read as follows:

“e. Maximum punishment. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for life without eligibility for parole.”

Paragraph 35a(2) is amended (contingent on the prior passage of implementing legislation) to read as follows:

“(2) operates or is in actual physical control of any vehicle, aircraft, or vessel while drunk or when the alcohol concentration in the person’s blood or breath is 0.08 grams or more of alcohol per 100 milliliters of blood or 0.08 grams or more of alcohol per 210 liters of breath, as shown by chemical analysis, shall be punished as a court-martial may direct.”

Paragraph 35b(2)(c) is amended (contingent on the prior passage of implementing legislation) to read as follows:

“(c) the alcohol concentration in the accused’s blood or breath was 0.08 grams of alcohol per 100 milliliters of blood or 0.08 grams of alcohol per 210 liters of breath, or greater, as shown by chemical analysis.

[**Note:** If injury resulted add the following element]”

Paragraph 35f is amended (contingent on the prior passage of implementing legislation) to read as follows:

“f. Sample specification. In that **XXXX** (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about \_\_\_\_\_, (in the motor pool area) (near the Officer’s Club) (at the intersection of \_\_\_\_\_ and \_\_\_\_\_) (while in the Gulf of Mexico) (while in flight over North America) physically control [a vehicle, to wit: (a truck) (a passenger car) (\_\_\_\_\_) ] [an aircraft, to wit: (an AH-64 helicopter) (an F-18 fighter) (a KC-135 tanker) (\_\_\_\_\_) ] [a vessel, to wit: (the aircraft carrier USS \_\_\_\_\_) (the Coast Guard Cutter \_\_\_\_\_) (\_\_\_\_\_) ], [while drunk] [while impaired by \_\_\_\_\_] [while the alcohol concentration in his/her (blood was 0.08 grams of alcohol per 100 milliliters of blood or greater) (breath was 0.08 grams of alcohol per

210 liters of breath or greater) as shown by chemical analysis] [in a (reckless) (wanton) manner by (attempting to pass another vehicle on a sharp curve) (by ordering that the aircraft be flown below the authorized altitude)] and did thereby cause said (vehicle) (aircraft) (vessel) to (strike and) (injure \_\_\_\_\_)].”

The following paragraph is added (contingent on the prior passage of implementing legislation) at the end of the existing Analysis to Article 111, Appendix 23, MCM:

“1999a Amendment: Subparagraphs a, b, and f were amended to implement the amendment to 10 U.S.C. 911 (Article 111, UCMJ) contained in section XXX of the National Defense Authorization Act of Fiscal Year 199X, Public Law XXX, XXX Stat. XXX, XXX (199X). The amendment provides a blood/alcohol blood/breath concentration of 0.08 or more as a per se standard of illegal intoxication. The change will not, however, preclude prosecution where no chemical test is taken or even where the results of the chemical tests are below the statutory limits, where other evidence of intoxication is available.”

Dated: May 5, 1998.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEPARTMENT OF DEFENSE

### Office of Secretary

#### Meeting of the Defense Environment Response Task Force (DERTF)

**AGENCY:** Office of the Deputy Under Secretary of Defense (Environmental Security).

**ACTION:** Notice of business meeting and hearing.

**SUMMARY:** Pursuant to Public Law 92-463, notice is hereby given of a business meeting and hearing of the Defense Environment Response Task Force (DERTF). The DERTF is charged with studying and providing findings and recommendations on environmental response actions at military installations being closed or realigned. This meeting is a follow-up to the January 27-29, 1998, meeting. The DERTF will discuss issues related to BRAC funding and the progress of BRAC cleanup, environmental actions at BRAC installations beyond remedy in place, institutional controls, information management, other matters related to cleanup at closing military installations,

and the Task Force’s FY98 Report to Congress. The DERTF will also be briefed on the cleanup program at Glenview Naval Air Station, Illinois. The business meeting and hearing will be open to the public. Public witnesses desiring to speak before the DERTF should contact Shah Choudhury, Executive Secretary, and prepare a written statement that can be summarized orally before the DERTF at the time to be fixed for public witnesses. Written statements must be received by the close of business June 22, 1998, at the Office of the Under Secretary of Defense (Environmental Security).

**DATES:** July 21, 1998, 9:30 a.m. to 8:30 p.m.; July 22, 1998, 8:00 a.m. to 8:00 p.m.; July 23, 1998, 9:00 a.m. to 5:00 p.m.

**PUBLIC COMMENT PERIOD:** July 22, 1998, 7:00 p.m. to 8:00 p.m.

**ADDRESSES:** Northshore Doubletree Hotel, 9599 Skokie Blvd., Skokie, Illinois 60077.

**FOR FURTHER INFORMATION CONTACT:** Mr. Shah Choudhury, Executive Secretary, Office of the Deputy Under Secretary of Defense (Environmental Security), 3400 Defense Pentagon, Washington, DC 20301-3400; telephone (703) 697-7475; e-mail choudhsa@acq.osd.mil.

Dated: May 5, 1998.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Meeting of the Presidential Advisory Committee on High Performance Computing and Communications, Information Technology, and the Next Generation Internet

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets forth the schedule and summary agenda for the next meeting of the Presidential Advisory Committee on High Performance Computing and Communications, Information Technology, and the Next Generation Internet. The meeting will be open to the public. Notice of this meeting is required under the Federal Advisory Committee Act, (Pub. L. 92-463).

**DATES:** May 19, 1998.

**ADDRESSES:** NSF Board Room (Room 1235), National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.