

## AMENDMENTS SUBMITTED

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

WARNER (AND OTHERS)  
AMENDMENT NO. 3173

Mr. WARNER (for himself, Mr. LOTT, Mr. HUTCHINSON, Mr. THURMOND, Mr. INHOFE, Ms. SNOWE, Mr. KERRY, Mrs. HUTCHISON, and Mr. MURKOWSKI) proposed an amendment to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike sections 701 through 704 and insert the following:

**SEC. 701. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS UPON THE ATTAINMENT OF 65 YEARS OF AGE.**

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—Section 1086(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

“(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

“(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426–1(a)).”; and

(2) in paragraph (4), by striking “paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph,” and inserting “subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph”.

(b) EXTENSION OF TRICARE SENIOR PRIME DEMONSTRATION PROGRAM.—Paragraph (4) of section 1896(b) of the Social Security Act (42 U.S.C. 1395ggg(b)) is amended by striking “3-year period beginning on January 1, 1998” and inserting “period beginning on January 1, 1998, and ending on December 31, 2002”.

(c) EFFECTIVE DATES.—(1) The amendments made by subsection (a) shall take effect on October 1, 2001.

(2) The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT 2001COLLINS AMENDMENTS NOS. 3174–  
3178

(Ordered to lie on the table.)

Ms. COLLINS submitted five amendments intended to be proposed by her to the bill (S. 2593) making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

## AMENDMENT NO. 3174

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. Of the total amount appropriated by title II under the heading “AIRCRAFT PROCUREMENT, ARMY” for the procurement of C-212 short takeoff and landing, fixed-wing aircraft, \$15,000,000 may be used for the procurement of C-212 short takeoff and landing, fixed-wing aircraft for the Army National Guard for the use of Special Forces Groups of the Army National Guard.

## AMENDMENT NO. 3175

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, there is hereby appropriated for the purposes under that heading \$2,000,000: *Provided*, That such amount shall be available for continued design and analysis under the reentry systems applications program for the advanced technology vehicle.

## AMENDMENT NO. 3176

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE”, there is hereby appropriated for the purposes under that heading \$6,000,000: *Provided*, That such amount shall be available for the initial production of units of the ALGL/STRIKER to facilitate early fielding of the ALGL/STRIKER to special operations forces.

## AMENDMENT NO. 3177

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, there is hereby appropriated for the purposes under that heading \$2,000,000: *Provided*, That such amount shall be available for the Marine Corps advanced technology demonstration program for the delivery of the prototype units of the ALGL/STRIKER for testing and evaluation by the Marine Corps that, except for this section, would otherwise be an unfunded requirement of the Marine Corps.

## AMENDMENT NO. 3178

On page 109, between lines 11 and 12, insert the following:

SEC. 8126. In addition to other amounts appropriated by title III under the heading “PROCUREMENT, DEFENSE-WIDE”, there is hereby appropriated for the purposes under that heading \$7,000,000: *Provided*, That such amount shall be available for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

## MCCAIN AMENDMENT NO. 3179

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

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

**SEC. 610. SPECIAL SUBSISTENCE ALLOWANCE FOR MEMBERS ELIGIBLE TO RECEIVE FOOD STAMP ASSISTANCE.**

(a) ALLOWANCE.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

**“§ 402a. Special subsistence allowance**

“(a) ENTITLEMENT.—(1) Upon the application of an eligible member of a uniformed

service described in subsection (b), the Secretary concerned shall pay the member a special subsistence allowance for each month for which the member is eligible to receive food stamp assistance.

“(2) In determining the eligibility of a member to receive food stamp assistance for purposes of this section, the amount of any special subsistence allowance paid the member under this section shall not be taken into account.

“(b) COVERED MEMBERS.—An enlisted member referred to in subsection (a) is an enlisted member in pay grade E-5 or below.

“(c) TERMINATION OF ENTITLEMENT.—The entitlement of a member to receive payment of a special subsistence allowance terminates upon the occurrence of any of the following events:

“(1) Termination of eligibility for food stamp assistance.

“(2) Payment of the special subsistence allowance for 12 consecutive months.

“(3) Promotion of the member to a higher grade.

“(4) Transfer of the member in a permanent change of station.

“(d) REESTABLISHED ENTITLEMENT.—(1) After a termination of a member's entitlement to the special subsistence allowance under subsection (c), the Secretary concerned shall resume payment of the special subsistence allowance to the member if the Secretary determines, upon further application of the member, that the member is eligible to receive food stamps.

“(2) Payments resumed under this subsection shall terminate under subsection (c) upon the occurrence of an event described in that subsection after the resumption of the payments.

“(3) The number of times that payments are resumed under this subsection is unlimited.

“(e) DOCUMENTATION OF ELIGIBILITY.—A member of the uniformed services applying for the special subsistence allowance under this section shall furnish the Secretary concerned with such evidence of the member's eligibility for food stamp assistance as the Secretary may require in connection with the application.

“(f) AMOUNT OF ALLOWANCE.—The monthly amount of the special subsistence allowance under this section is \$180.

“(g) RELATIONSHIP TO BASIC ALLOWANCE FOR SUBSISTENCE.—The special subsistence allowance under this section is in addition to the basic allowance for subsistence under section 402 of this title.

“(h) FOOD STAMP ASSISTANCE DEFINED.—In this section, the term ‘food stamp assistance’ means assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

“(i) TERMINATION OF AUTHORITY.—No special subsistence allowance may be made under this section for any month beginning after September 30, 2005.”.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

“402a. Special subsistence allowance.”.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, shall take effect on the first day of the first month that begins on or after the date of the enactment of this Act.

(c) ANNUAL REPORT.—(1) Not later than March 1 of each year after 2000, the Comptroller General of the United States shall submit to Congress a report setting forth the number of members of the uniformed services who are eligible for assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

(2) In preparing the report, the Comptroller General shall consult with the Secretary of

Defense, the Secretary of Transportation (with respect to the Coast Guard), the Secretary of Health and Human Services (with respect to the commissioned corps of the Public Health Service), and the Secretary of Commerce (with respect to the commissioned officers of the National Oceanic and Atmospheric Administration), who shall provide the Comptroller General with any information that the Comptroller General determines necessary to prepare the report.

(3) No report is required under this subsection after March 1, 2005.

# MCCAIN AMENDMENTS NOS. 3180–3182

(Ordered to lie on the table.)

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

## AMENDMENT No. 3180

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

### ENLISTED MEMBERS

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-7 .....	1,765.80	1,927.80	2,001.00	2,073.00	2,148.60
E-6 .....	1,518.90	1,678.20	1,752.60	1,824.30	1,899.40
E-5 .....	1,332.60	1,494.00	1,566.00	1,640.40	1,715.70
	Over 8	Over 10	Over 12	Over 14	Over 16
E-7 .....	2,277.80	2,350.70	2,423.20	2,495.90	2,570.90
E-6 .....	2,022.60	2,096.40	2,168.60	2,241.90	2,294.80
E-5 .....	1,821.00	1,893.00	1,967.10	1,967.60	1,967.60
	Over 18	Over 20	Over 22	Over 24	Over 26
E-7 .....	2,644.20	2,717.50	2,844.40	2,926.40	3,134.40
E-6 .....	2,332.00	2,332.00	2,335.00	2,335.00	2,335.00
E-5 .....	1,967.60	1,967.60	1,967.60	1,967.60	1,967.60

(b) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) shall take effect as of October 1, 2000, and shall apply with respect to months beginning on or after that date.

## AMENDMENT No. 3181

On page 236, between lines 6 and 7, insert the following:

### SEC. 646. POLICY ON INCREASING MINIMUM SURVIVOR BENEFIT PLAN BASIC ANNUITIES FOR SURVIVING SPOUSES AGE 62 OR OLDER.

It is the sense of Congress that there should be enacted during the 106th Congress legislation that increases the minimum basic annuities provided under the Survivor Benefit Plan for surviving spouses of members of the uniformed services who are 62 years of age or older.

### SEC. 647. SURVIVOR BENEFIT PLAN ANNUITIES FOR SURVIVORS OF ALL MEMBERS WHO DIE ON ACTIVE DUTY.

(a) ENTITLEMENT.—(1) Subsection (d)(1) of section 1448 of title 10, United States Code, is amended to read as follows:

“(1) SURVIVING SPOUSE ANNUITY.—The Secretary concerned shall pay an annuity under this subchapter to the surviving spouse of—

“(A) a member who dies on active duty after—

“(i) becoming eligible to receive retired pay;

“(ii) qualifying for retired pay except that he has not applied for or been granted that pay; or

“(iii) completing 20 years of active service but before he is eligible to retire as a commissioned officer because he has not completed 10 years of active commissioned service; or

“(B) a member not described in subparagraph (A) who dies on active duty, except in the case of a member whose death, as determined by the Secretary concerned—

“(i) is a direct result of the member’s intentional misconduct or willful neglect; or

“(ii) occurs during a period of unauthorized absence.”.

(2) The heading for subsection (d) of such section is amended by striking “RETIREMENT-ELIGIBLE”.

(b) AMOUNT OF ANNUITY.—Section 1451(c)(1) of such title is amended to read as follows:

“(1) IN GENERAL.—In the case of an annuity provided under section 1448(d) or 1448(f) of this title, the amount of the annuity shall be determined as follows:

“(A) BENEFICIARY UNDER 62 YEARS OF AGE.—If the person receiving the annuity is under 62 years of age or is a dependent child when the member or former member dies, the monthly annuity shall be the amount equal to 55 percent of the retired pay imputed to the member or former member. The retired pay imputed to a member or former member is as follows:

“(i) Except in a case described in clause (ii), the retired pay to which the member or former member would have been entitled if the member or former member had been entitled to that pay based upon his years of active service when he died.

“(ii) In the case of a deceased member referred to in subparagraph (A)(iii) or (B) of section 1448(d)(1) of this title, the retired pay to which the member or former member would have been entitled if the member had been entitled to that pay based upon a retirement under section 1201 of this title (if on active duty for more than 30 days when the member died) or section 1204 of this title (if on active duty for 30 days or less when the member died) for a disability rated as total.

“(B) BENEFICIARY 62 YEARS OF AGE OR OLDER.—

“(i) GENERAL RULE.—If the person receiving the annuity (other than a dependent child) is 62 years of age or older when the member or former member dies, the monthly annuity shall be the amount equal to 35 percent of the retired pay imputed to the member or former member as described in clause (i) or (ii) of the second sentence of subparagraph (A).

“(ii) RULE IF BENEFICIARY ELIGIBLE FOR SOCIAL SECURITY OFFSET COMPUTATION.—If the beneficiary is eligible to have the annuity computed under subsection (e) and if, at the time the beneficiary becomes entitled to the annuity, computation of the annuity under that subsection is more favorable to the beneficiary than computation under clause (i), the annuity shall be computed under that subsection rather than under clause (i).”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 2000, and shall apply with

## SEC. 610. RESTRUCTURING OF BASIC PAY TABLES FOR CERTAIN ENLISTED MEMBERS.

(a) IN GENERAL.—The table under the heading “ENLISTED MEMBERS” in section 601(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 105–65; 113 Stat. 648) is amended by striking the amounts relating to pay grades E–7, E–6, and E–5 and inserting the amounts for the corresponding years of service specified in the following table:

respect to deaths occurring on or after that date.

## SEC. 648. FAMILY COVERAGE UNDER SERVICEMEMBERS’ GROUP LIFE INSURANCE.

(a) INSURABLE DEPENDENTS.—Section 1965 of title 38, United States Code, is amended by adding at the end the following:

“(10) The term ‘insurable dependent’, with respect to a member, means the following:

“(A) The member’s spouse.

“(B) A child of the member for so long as the child is unmarried and the member is providing over 50 percent of the support of the child.”.

(b) INSURANCE COVERAGE.—(1) Subsection (a) of section 1967 of title 38, United States Code, is amended to read as follows:

“(a)(1) Subject to an election under paragraph (2), any policy of insurance purchased by the Secretary under section 1966 of this title shall automatically insure the following persons against death:

“(A) In the case of any member of a uniformed service on active duty (other than active duty for training)—

“(i) the member; and

“(ii) each insurable dependent of the member.

“(B) Any member of a uniformed service on active duty for training or inactive duty training scheduled in advance by competent authority.

“(C) Any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 1965(5)(B) of this title.

“(2)(A) A member may elect in writing not to be insured under this subchapter.

“(B) A member referred to in subparagraph (A) may also make either or both of the following elections in writing:

“(i) An election not to insure a dependent spouse under this subchapter.

“(ii) An election to insure none of the member’s children under this subchapter.

“(3)(A) Subject to an election under subparagraph (B), the amount for which a person is insured under this subchapter is as follows:

“(i) In the case of a member, \$200,000.

“(ii) In the case of a member’s spouse, the amount equal to 50 percent of the amount for which the member is insured under this subchapter.

“(iii) In the case of a member’s child, \$10,000.

“(B) A member may elect in writing to be insured or to insure an insurable dependent in an amount less than the amount provided under subparagraph (A). The amount of insurance so elected shall, in the case of a member or spouse, be evenly divisible by \$10,000 and, in the case of a child, be evenly divisible by \$5,000.

“(4) No dependent of a member is insured under this chapter unless the member is insured under this subchapter.

“(5) The insurance shall be effective with respect to a member and the member’s dependents on the first day of active duty or active duty for training, or the beginning of a period of inactive duty training scheduled in advance by competent authority, or the first day a member of the Ready Reserve meets the qualifications set forth in section 1965(5)(B) of this title, or the date certified by the Secretary to the Secretary concerned as the date Servicemembers’ Group Life Insurance under this subchapter for the class or group concerned takes effect, whichever is the later date.”.

(2) Subsection (c) of such section is amended by striking out the first sentence and inserting the following: “If a person eligible for insurance under this subchapter is not so insured, or is insured for less than the maximum amount provided for the person under subparagraph (A) of subsection (a)(3), by reason of an election made by a member under subparagraph (B) of that subsection, the person may thereafter be insured under this subchapter in the maximum amount or any lesser amount elected as provided in such subparagraph (B) upon written application by the member, proof of good health of each person to be so insured, and compliance with such other terms and conditions as may be prescribed by the Secretary.”.

(c) **TERMINATION OF COVERAGE.**—(1) Subsection (a) of section 1968 of such title is amended—

(A) in the matter preceding paragraph (1), by inserting “and any insurance thereunder on any insurable dependent of such a member,” after “any insurance thereunder on any member of the uniformed services.”;

(B) by striking “and” at the end of paragraph (3);

(C) by striking the period at the end of paragraph (4) and inserting “; and”; and

(D) by adding at the end the following:

“(5) with respect to an insurable dependent of the member—

“(A) upon election made in writing by the member to terminate the coverage; or

“(B) on the earlier of—

“(i) the date of the member’s death;

“(ii) the date of termination of the insurance on the member’s life under this subchapter;

“(iii) the date of the dependent’s death; or

“(iv) the termination of the dependent’s status as an insurable dependent of the member.

(2) Subsection (b)(1)(A) of such section is amended by inserting “(to insure against death of the member only)” after “converted to Veterans’ Group Life Insurance”.

(d) **PREMIUMS.**—Section 1969 of such title is amended by adding at the end the following:

“(g)(1) During any period in which any insurable dependent of a member is insured under this subchapter, there shall be deducted each month from the member’s basic or other pay until separation or release from active duty an amount determined by the Secretary (which shall be the same for all such members) as the premium allocable to the pay period for providing that insurance coverage.

“(2)(A) The Secretary shall determine the premium amounts to be charged for life in-

surance coverage for dependents of members under this subchapter.

“(B) The premium amounts shall be determined on the basis of sound actuarial principles and shall include an amount necessary to cover the administrative costs to the insurer or insurers providing such insurance.

“(C) Each premium rate for the first policy year shall be continued for subsequent policy years, except that the rate may be adjusted for any such subsequent policy year on the basis of the experience under the policy, as determined by the Secretary in advance of that policy year.

“(h) Any overpayment of a premium for insurance coverage for an insurable dependent of a member that is terminated under section 1968(a)(5) of this title shall be refunded to the member.”.

(e) **PAYMENTS OF INSURANCE PROCEEDS.**—Section 1970 of such title is amended by adding at the end the following:

“(h) Any amount of insurance in force on an insurable dependent of a member under this subchapter on the date of the dependent’s death shall be paid, upon the establishment of a valid claim therefor, to the member or, in the event of the member’s death before payment to the member can be made, then to the person or persons entitled to receive payment of the proceeds of insurance on the member’s life under this subchapter.”.

(f) **EFFECTIVE DATE AND INITIAL IMPLEMENTATION.**—(1) This section and the amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act, except that paragraph (2) shall take effect on the date of the enactment of this Act.

(2) The Secretary of Veterans Affairs, in consultation with the Secretaries of the military departments, the Secretary of Transportation, the Secretary of Commerce and the Secretary of Health and Human Services, shall take such action as is necessary to ensure that each member of the uniformed services on active duty (other than active duty for training) during the period between the date of the enactment of this Act and the effective date determined under paragraph (1) is furnished an explanation of the insurance benefits available for dependents under the amendments made by this section and is afforded an opportunity before such effective date to make elections that are authorized under those amendments to be made with respect to dependents.

#### AMENDMENT No. 3182

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

#### **Subtitle F—Additional Benefits For Reserves and Their Dependents**

##### **SEC. 671. SENSE OF CONGRESS.**

It is the sense of Congress that it is in the national interest that the President provide funds for the reserve components of the Armed Forces (including the National Guard and Reserves) that are sufficient to ensure that the reserve components meet the requirements specified for the reserve components in the National Military Strategy, including military training.

##### **SEC. 672. TRAVEL BY RESERVES ON MILITARY AIRCRAFT.**

(a) **SPACE-REQUIRED TRAVEL FOR TRAVEL TO DUTY STATIONS INCONUS AND OCONUS.**—(1) Subsection (a) of section 18505 of title 10, United States Code, is amended to read as follows:

“(a) A member of a reserve component traveling to a place of annual training duty or inactive-duty training (including a place other than the member’s unit training assembly if the member is performing annual training duty or inactive-duty training in

another location) may travel in a space-required status on aircraft of the armed forces between the member’s home and the place of such duty or training.”.

(2) The heading of such section is amended to read as follows:

##### **“§ 18505. Reserves traveling to annual training duty or inactive-duty training: authority for space-required travel”.**

(b) **SPACE-AVAILABLE TRAVEL FOR MEMBERS OF SELECTED RESERVE AND DEPENDENTS.**—Chapter 1805 of such title is amended by adding at the end the following new section:

##### **“§ 18506. Space-available travel: Selected Reserve; dependents**

“(a) **ELIGIBILITY FOR SPACE-AVAILABLE TRAVEL.**—The Secretary of Defense shall prescribe regulations to allow persons described in subsection (b) to receive transportation on aircraft of the Department of Defense on a space-available basis under the same terms and conditions (including terms and conditions applicable to travel outside the United States) as apply to members of the armed forces entitled to retired pay.

“(b) **PERSONS ELIGIBLE.**—Subsection (a) applies to a person who is a member of the Selected Reserve in good standing (as determined by the Secretary concerned).

“(c) **DEPENDENTS.**—A dependent of a person described in subsection (b) may be provided transportation under this section on the same basis as dependents of members of the armed forces entitled to retired pay.

“(d) **LIMITATION ON REQUIRED IDENTIFICATION.**—Neither the ‘Authentication of Reserve Status for Travel Eligibility’ form (DD Form 1853), nor any other form, other than the presentation of military identification and duty orders upon request, or other methods of identification required of active duty personnel, shall be required of reserve component personnel using space-available transportation within or outside the continental United States under this section.”.

(c) **CLERICAL AMENDMENTS.**—The table of sections at the beginning of such chapter is amended by striking the item relating to section 18505 and inserting the following new items:

“18505. Reserves traveling to annual training duty or inactive-duty training: authority for space-required travel.

“18506. Space-available travel: Selected Reserve; dependents.”.

(d) **IMPLEMENTING REGULATIONS.**—Regulations under section 18506 of title 10, United States Code, as added by subsection (b), shall be prescribed not later than 180 days after the date of the enactment of this Act.

##### **SEC. 673. BILLETING SERVICES FOR RESERVE MEMBERS TRAVELING FOR INACTIVE DUTY TRAINING.**

(a) **IN GENERAL.**—(1) Chapter 1217 of title 10, United States Code, is amended by adding at the end the following new section:

##### **“§ 12604. Attendance at inactive-duty training assemblies: billeting in Department of Defense facilities**

“(a) **AUTHORITY FOR BILLETING ON SAME BASIS AS ACTIVE DUTY MEMBERS TRAVELING UNDER ORDERS.**—The Secretary of Defense shall prescribe regulations authorizing a Reserve traveling to inactive-duty training at a location more than 50 miles from the Reserve’s home to be eligible for billeting in Department of Defense facilities on the same basis as a member of the armed forces on active duty who is traveling under orders away from the member’s duty station.

“(b) **PROOF OF REASON FOR TRAVEL.**—The Secretary shall include in regulations under subsection (a) means for establishing that a Reserve seeking billeting in Department of Defense facilities under that subsection is

traveling for attendance at inactive-duty training at a location more than 50 miles from the Reserve's home."

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

"12604. Attendance at inactive-duty training assemblies: billeting in Department of Defense facilities."

(b) **EFFECTIVE DATE.**—Section 12604 of title 10, United States Code, as added by subsection (a), shall apply with respect to periods of inactive-duty training beginning more than 180 days after the date of the enactment of this Act.

**SEC. 674. INCREASE IN MAXIMUM NUMBER OF RESERVE RETIREMENT POINTS THAT MAY BE CREDITED IN ANY YEAR.**

Section 12733(3) of title 10, United States Code, is amended by striking "but not more than" and all that follows and inserting "but not more than—

"(A) 60 days in any one year of service before the year of service that includes September 23, 1996;

"(B) 75 days in the year of service that includes September 23, 1996, and in any subsequent year of service before the year of service that includes the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001; and

"(C) 90 days in the year of service that includes the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001."

**SEC. 675. AUTHORITY FOR PROVISION OF LEGAL SERVICES TO RESERVE COMPONENT MEMBERS FOLLOWING RELEASE FROM ACTIVE DUTY.**

(a) **LEGAL SERVICES.**—Section 1044(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

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

"(4) Members of a reserve component not covered by paragraph (1) or (2), but only during a period, following a release from active duty under a call or order to active duty for more than 29 days under a mobilization authority (as determined by the Secretary of Defense), that is not in excess of twice the length of time served on active duty."

(b) **DEPENDENTS.**—Paragraph (5) of such section, as redesignated by subsection (a), is amended by striking "and (3)" and inserting "(3), and (4)".

(c) **IMPLEMENTING REGULATIONS.**—Regulations to implement the amendments made by subsections (a) and (b) shall be prescribed not later than 180 days after the date of the enactment of this Act.

**KERREY (AND OTHERS)  
AMENDMENT NO. 3183**

Mr. KERREY (for himself, Mr. LEVIN, Mr. DASCHLE, Mr. HARKIN, Mr. KERRY, and Mr. DURBIN) proposed an amended to the bill, S. 2549, supra; as follows:

Strike section 1017 and insert the following:

**SEC. 1017. REPEAL OF LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS IN EXCESS OF MILITARY REQUIREMENTS.**

Section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948) is repealed.

**WARNER AMENDMENT NO. 3184**

Mr. WARNER proposed an amendment to amendment No. 3183 proposed by Mr. KERREY to the bill, S. 2549, supra; as follows:

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

**"SEC. 1017. CORRECTION OF SCOPE OF WAIVER AUTHORITY FOR LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS; AUTHORITY TO WAIVE LIMITATION.**

"(a) Section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948), as amended by section 1501(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 806), is further amended by striking "the application of the limitation in effect under paragraph (1)(B) or (3) of subsection (a), as the case may be," and inserting "the application of the limitation in effect under subsection (a) to a strategic nuclear delivery system.

"(b) **AUTHORITY TO WAIVE LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.**—After the submission of the report on the results of the nuclear posture review to Congress under section 1015(c)—

"(1) the Secretary of Defense shall, taking into consideration the results of the review, submit to the President a recommendation regarding whether the President should waive the limitation on the retirement or dismantlement of strategic nuclear delivery systems in section 1302 National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1948); and

"(2) the President, taking into consideration the results of the review and the recommendation made by the Secretary of Defense under paragraph (1), may waive the limitation referred to in that paragraph if the President determines that it is in the national security interests of the United States to do so."

**BENNETT AMENDMENT NO. 3185**

(Ordered to lie on the table).

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

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

**SEC. 1210. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS.**

(a) **LAYOVER PERIOD FOR NEW PERFORMANCE LEVELS.**—Section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence of subsection (d), by striking "180" and inserting "60"; and

(2) by adding at the end the following:

"(g) **CALCULATION OF 60-DAY PERIOD.**—The 60-day period referred to in subsection (d) shall be calculated by excluding the days on which either House of Congress is not in session because of an adjournment of the Congress sine die."

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to any new composite theoretical performance level established for purposes of section 1211(a) of the National Defense Authorization Act for Fiscal Year 1998 that is submitted by the President pursuant to section 1211(d) of that Act on or after the date of the enactment of this Act.

**ROBB AMENDMENTS NOS. 3186-3187**

(Ordered to lie on the table.)

Mr. ROBB submitted two amendments intended to be proposed by him to the bill, S. 2549, supra; as follows:

**AMENDMENT NO. 3186**

On page \_\_\_, between lines \_\_\_ and \_\_\_, insert the following:

**SEC. . DEFENSE TRAVEL SYSTEM.**

(a) **REQUIREMENT FOR REPORT.**—Not later than November 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report on the Defense Travel System.

(b) **CONTENT OF REPORT.**—The report shall include the following:

(1) A detailed discussion of the development, testing, and fielding of the system, including the performance requirements, the evaluation criteria, the funding that has been provided for the development, testing, and fielding of the system, and the funding that is projected to be required for completing the development, testing, and fielding of the system.

(2) The schedule that has been followed for the testing of the system, including the initial operational test and evaluation and the final operational testing and evaluation, together with the results of the testing.

(3) The cost savings expected to result from the deployment of the system and from the completed implementation of the system, together with a discussion of how the savings are estimated and the expected schedule for the realization of the savings.

(4) An analysis of the costs and benefits of fielding the front-end software for the system throughout all 18 geographical areas selected for the original fielding of the system.

(c) **LIMITATIONS.**—(1) Not more than 25 percent of the amount authorized to be appropriated under section \_\_\_ for the Defense Travel System may be obligated or expended before the date on which the Secretary submits the report required under subsection (a).

(2) Funds appropriated for the Defense Travel System pursuant to the authorization of appropriations referred to in paragraph (1) may not be used for a purpose other than the Defense Travel System unless the Secretary first submits to Congress a written notification of the intended use and the amount to be so used.

**AMENDMENT NO. 3187**

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, shall revert to the United

States, and 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 cover over into the general fund of the Treasury as miscellaneous receipts any amounts paid the Administrator under this subsection.

(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.

#### KERREY AMENDMENT NO. 3188

(Ordered to lie on the table.)

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

On page 368, between lines 21 and 22, insert the following:

(7) The ability of the United States to deter a nuclear attack with strategic forces at the levels proposed for a third treaty between the United States and the Russian Federation on the reduction and limitation of strategic offensive arms, with consideration being given to the estimated effect on the Russian Federation of a nuclear retaliation by the United States.

#### WARNER AMENDMENT NO. 3189

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

On page 613, after line 12, insert the following:

#### SEC. 3403. DISPOSAL OF TITANIUM.

(a) **DISPOSAL REQUIRED.**—Subject to subsection (b), the President shall, by September 30, 2010, dispose of 30,000 short tons of titanium contained in the National Defense Stockpile so as to result in receipts to the United States in a total amount that is not less than \$180,000,000.

(b) **MINIMIZATION OF DISRUPTION AND LOSS.**—The President may not dispose of titanium under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of titanium; or

(2) avoidable loss to the United States.

(c) **TREATMENT OF RECEIPTS.**—Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), funds received as a result of the disposal of titanium under subsection (a) shall be applied as follows: \$174,000,000 to defray the costs of health care benefit improvement for retired military personnel; and \$6,000,000 for transfer to the American Battle Monuments Commission for deposit in the fund established under section 2113 of title 36, United States Code, for the World War II memorial authorized by section 1 of Public Law 103-32 (107 Stat. 90).

(d) **WORLD WAR II MEMORIAL.**—(1) The amount transferred to the American Battle Monuments Commission under subsection (c) shall be used to complete all necessary requirements for the design of, ground breaking for, construction of, maintenance of, and dedication of the World War II memorial. The Commission shall determine how the amount shall be apportioned among such purposes.

(2) Any funds not necessary for the purposes set forth in paragraph (1) shall be transferred to and deposited in the general fund of the Treasury.

(e) **RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.**—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding materials in the National Defense Stockpile.

#### RYAN WHITE CARE ACT AMENDMENTS OF 2000

#### JEFFORDS (AND OTHERS) AMENDMENT NO. 3190

Mr. WARNER (for Mr. JEFFORDS (for himself, Mr. KENNEDY, and Mr. FRIST)) proposed an amendment to the bill (S. 2311) to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ryan White CARE Act Amendments of 2000”.

#### SEC. 2. REFERENCES; TABLE OF CONTENTS.

(a) **REFERENCES.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

(b) **Table of Contents.**—The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. References; table of contents.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

Sec. 101. Duties of planning council, funding priorities, quality assessment.

Sec. 102. Quality management.

Sec. 103. Funded entities required to have health care relationships.

Sec. 104. Support services required to be health care-related.

Sec. 105. Use of grant funds for early intervention services.

Sec. 106. Replacement of specified fiscal years regarding the sunset on expedited distribution requirements.

Sec. 107. Hold harmless provision.

Sec. 108. Set-aside for infants, children, and women.

##### Subtitle B—Amendments to Part B (Care Grant Program)

Sec. 121. State requirements concerning identification of need and allocation of resources.

Sec. 122. Quality management.

Sec. 123. Funded entities required to have health care relationships.

Sec. 124. Support services required to be health care-related.

Sec. 125. Use of grant funds for early intervention services.

Sec. 126. Authorization of appropriations for HIV-related services for women and children.

Sec. 127. Repeal of requirement for completed Institute of Medicine report.

Sec. 128. Supplement grants for certain States.

Sec. 129. Use of treatment funds.

Sec. 130. Increase in minimum allotment.

Sec. 131. Set-aside for infants, children, and women.

##### Subtitle C—Amendments to Part C (Early Intervention Services)

Sec. 141. Amendment of heading; repeal of formula grant program.

Sec. 142. Planning and development grants.

Sec. 143. Authorization of appropriations for categorical grants.

Sec. 144. Administrative expenses ceiling; quality management program.

Sec. 145. Preference for certain areas.

Sec. 146. Technical amendment.

##### Subtitle D—Amendments to Part D (General Provisions)

Sec. 151. Research involving women, infants, children, and youth.

Sec. 152. Limitation on administrative expenses.

Sec. 153. Evaluations and reports.

Sec. 154. Authorization of appropriations for grants under parts A and B.

##### Subtitle E—Amendments to Part F (Demonstration and Training)

Sec. 161. Authorization of appropriations.

#### TITLE II—MISCELLANEOUS PROVISIONS

Sec. 201. Institute of Medicine study.

#### TITLE I—AMENDMENTS TO HIV HEALTH CARE PROGRAM

##### Subtitle A—Amendments to Part A (Emergency Relief Grants)

#### SEC. 101. DUTIES OF PLANNING COUNCIL, FUNDING PRIORITIES, QUALITY ASSESSMENT.

Section 2602 (42 U.S.C. 300ff-12) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(C), by inserting before the semicolon the following: “, including providers of housing and homeless services”; and

(B) in paragraph (4), by striking “shall—” and all that follows and inserting “shall have the responsibilities specified in subsection (d).”; and

(2) by adding at the end the following:

“(d) **DUTIES OF PLANNING COUNCIL.**—The planning council established under subsection (b) shall have the following duties:

“(1) **PRIORITIES FOR ALLOCATION OF FUNDS.**—The council shall establish priorities for the allocation of funds within the eligible area, including how best to meet each

such priority and additional factors that a grantee should consider in allocating funds under a grant, based on the following factors:

“(A) The size and demographic characteristics of the population with HIV disease to be served, including, subject to subsection (e), the needs of individuals living with HIV infection who are not receiving HIV-related health services.

“(B) The documented needs of the population with HIV disease with particular attention being given to disparities in health services among affected subgroups within the eligible area.

“(C) The demonstrated or probable cost and outcome effectiveness of proposed strategies and interventions, to the extent that data are reasonably available.

“(D) Priorities of the communities with HIV disease for whom the services are intended.

“(E) The availability of other governmental and non-governmental resources, including the State Medicaid plan under title XIX of the Social Security Act and the State Children's Health Insurance Program under title XXI of such Act to cover health care costs of eligible individuals and families with HIV disease.

“(F) Capacity development needs resulting from gaps in the availability of HIV services in historically underserved low-income communities.

“(2) COMPREHENSIVE SERVICE DELIVERY PLAN.—The council shall develop a comprehensive plan for the organization and delivery of health and support services described in section 2604. Such plan shall be compatible with any existing State or local plans regarding the provision of such services to individuals with HIV disease.

“(3) ASSESSMENT OF FUND ALLOCATION EFFICIENCY.—The council shall assess the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the eligible area.

“(4) STATEWIDE STATEMENT OF NEED.—The council shall participate in the development of the Statewide coordinated statement of need as initiated by the State public health agency responsible for administering grants under part B.

“(5) COORDINATION WITH OTHER FEDERAL GRANTEEES.—The council shall coordinate with Federal grantees providing HIV-related services within the eligible area.

“(6) COMMUNITY PARTICIPATION.—The council shall establish methods for obtaining input on community needs and priorities which may include public meetings, conducting focus groups, and convening ad-hoc panels.

“(e) PROCESS FOR ESTABLISHING ALLOCATION PRIORITIES.—

“(1) IN GENERAL.—Not later than 24 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall—

“(A) consult with eligible metropolitan areas, affected communities, experts, and other appropriate individuals and entities, to develop epidemiologic measures for establishing the number of individuals living with HIV disease who are not receiving HIV-related health services; and

“(B) provide advice and technical assistance to planning councils with respect to the process for establishing priorities for the allocation of funds under subsection (d)(1).

“(2) EXCEPTION.—Grantees under this part shall not be required to establish priorities for individuals not in care until epidemiologic measures are developed under paragraph (1).”.

#### SEC. 102. QUALITY MANAGEMENT.

(a) FUNDS AVAILABLE FOR QUALITY MANAGEMENT.—Section 2604 (42 U.S.C. 300ff-14) is amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following:

“(c) QUALITY MANAGEMENT.—

“(1) REQUIREMENT.—The chief elected official of an eligible area that receives a grant under this part shall provide for the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infection and to develop strategies for improvements in the access to and quality of medical services.

“(2) USE OF FUNDS.—From amounts received under a grant awarded under this part, the chief elected official of an eligible area may use, for activities associated with its quality management program, not more than the lesser of—

“(A) 5 percent of amounts received under the grant; or

“(B) \$3,000,000.”.

(b) QUALITY MANAGEMENT REQUIRED FOR ELIGIBILITY FOR GRANTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) that the chief elected official of the eligible area will satisfy all requirements under section 2604(c);”.

#### SEC. 103. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

(a) USE OF AMOUNTS.—Section 2604(e)(1) (42 U.S.C. 300ff-14(d)(1)) (as so redesignated by section 102(a)) is amended by inserting “and the State Children's Health Insurance Program under title XXI of such Act” after “Social Security Act”.

(b) APPLICATIONS.—Section 2605(a) (42 U.S.C. 300ff-15(a)) is amended by inserting after paragraph (3), as added by section 102(b), the following:

“(4) that funded entities within the eligible area that receive funds under a grant under section 2601(a) shall maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters) and other entities under section 2652(a) for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care;”.

#### SEC. 104. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “HIV-related—” and inserting “HIV-related services, as follows;”;

(2) in subparagraph (A)—

(A) by striking “outpatient” and all that follows through “substance abuse treatment and” and inserting the following: “OUTPATIENT HEALTH SERVICES.—Outpatient and ambulatory health services, including substance abuse treatment;”;

(B) by striking “; and” and inserting a period;

(3) in subparagraph (B), by striking “(B) inpatient case management” and inserting “(C) INPATIENT CASE MANAGEMENT SERVICES.—Inpatient case management;”;

(4) by inserting after subparagraph (A) the following:

“(B) OUTPATIENT SUPPORT SERVICES.—Outpatient and ambulatory support services (including case management), to the extent that such services facilitate, enhance, support, or sustain the delivery, continuity, or benefits of health services for individuals and families with HIV disease.”.

(b) CONFORMING AMENDMENT TO APPLICATION REQUIREMENTS.—Section 2605(a) (42 U.S.C. 300ff-15(a)), as amended by section 102(b), is further amended—

(1) in paragraph (7) (as so redesignated), by striking “and” at the end thereof;

(2) in paragraph (8) (as so redesignated), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(9) that the eligible area has procedures in place to ensure that services provided with funds received under this part meet the criteria specified in section 2604(b)(1).”.

#### SEC. 105. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

(a) IN GENERAL.—Section 2604(b)(1) (42 U.S.C. 300ff-14(b)(1)), as amended by section 104(a), is further amended by adding at the end the following:

“(D) EARLY INTERVENTION SERVICES.—Early intervention services as described in section 2651(b)(2), with follow-through referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

“(i)(I) is receiving funds under subparagraph (A) or (C); or

“(II) is an entity constituting a point of access to services, as described in section 2605(a)(4), that maintains a relationship with an entity described in subclause (I) and that is serving individuals at elevated risk of HIV disease;

“(ii) demonstrates to the satisfaction of the chief elected official that Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this subparagraph; and

“(iii) demonstrates to the satisfaction of the chief elected official that funds will be utilized under this subparagraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.

(b) CONFORMING AMENDMENTS TO APPLICATION REQUIREMENTS.—Section 2605(a)(1) (42 U.S.C. 300ff-15(a)(1)) is amended—

(1) in subparagraph (A), by striking “services to individuals with HIV disease” and inserting “services as described in section 2604(b)(1);”;

(2) in subparagraph (B), by striking “services for individuals with HIV disease” and inserting “services as described in section 2604(b)(1).”.

#### SEC. 106. REPLACEMENT OF SPECIFIED FISCAL YEARS REGARDING THE SUNSET ON EXPEDITED DISTRIBUTION REQUIREMENTS.

Section 2603(a)(2) (42 U.S.C. 300ff-13(a)(2)) is amended by striking “for each of the fiscal years 1996 through 2000” and inserting “for a fiscal year”.

#### SEC. 107. HOLD HARMLESS PROVISION.

Section 2603(a)(4) (42 U.S.C. 300ff-13(a)(4)) is amended to read as follows:

“(4) LIMITATION.—With respect to each of fiscal years 2001 through 2005, the Secretary shall ensure that the amount of a grant made to an eligible area under paragraph (2) for such a fiscal year is not less than an



amount equal to 98 percent of the amount the eligible area received for the fiscal year preceding the year for which the determination is being made.”.

#### SEC. 108. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2604(b)(3) (42 U.S.C. 300ff-14(b)(3)) is amended—

(1) by inserting “for each population under this subsection” after “council”; and

(2) by striking “ratio of the” and inserting “ratio of each”.

#### Subtitle B—Amendments to Part B (Care Grant Program)

#### SEC. 121. STATE REQUIREMENTS CONCERNING IDENTIFICATION OF NEED AND ALLOCATION OF RESOURCES.

(a) GENERAL USE OF GRANTS.—Section 2612 (42 U.S.C. 300ff-22) is amended—

(1) by striking “A State” and inserting “(a) IN GENERAL.—A State”; and

(2) in the matter following paragraph (5)—

(A) by striking “Services” and inserting:

“(b) DELIVERY OF SERVICES.—Services”;

(B) by striking “paragraph (1)” and inserting “subsection (a)(1)”; and

(C) by striking “paragraph (2)” and inserting “subsection (a)(2) and section 2613”;

(b) APPLICATION.—Section 2617(b) (42 U.S.C. 300ff-27(b)) is amended—

(1) in paragraph (1)(C)—

(A) by striking clause (i) and inserting the following:

“(i) the size and demographic characteristics of the population with HIV disease to be served, except that by not later than October 1, 2002, the State shall take into account the needs of individuals not in care, based on epidemiologic measures developed by the Secretary in consultation with the State, affected communities, experts, and other appropriate individuals (such State shall not be required to establish priorities for individuals not in care until such epidemiologic measures are developed);”;

(B) in clause (iii), by striking “and” at the end; and

(C) by adding at the end the following:

“(v) the availability of other governmental and non-governmental resources;

“(vi) the capacity development needs resulting in gaps in the provision of HIV services in historically underserved low-income and rural low-income communities; and

“(vii) the efficiency of the administrative mechanism in rapidly allocating funds to the areas of greatest need within the State;”;

and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (F); and

(C) by inserting after subparagraph (B), the following:

“(C) an assurance that capacity development needs resulting from gaps in the provision of services in underserved low-income and rural low-income communities will be addressed; and

“(D) with respect to fiscal year 2003 and subsequent fiscal years, assurances that, in the planning and allocation of resources, the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), will make appropriate provision for the HIV-related health and support service needs of individuals who have been diagnosed with HIV disease but who are not currently receiving such services, based on the epidemiologic measures developed under paragraph (1)(C)(i).”.

#### SEC. 122. QUALITY MANAGEMENT.

(a) STATE REQUIREMENT FOR QUALITY MANAGEMENT.—Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)) is amended—

(1) by striking subparagraph (C) and inserting the following:

“(C) the State will provide for—

“(i) the establishment of a quality management program to assess the extent to which medical services provided to patients under the grant are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and to develop strategies for improvements in the access to and quality of medical services; and

“(ii) a periodic review (such as through an independent peer review) to assess the quality and appropriateness of HIV-related health and support services provided by entities that receive funds from the State under this part;”;

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(3) by inserting after subparagraph (D), the following:

“(E) an assurance that the State, through systems of HIV-related health services provided under paragraphs (1), (2), and (3) of section 2612(a), has considered strategies for working with providers to make optimal use of financial assistance under the State Medicaid plan under title XIX of the Social Security Act, the State Children’s Health Insurance Program under title XXI of such Act, and other Federal grantees that provide HIV-related services, to maximize access to quality HIV-related health and support services;

(4) in subparagraph (F), as so redesignated, by striking “and” at the end; and

(5) in subparagraph (G), as so redesignated, by striking the period and inserting “; and”.

(b) AVAILABILITY OF FUNDS FOR QUALITY MANAGEMENT.—

(1) AVAILABILITY OF GRANT FUNDS FOR PLANNING AND EVALUATION.—Section 2618(c)(3) (42 U.S.C. 300ff-28(c)(3)) is amended by inserting before the period “, including not more than \$3,000,000 for all activities associated with its quality management program”.

(2) EXCEPTION TO COMBINED CEILING ON PLANNING AND ADMINISTRATION FUNDS FOR STATES WITH SMALL GRANTS.—Paragraph (6) of section 2618(c) (42 U.S.C. 300ff-28(c)(6)) is amended to read as follows:

“(6) EXCEPTION FOR QUALITY MANAGEMENT.—Notwithstanding paragraph (5), a State whose grant under this part for a fiscal year does not exceed \$1,500,000 may use not to exceed 20 percent of the amount of the grant for the purposes described in paragraphs (3) and (4) if—

“(A) that portion of the amount that may be used for such purposes in excess of 15 percent of the grant is used for its quality management program; and

“(B) the State submits and the Secretary approves a plan (in such form and containing such information as the Secretary may prescribe) for use of funds for its quality management program.”.

#### SEC. 123. FUNDED ENTITIES REQUIRED TO HAVE HEALTH CARE RELATIONSHIPS.

Section 2617(b)(4) (42 U.S.C. 300ff-27(b)(4)), as amended by section 122(a), is further amended by adding at the end the following:

“(H) that funded entities maintain appropriate relationships with entities in the area served that constitute key points of access to the health care system for individuals with HIV disease (including emergency rooms, substance abuse treatment programs, detoxification centers, adult and juvenile detention facilities, sexually transmitted disease clinics, HIV counseling and testing sites, mental health programs, and homeless shelters), and other entities under section 2652(a), for the purpose of facilitating early intervention for individuals newly diagnosed with HIV disease and individuals knowledgeable of their status but not in care.”.

#### SEC. 124. SUPPORT SERVICES REQUIRED TO BE HEALTH CARE-RELATED.

(a) TECHNICAL AMENDMENT.—Section 3(c)(2)(A)(iii) of the Ryan White CARE Act Amendments of 1996 (Public Law 104-146) is amended by inserting “before paragraph (2) as so redesignated” after “inserting”.

(b) SERVICES.—Section 2612(a)(1) (42 U.S.C. 300ff-22(a)(1)), as so designated by section 121(a), is amended by striking “for individuals with HIV disease” and inserting “, subject to the conditions and limitations that apply under such section”.

(c) CONFORMING AMENDMENT TO STATE APPLICATION REQUIREMENT.—Section 2617(b)(2) (42 U.S.C. 300ff-27(b)(2)), as amended by section 121(b), is further amended by inserting after subparagraph (D) the following:

“(E) an assurance that the State has procedures in place to ensure that services provided with funds received under this section meet the criteria specified in section 2604(b)(1)(B); and”.

#### SEC. 125. USE OF GRANT FUNDS FOR EARLY INTERVENTION SERVICES.

Section 2612(a) (42 U.S.C. 300ff-22(a)), as amended by section 121, is further amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(6) to provide, through systems of HIV-related health services provided under paragraphs (1), (2), and (3), early intervention services, as described in section 2651(b)(2), with follow-up referral, provided for the purpose of facilitating the access of individuals receiving the services to HIV-related health services, but only if the entity providing such services—

“(A)(i) is receiving funds under section 2612(a)(1); or

“(ii) is an entity constituting a point of access to services, as described in section 2617(b)(4), that maintains a referral relationship with an entity described in clause (i) and that is serving individuals at elevated risk of HIV disease;

“(B) demonstrates to the State’s satisfaction that other Federal, State, or local funds are inadequate for the early intervention services the entity will provide with funds received under this paragraph; and

“(C) demonstrates to the satisfaction of the State that funds will be utilized under this paragraph to supplement not supplant other funds available for such services in the year for which such funds are being utilized.”.

#### SEC. 126. AUTHORIZATION OF APPROPRIATIONS FOR HIV-RELATED SERVICES FOR WOMEN AND CHILDREN.

Section 2625(c)(2) (42 U.S.C. 300ff-33(c)(2)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

#### SEC. 127. REPEAL OF REQUIREMENT FOR COMPLETED INSTITUTE OF MEDICINE REPORT.

Section 2628 (42 U.S.C. 300ff-36) is repealed.

#### SEC. 128. SUPPLEMENTAL GRANTS FOR CERTAIN STATES.

Subpart I of part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-11 et seq.) is amended by adding at the end the following:

#### “SEC. 2622. SUPPLEMENTAL GRANTS.

“(a) IN GENERAL.—The Secretary shall award supplemental grants to States determined to be eligible under subsection (b) to enable such States to provide comprehensive services of the type described in section 2612(a) to supplement the services otherwise provided by the State under a grant under this subpart in emerging communities within the State that are not eligible to receive grants under part A.

“(b) ELIGIBILITY.—To be eligible to receive a supplemental grant under subsection (a) a State shall—

“(1) be eligible to receive a grant under this subpart;

“(2) demonstrate the existence in the State of an emerging community as defined in subsection (d)(1); and

“(3) submit the information described in subsection (c).

“(c) REPORTING REQUIREMENTS.—A State that desires a grant under this section shall, as part of the State application submitted under section 2617, submit a detailed description of the manner in which the State will use amounts received under the grant and of the severity of need. Such description shall include—

“(1) a report concerning the dissemination of supplemental funds under this section and the plan for the utilization of such funds in the emerging community;

“(2) a demonstration of the existing commitment of local resources, both financial and in-kind;

“(3) a demonstration that the State will maintain HIV-related activities at a level that is equal to not less than the level of such activities in the State for the 1-year period preceding the fiscal year for which the State is applying to receive a grant under this part;

“(4) a demonstration of the ability of the State to utilize such supplemental financial resources in a manner that is immediately responsive and cost effective;

“(5) a demonstration that the resources will be allocated in accordance with the local demographic incidence of AIDS including appropriate allocations for services for infants, children, women, and families with HIV disease;

“(6) a demonstration of the inclusiveness of the planning process, with particular emphasis on affected communities and individuals with HIV disease; and

“(7) a demonstration of the manner in which the proposed services are consistent with local needs assessments and the statewide coordinated statement of need.

“(d) DEFINITION OF EMERGING COMMUNITY.—In this section, the term ‘emerging community’ means a metropolitan area—

“(1) that is not eligible for a grant under part A; and

“(2) for which there has been reported to the Director of the Centers for Disease Control and Prevention a cumulative total of between 500 and 1999 cases of acquired immune deficiency syndrome for the most recent period of 5 calendar years for which such data are available.

“(e) FUNDING.—

“(1) IN GENERAL.—Subject to paragraph (2), with respect to each fiscal year beginning with fiscal year 2001, the Secretary, to carry out this section, shall utilize—

“(A) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 1000, but less than 2000, cases of AIDS as reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded; and

“(B) the greater of—

“(i) 25 percent of the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section

2618(b)(2)(H), for such fiscal year that is in excess of the amount appropriated to carry out such part in fiscal year preceding the fiscal year involved; or

“(ii) \$5,000,000;

to provide funds to States for use in emerging communities with at least 500, but less than 1000, cases of AIDS reported to and confirmed by the Director of the Centers for Disease Control and Prevention for the five year period preceding the year for which the grant is being awarded.

“(2) TRIGGER OF FUNDING.—This section shall be effective only for fiscal years beginning in the first fiscal year in which the amount appropriated under 2677 to carry out part B, excluding the amount appropriated under section 2618(b)(2)(H), exceeds by at least \$20,000,000 the amount appropriated under 2677 to carry out part B in fiscal year 2000, excluding the amount appropriated under section 2618(b)(2)(H).

“(3) MINIMUM AMOUNT IN FUTURE YEARS.—Beginning with the first fiscal year in which amounts provided for emerging communities under paragraph (1)(A) equals \$5,000,000 and under paragraph (1)(B) equals \$5,000,000, the Secretary shall ensure that amounts made available under this section for the types of emerging communities described in each such paragraph in subsequent fiscal years is at least \$5,000,000.

“(4) DISTRIBUTION.—The amount of a grant awarded to a State under this section shall be determined by the Secretary based on the formula described in section 2618(b)(2), except that in applying such formula, the Secretary shall—

“(A) substitute ‘1.0’ for ‘.80’ in subparagraph (A)(ii)(I) of such section; and

“(B) not consider the provisions of subparagraphs (A)(ii)(II) and (C) of such section.”

#### SEC. 129. USE OF TREATMENT FUNDS.

(a) STATE DUTIES.—Section 2616(c) (42 U.S.C. 300ff-26(c)) is amended—

(1) in the matter preceding paragraph (1), by striking “shall” and inserting “shall use funds made available under this section to—”;

(2) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively and realigning the margins of such subparagraphs appropriately;

(3) in subparagraph (D) (as so redesignated), by striking “and” at the end;

(4) in subparagraph (E) (as so redesignated), by striking the period and inserting “; and”;

(5) by adding at the end the following:

“(F) encourage, support, and enhance adherence to and compliance with treatment regimens, including related medical monitoring.”;

(6) by striking “In carrying” and inserting the following:

“(1) IN GENERAL.—In carrying”;

(7) by adding at the end the following:

“(2) LIMITATIONS.—

“(A) IN GENERAL.—No State shall use funds under paragraph (1)(F) unless the limitations on access to HIV/AIDS therapeutic regimens as defined in subsection (e)(2) are eliminated.

“(B) AMOUNT OF FUNDING.—No State shall use in excess of 10 percent of the amount set-aside for use under this section in any fiscal year to carry out activities under paragraph (1)(F) unless the State demonstrates to the Secretary that such additional services are essential and in no way diminish access to therapeutics.”

(b) SUPPLEMENT GRANTS.—Section 2616 (42 U.S.C. 300ff-26) is amended by adding at the end the following:

“(e) SUPPLEMENTAL GRANTS FOR THE PROVISION OF TREATMENTS.—

“(1) IN GENERAL.—From amounts made available under paragraph (5), the Secretary

shall award supplemental grants to States determined to be eligible under paragraph (2) to enable such States to increase access to therapeutics to treat HIV disease as provided by the State under subsection (c)(1)(B) for individuals at or below 200 percent of the Federal poverty line.

“(2) CRITERIA.—The Secretary shall develop criteria for the awarding of grants under paragraph (1) to States that demonstrate a severe need. In determining the criteria for demonstrating State severity of need, the Secretary shall consider eligibility standards and formulary composition.

“(3) STATE REQUIREMENT.—The Secretary may not make a grant to a State under this subsection unless the State agrees that—

“(A) the State will make available (directly or through donations from public or private entities) non-Federal contributions toward the activities to be carried out under the grant in an amount equal to \$1 for each \$4 of Federal funds provided in the grant; and

“(B) the State will not impose eligibility requirements for services or scope of benefits limitations under subsection (a) that are more restrictive than such requirements in effect as of January 1, 2000.

“(4) USE AND COORDINATION.—Amounts made available under a grant under this subsection shall only be used by the State to provide HIV/AIDS-related medications. The State shall coordinate the use of such amounts with the amounts otherwise provided under this section in order to maximize drug coverage.

“(5) FUNDING.—

“(A) RESERVATION OF AMOUNT.—The Secretary shall reserve 3 percent of any amount referred to in section 2618(b)(2)(H) that is appropriated for a fiscal year, to carry out this subsection.

“(B) MINIMUM AMOUNT.—In providing grants under this subsection, the Secretary shall ensure that the amount of a grant to a State under this part is not less than the amount the State received under this part in the previous fiscal year, as a result of grants provided under this subsection.”

(c) SUPPLEMENT AND NOT SUPPLANT.—Section 2616 (42 U.S.C. 300ff-26(c)), as amended by subsection (b), is further amended by adding at the end the following:

“(f) SUPPLEMENT NOT SUPPLANT.—Notwithstanding any other provision of law, amounts made available under this section shall be used to supplement and not supplant other funding available to provide treatments of the type that may be provided under this section.”

#### SEC. 130. INCREASE IN MINIMUM ALLOTMENT.

(a) IN GENERAL.—Section 2618(b)(1)(A)(i) (42 U.S.C. 300ff-28(b)(1)(A)(i)) is amended—

(1) in subclause (I), by striking “\$100,000” and inserting “\$200,000”; and

(2) in subclause (II), by striking “\$250,000” and inserting “\$500,000”.

(b) TERRITORIES.—Section 2618(b)(1)(B) (42 U.S.C. 300ff-28(b)(1)(B)) is amended by inserting “the greater of \$50,000 or” after “shall be”.

(c) TECHNICAL AMENDMENT.—Section 2618(b)(3)(B) (42 U.S.C. 300ff-28(b)(3)(B)) is amended by striking “and the Republic of the Marshall Islands” and inserting “, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, and only for purposes of paragraph (1) the Commonwealth of Puerto Rico”.

#### SEC. 131. SET-ASIDE FOR INFANTS, CHILDREN, AND WOMEN.

Section 2611(b) (42 U.S.C. 300ff-21(b)) is amended—

(1) by inserting “for each population under this subsection” after “State shall use”; and

(2) by striking “ratio of the” and inserting “ratio of each”.



**Subtitle C—Amendments to Part C (Early Intervention Services)**

**SEC. 141. AMENDMENT OF HEADING; REPEAL OF FORMULA GRANT PROGRAM.**

(a) AMENDMENT OF HEADING.—The heading of part C of title XXVI is amended to read as follows:

“PART C—EARLY INTERVENTION AND PRIMARY CARE SERVICES”.

(b) REPEAL.—Part C of title XXVI (42 U.S.C. 300ff-41 et seq.) is amended—

(1) by repealing subpart I; and

(2) by redesignating subparts II and III as subparts I and II.

(c) CONFORMING AMENDMENTS.—

(1) INFORMATION REGARDING RECEIPT OF SERVICES.—Section 2661(a) (42 U.S.C. 300ff-61(a)) is amended by striking “unless—” and all that follows through “(2) in the case of” and inserting “unless, in the case of”.

(2) ADDITIONAL AGREEMENTS.—Section 2664 (42 U.S.C. 300ff-64) is amended—

(A) in subsection (e)(5), by striking “2642(b) or”;

(B) in subsection (f)(2), by striking “2642(b) or”;

(C) by striking subsection (h).

**SEC. 142. PLANNING AND DEVELOPMENT GRANTS.**

(a) ALLOWING PLANNING AND DEVELOPMENT GRANT TO EXPAND ABILITY TO PROVIDE PRIMARY CARE SERVICES.—Section 2654(c) (42 U.S.C. 300ff-54(c)) is amended—

(1) in paragraph (1), to read as follows:

“(1) IN GENERAL.—The Secretary may provide planning and development grants to public and nonprofit private entities for the purpose of—

“(A) enabling such entities to provide HIV early intervention services; or

“(B) assisting such entities to expand the capacity, preparedness, and expertise to deliver primary care services to individuals with HIV disease in underserved low-income communities on the condition that the funds are not used to purchase or improve land or to purchase, construct, or permanently improve (other than minor remodeling) any building or other facility.”; and

(2) in paragraphs (2) and (3) by striking “paragraph (1)” each place that such appears and inserting “paragraph (1)(A)”.

(b) AMOUNT; DURATION.—Section 2654(c) (42 U.S.C. 300ff-54(c)), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

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

“(4) AMOUNT AND DURATION OF GRANTS.—

“(A) EARLY INTERVENTION SERVICES.—A grant under paragraph (1)(A) may be made in an amount not to exceed \$50,000.

“(B) CAPACITY DEVELOPMENT.—

“(i) AMOUNT.—A grant under paragraph (1)(B) may be made in an amount not to exceed \$150,000.

“(ii) DURATION.—The total duration of a grant under paragraph (1)(B), including any renewal, may not exceed 3 years.”.

(c) INCREASE IN LIMITATION.—Section 2654(c)(5) (42 U.S.C. 300ff-54(c)(5)), as so redesignated by subsection (b), is amended by striking “1 percent” and inserting “5 percent”.

**SEC. 143. AUTHORIZATION OF APPROPRIATIONS FOR CATEGORICAL GRANTS.**

Section 2655 (42 U.S.C. 300ff-55) is amended by striking “1996” and all that follows through “2000” and inserting “2001 through 2005”.

**SEC. 144. ADMINISTRATIVE EXPENSES CEILING; QUALITY MANAGEMENT PROGRAM.**

Section 2664(g) (42 U.S.C. 300ff-64(g)) is amended—

(1) in paragraph (3), to read as follows:

“(3) the applicant will not expend more than 10 percent of the grant for costs of ad-

ministrative activities with respect to the grant.”;

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

(3) by adding at the end the following:

“(5) the applicant will provide for the establishment of a quality management program to assess the extent to which medical services funded under this title that are provided to patients are consistent with the most recent Public Health Service guidelines for the treatment of HIV disease and related opportunistic infections and that improvements in the access to and quality of medical services are addressed.”.

**SEC. 145. PREFERENCE FOR CERTAIN AREAS.**

Section 2651 (42 U.S.C. 300ff-51) is amended by adding at the end the following:

“(d) PREFERENCE IN AWARDED GRANTS.—In awarding new grants under this section, the Secretary shall give preference to applicants that will use amounts received under the grant to serve areas that are determined to be rural and underserved for the purposes of providing health care to individuals infected with HIV or diagnosed with AIDS.”.

**SEC. 146. TECHNICAL AMENDMENT.**

Section 2652(a) (42 U.S.C. 300ff-52(a)) is amended—

(1) striking paragraphs (1) and (2) and inserting the following:

“(1) health centers under section 330;”;

(2) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

**Subtitle D—Amendments to Part D (General Provisions)**

**SEC. 151. RESEARCH INVOLVING WOMEN, INFANTS, CHILDREN, AND YOUTH.**

(a) ELIMINATION OF REQUIREMENT TO ENROLL SIGNIFICANT NUMBERS OF WOMEN AND CHILDREN.—Section 2671(b) (42 U.S.C. 300ff-71(b)) is amended—

(1) in paragraph (1), by striking subparagraphs (C) and (D); and

(2) by striking paragraphs (3) and (4).

(b) INFORMATION AND EDUCATION.—Section 2671(d) (42 U.S.C. 300ff-71(d)) is amended by adding at the end the following:

“(4) The applicant will provide individuals with information and education on opportunities to participate in HIV/AIDS-related clinical research.”.

(c) QUALITY MANAGEMENT; ADMINISTRATIVE EXPENSES CEILING.—Section 2671(f) (42 U.S.C. 300ff-71(f)) is amended—

(1) by striking the subsection heading and designation and inserting the following:

“(f) ADMINISTRATION.—

“(1) APPLICATION.—”;

(2) by adding at the end the following:

“(2) QUALITY MANAGEMENT PROGRAM.—A grantee under this section shall implement a quality management program.”.

(d) COORDINATION.—Section 2671(g) (42 U.S.C. 300ff-71(g)) is amended by adding at the end the following: “The Secretary acting through the Director of NIH, shall examine the distribution and availability of ongoing and appropriate HIV/AIDS-related research projects to existing sites under this section for purposes of enhancing and expanding voluntary access to HIV-related research, especially within communities that are not reasonably served by such projects. Not later than 12 months after the date of enactment of the Ryan White CARE Act Amendments of 2000, the Secretary shall prepare and submit to the appropriate committees of Congress a report that describes the findings made by the Director and the manner in which the conclusions based on those findings can be addressed.”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 2671(j) (42 U.S.C. 300ff-71(j)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

**SEC. 152. LIMITATION ON ADMINISTRATIVE EXPENSES.**

Section 2671 (42 U.S.C. 300ff-71) is amended—

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

(2) by inserting after subsection (h), the following:

“(i) LIMITATION ON ADMINISTRATIVE EXPENSES.—

“(1) DETERMINATION BY SECRETARY.—Not later than 12 months after the date of enactment of the Ryan White Care Act Amendments of 2000, the Secretary, in consultation with grantees under this part, shall conduct a review of the administrative, program support, and direct service-related activities that are carried out under this part to ensure that eligible individuals have access to quality, HIV-related health and support services and research opportunities under this part, and to support the provision of such services.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 180 days after the expiration of the 12-month period referred to in paragraph (1) the Secretary, in consultation with grantees under this part, shall determine the relationship between the costs of the activities referred to in paragraph (1) and the access of eligible individuals to the services and research opportunities described in such paragraph.

“(B) LIMITATION.—After a final determination under subparagraph (A), the Secretary may not make a grant under this part unless the grantee complies with such requirements as may be included in such determination.”.

**SEC. 153. EVALUATIONS AND REPORTS.**

Section 2674(c) (42 U.S.C. 399ff-74(c)) is amended by striking “1991 through 1995” and inserting “2001 through 2005”.

**SEC. 154. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS UNDER PARTS A AND B.**

Section 2677 (42 U.S.C. 300ff-77) is amended to read as follows:

**“SEC. 2677. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated—

“(1) such sums as may be necessary to carry out part A for each of the fiscal years 2001 through 2005; and

“(2) such sums as may be necessary to carry out part B for each of the fiscal years 2001 through 2005.”.

**Subtitle E—Amendments to Part F (Demonstration and Training)**

**SEC. 161. AUTHORIZATION OF APPROPRIATIONS.**

(a) SCHOOLS; CENTERS.—Section 2692(c)(1) (42 U.S.C. 300ff-111(c)(1)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(b) DENTAL SCHOOLS.—Section 2692(c)(2) (42 U.S.C. 300ff-111(c)(2)) is amended by striking “fiscal years 1996 through 2000” and inserting “fiscal years 2001 through 2005”.

(c) DENTAL SCHOOLS AND PROGRAMS.—Section 2692(b) of the Public Health Service Act (42 U.S.C. 300ff-111(b)) is amended—

(1) in paragraph (1), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392)) and dental hygiene programs that are accredited by the Commission on Dental Accreditation”; and

(2) in paragraph (2), by striking “777(b)(4)(B)” and inserting “777(b)(4)(B) (as such section existed on the day before the date of enactment of the Health Professions Education Partnerships Act of 1998 (Public Law 105-392))”.

**TITLE II—MISCELLANEOUS PROVISIONS**

**SEC. 201. INSTITUTE OF MEDICINE STUDY.**

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the

Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine for the conduct of a study concerning the appropriate epidemiological measures and their relationship to the financing and delivery of primary care and health-related support services for low-income, uninsured, and under-insured individuals with HIV disease.

(b) REQUIREMENTS.—

(1) COMPLETION.—The study under subsection (a) shall be completed not later than 21 months after the date on which the contract referred to in such subsection is entered into.

(2) ISSUES TO BE CONSIDERED.—The study conducted under subsection (a) shall consider—

(A) the availability and utility of health outcomes measures and data for HIV primary care and support services and the extent to which those measures and data could be used to measure the quality of such funded services;

(B) the effectiveness and efficiency of service delivery (including the quality of services, health outcomes, and resource use) within the context of a changing health care and therapeutic environment as well as the changing epidemiology of the epidemic;

(C) existing and needed epidemiological data and other analytic tools for resource planning and allocation decisions, specifically for estimating severity of need of a community and the relationship to the allocations process; and

(D) other factors determined to be relevant to assessing an individual's or community's ability to gain and sustain access to quality HIV services.

(c) REPORT.—Not later than 90 days after the date on which the study is completed under subsection (a), the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report describing the manner in which the conclusions and recommendations of the Institute of Medicine can be addressed and implemented.

## NOTICES OF HEARINGS

### COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, June 7, 2000 at 2:30 p.m. to conduct a hearing on S. 2508, the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000. The hearing will be held in room 485, Russell Senate Building.

### SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management.

The hearing will take place on Saturday, June 17, 2000, at 9:00 a.m. on the campus of the College of Southern Idaho, Twin Falls, Idaho.

The purpose of this hearing is to conduct oversight on the proposed expansion of the Craters of the Moon National Monument.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Mike Menge (202) 224-6170.

### SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the information of the Senate and the public that a joint legislative hearing has been scheduled before the Subcommittee on Water and Power, and the Committee on Indian Affairs. The purpose of the hearing is to receive testimony on S. 2508, the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000.

The hearing will take place on Wednesday, June 7, 2000 at 2:30 p.m. in room SR-485 of the Russell Senate Office Building in Washington, D.C.

### SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the information of the Senate and the public that the oversight hearing regarding the National Marine Fisheries Service's draft Biological Opinion and its potential impact on the Columbia River operations, which has been previously scheduled for Wednesday, June 14, 2000 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C. has been indefinitely postponed.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Tuesday, June 6, at 10:00 a.m., to conduct a hearing to receive testimony on S. 1311, to establish Region XI of the Environmental Protection Agency.

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

### COMMITTEE ON FOREIGN RELATIONS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet on Tuesday, June 6, 2000, at 11:00 a.m.

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

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Tuesday, June 6, 2000, at 11:00 a.m., in 226 Dirksen.

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

## PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that the staff members of the Committee on Armed Services appearing on the list I send to the desk be extended the privilege of the floor during consideration of S. 2549, and further, that David Hahn, a military fellow serving in my Senate office be granted floor privileges for the duration of S. 2549.

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

The list is as follows:

Charles S. Abell, Charles W. Alsup, Judith A. Ansley, John R. Barnes, Beth Ann Barozie, Romie L. Brownlee, Courtney A. Burke, Christine E. Cowart, Daniel J. Cox, Jr., Madelyn R. Creedon, Richard D. DeBobs, Marie Fabrizio Dickinson, Kristin A. Dowley, Edward E. Edens IV, Pamela L. Farrell, Richard W. Fieldhouse.

Mickie Jan Gordon, Creighton Greene, William C. Greenwalt, Gary M. Hall, Mary Alice A. Hayward, Shekinah Z. Hill, Larry J. Hoag, Lawrence J. Lanzillotta, George W. Laufer, Gerald J. Leeling, Peter K. Levine, Patricia L. Lewis, Paul M. Longworth, David S. Lyles, Thomas L. MacKenzie.

Michael J. McCord, Ann M. Mittermeyer, Thomas C. Moore, Jennifer L. Naccari, David P. Nunley, Cindy Pearson, Sharen E. Reaves, Suzanne K.L. Ross, Anita H. Rouse, Joseph T. Sixeas, Cord A. Sterling, Madeline N. Stewart, Scott W. Stucky, Eric H. Thoemmes, Michele A. Traficante, Roslyne D. Turner.

Mr. WARNER. Mr. President, I ask unanimous consent that Senator MCCAIN's legislative fellow, Navy Comdr. Douglas J. Denny, be granted floor privileges during consideration of S. 2549.

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

Mr. WARNER. Mr. President, I ask unanimous consent that Mike Daly, a fellow in the office of Senator ABRAHAM, be granted floor privileges during consideration of S. 2549.

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

Mr. ALLARD. Mr. President, I ask unanimous consent that Doug Flanders of my staff have floor privileges during the entire debate of S. 2549.

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

Mr. KERREY. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following member of Senator EDWARDS' staff: Bob Morgan.

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

Mr. KYL. Mr. President, I ask unanimous consent Martha McSally, a fellow in my office, be granted floor privileges during the Defense authorization bill, S. 2549.

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

## MEASURE INDEFINITELY POSTPONED—S. 1650

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate passage of S. 1650 be vitiated; further, the bill be indefinitely postponed.

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

## JOINT REFERRAL

Mr. WARNER. Mr. President, as if in executive session, I ask unanimous consent that the nomination of Robert S. Larussa, of Maryland, to be Under Secretary of Commerce for International Trade, received on May 25, 2000, be jointly referred to the Committee on Finance and the Committee