

SEC. 202. REGULATIONS.

No later than 90 days after the date of enactment of this Act, the Secretary of Commerce shall promulgate regulations implementing the prohibition set forth in section 307(a)(1)(P) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(a)(1)(P)) that—

(1) establish shark fin landing requirements that consider species identification needs, shark processing methods, and the nature and availability of markets for shark products in the region in which the shark fins are landed;

(2) contain procedures governing release of sharks caught but not retained by a fishing vessel that will ensure maximum probability of survival of sharks after release;

(3) contain documentation and other requirements necessary to assure the timely and adequate collection of data to support shark stock assessments and conservation enforcement efforts; and

(4) set forth the facts and circumstances under which a person may rebut the presumption established by section 307(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(b)), including the use of documentation provided through applicable fisheries observer programs and dockside inspection.

SEC. 203. INTERNATIONAL NEGOTIATIONS.

The Secretary of Commerce, acting through the Secretary of State, may with respect to the fishing practices on highly migratory sharks governed by regulations promulgated by the Secretary of Commerce pursuant to section 202 of this title—

(1) notify other nations whose vessels engage in fishing on highly migratory sharks, as soon as possible, about the import certification procedures and regulations under section of this title, as well as the international cooperation and assistance provisions of section 204;

(2) initiate discussions as soon as possible for purpose of developing bilateral or multilateral agreements with other nations to conserve and manage highly migratory sharks, which should include provisions prohibiting shark-finning and minimizing adverse effects of commercial fishing operations on species of highly migratory sharks;

(3) provide to the Congress, by not later than 1 year after the date of enactment of this Act, and every year thereafter, a full report which—

(A) includes a list of nations whose vessels conduct shark-finning or commercial fishing operations which may adversely affect highly migratory shark species;

(B) describes the efforts taken to carry out this title and evaluates the progress of those efforts;

(C) includes a determination as to whether the importation into the United States of sharks and shark products (including fins) is adversely affecting the effectiveness of national and international measures for the conservation of highly migratory sharks; and

(D) includes recommendations for measures to ensure that United States actions are consistent with national, international, and regional obligations relating to highly migratory shark populations, including those listed under the Convention on the International Trade in Endangered Species.

SEC. 204. IMPORT CERTIFICATION.

(a) IN GENERAL.—If the Secretary of Commerce, after consultation with the Secretary of State, determines that the importation of sharks or shark products into the United States is adversely affecting the effectiveness of national and international measures for the conservation of highly migratory sharks, then the Secretary shall report that

determination to the Congress and establish a procedure, consistent with the provisions of subchapter II of chapter 5 of title 5, United States Code, and including notice and an opportunity for comment by the governments of nations listed by the Secretary under paragraph (6) of section 203, for determining whether those governments—

(1) have adopted regulatory programs governing shark-finning and other harvesting practices adversely affecting highly migratory sharks that are comparable, taking into account different conditions, to those of the United States;

(2) have established management plans governing release of highly migratory species of sharks caught but not retained by fishing vessels that ensure maximum probability of survival after release; and

(3) have established a management plan containing requirements that will assist in gathering species-specific data to support international and regional shark stock assessments and conservation enforcement efforts.

(b) CERTIFICATION PROCEDURE.—

(1) IN GENERAL.—The Secretary shall determine, on the basis of the procedure under subsection (a), and certify to the Congress not later than 90 days after promulgation of the regulations under section 202, and annually thereafter whether the government of each harvesting nation—

(A) has provided documentary evidence of the adoption of a regulatory program governing shark-finning and the conservation of highly migratory sharks that is comparable, taking into account different conditions, to that of the United States;

(B) has established a management plan governing release of highly migratory species of sharks caught but not retained by a fishing vessel that will ensure maximum probability of survival of after release; and

(C) has established a management plan containing requirements that will assist in gathering species-specific data to support international and regional shark stock assessments and conservation enforcement efforts.

(2) ALTERNATIVE PROCEDURE.—The Secretary shall establish a procedure for certification, on a shipment-by-shipment, shipper-by-shipper, or other basis of imports of highly migratory sharks or products (including fins) from a vessel of a harvesting nation not certified under paragraph (1) if the Secretary determines that such imports were harvested by practices that—

(A) do not adversely affect highly migratory sharks;

(B) include release of highly migratory species of sharks caught but not retained by such vessel in a manner that ensures maximum probability of survival after release;

(C) include the gathering of species-specific data that can be used to support international and regional shark stock assessments and conservation efforts; or

(D) are consistent with harvesting practices comparable, taking into account the circumstances, to those of the United States.

(c) UNCERTIFIED IMPORTS.—It is unlawful to import highly migratory sharks or products (including fins) which have been harvested by the practice of shark-finning or other commercial fishing practices that may affect adversely such populations of sharks more than 90 days after promulgation of the regulations under section 202 if such sharks or products were harvested by a vessel of a harvesting nation not certified under subsection (b)(1) unless that vessel is certified under subsection (b)(2).

(d) REINSTATEMENT OF UNCERTIFIED COUNTRY STATUS.—If the Secretary fails to make the annual certification required by subsection (b)(1) with respect to a country pre-

viously certified under that subsection, and except as provided in subsection (b)(2), then subsection (c) shall apply to imports of highly migratory sharks or products (including fins) harvested by vessels of that nation beginning 90 days after the date in any year on which the Secretary fails to make the scheduled annual certification required by subsection (b).

SEC. 205. SHARK-FINNING DEFINED.

For the purposes of this title, the term “shark-finning” means the taking of a shark, removing the fin or fins (whether or not including the tail), and returning the remainder of the shark to the sea.

SEC. 206. INTERNATIONAL COOPERATION AND ASSISTANCE.

To the greatest extent possible consistent with existing authority and the availability of funds, the Secretary of Commerce shall—

(1) provide appropriate technological and other assistance to nations listed under paragraph (6) of section 203 and regional or international organizations of which those nations are members to assist those nations in qualifying for certification under section 204(b)(1);

(2) undertake, where appropriate, cooperative research activities on species statistics and improved harvesting techniques, with those nations or organizations;

(3) encourage and facilitate the transfer of appropriate technology to those nations or organizations to assist those nations in qualifying for certification under section 204(b)(1); and

(4) provide assistance to those nations or organizations in designing and implementing appropriate shark harvesting plans.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001—Resumed

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A 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.

AMENDMENTS NOS. 3740 THROUGH 3757, AND NO. 3624, EN BLOC

Mr. WARNER. Mr. President, the distinguished colleague, Mr. LEVIN, and I have been working with our leadership, and we now have cleared amendments.

I send a series of amendments to the desk which have been cleared by the ranking member and myself. Therefore, I ask unanimous consent that the Senate consider those amendments en bloc, the amendments be agreed to, the motions to reconsider be laid upon the table, and, finally, that any statements relating to any of these individual amendments be printed in the RECORD.

Mr. LEVIN. Mr. President, we have no objection to this package. We support it.

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

The amendments (Nos. 3740 through 3757, and No. 3624) were agreed to en bloc, as follows:

AMENDMENT NO. 3740

(Purpose: To set aside funds for the industrial mobilization capacity at Army ammunition facilities and arsenals that are government owned, government operated)

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

SEC. 313. INDUSTRIAL MOBILIZATION CAPACITY AT GOVERNMENT-OWNED, GOVERNMENT-OPERATED ARMY AMMUNITION FACILITIES AND ARSENALS.

Of the amount authorized to be appropriated under section 301(1), \$51,280,000 shall be available for funding the industrial mobilization capacity at Army ammunition facilities and arsenals that are government owned, government operated.

AMENDMENT NO. 3741

(Purpose: To express the Sense of the Senate on the modernization of Air National Guard F-16A units)

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE RESOLUTION ON THE MODERNIZATION OF AIR NATIONAL GUARD F-16A UNITS

(a) FINDINGS.—Congress finds that—

(1) Certain U.S. Air Force Air National Guard fighter units are flying some of the world's oldest and least capable F-16A aircraft which are approaching the end of their service lives.

(2) The aircraft are generally incompatible with those flown by the active force and therefore cannot be effectively deployed to theaters of operation to support contingencies and to relieve the high operations tempo of active duty units.

(3) The Air Force has specified no plans to replace these obsolescent aircraft before the year 2007 at the earliest.

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

(1) The Air Force should, by February 1, 2001, provide Congress with a plan to modernize and upgrade the combat capabilities of those Air National Guard units that are now flying F-16As so they can deploy as part of Air Expeditionary Forces and assist in relieving the high operations tempo of active duty units.

AMENDMENT NO. 3742

(Purpose: To substitute a requirement for a report on the Department of Defense process for decisionmaking in cases of false claims)

Strike the matter proposed to be inserted and insert the following:

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

Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report describing the policies and procedures for Department of Defense decisionmaking on issues arising under sections 3729 through 3733 of title 31, United States Code, in cases of claims submitted to the Department of Defense that are suspected or alleged to be false. The report shall include a discussion of any changes that have been made in the policies and procedures since January 1, 2000.

AMENDMENT NO. 3743

(Purpose: To modify the authority relating to the information security scholarship program)

On page 380, strike line 4 and all that follows through page 385, line 8, and insert the following:

SEC. 1042. INFORMATION SECURITY SCHOLARSHIP PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—(1) Part III of subtitle A of title 10, United States Code, is amended by adding at the end the following:

“CHAPTER 112—INFORMATION SECURITY SCHOLARSHIP PROGRAM

“Sec.

“2200. Programs; purpose.

“2200a. Scholarship program.

“2200b. Grant program.

“2200c. Centers of Academic Excellence in Information Assurance Education.

“2200d. Regulations.

“2200e. Definitions.

“2200f. Inapplicability to Coast Guard.

“§ 2200. Programs; purpose

“(a) IN GENERAL.—To encourage the recruitment and retention of Department of Defense personnel who have the computer and network security skills necessary to meet Department of Defense information assurance requirements, the Secretary of Defense may carry out programs in accordance with this chapter to provide financial support for education in disciplines relevant to those requirements at institutions of higher education.

“(b) TYPES OF PROGRAMS.—The programs authorized under this chapter are as follows:

“(1) Scholarships for pursuit of programs of education in information assurance at institutions of higher education.

“(2) Grants to institutions of higher education.

“§ 2200a. Scholarship program

“(a) AUTHORITY.—The Secretary of Defense may, subject to subsection (g), provide financial assistance in accordance with this section to a person pursuing a baccalaureate or advanced degree in an information assurance discipline referred to in section 2200(a) of this title at an institution of higher education who enters into an agreement with the Secretary as described in subsection (b).

“(b) SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.—(1) To receive financial assistance under this section—

“(A) a member of the armed forces shall enter into an agreement to serve on active duty in the member's armed force for the period of obligated service determined under paragraph (2);

“(B) an employee of the Department of Defense shall enter into an agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

“(C) a person not referred to in subparagraph (A) or (B) shall enter into an agreement—

“(i) to enlist or accept a commission in one of the armed forces and to serve on active duty in that armed force for the period of obligated service determined under paragraph (2); or

“(ii) to accept and continue employment in the Department of Defense for the period of obligated service determined under paragraph (2).

“(2) For the purposes of this subsection, the period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for the financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title. In no event may the period of service required of a recipient be less than the period equal to $\frac{3}{4}$ of the total period of pursuit of a degree for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty or in the civil service, as the case may be.

“(3) An agreement entered into under this section by a person pursuing an academic de-

gree shall include clauses that provide the following:

“(A) That the period of obligated service begins on a date after the award of the degree that is determined under the regulations prescribed under section 2200d of this title.

“(B) That the person will maintain satisfactory academic progress, as determined in accordance with those regulations, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

“(C) Any other terms and conditions that the Secretary of Defense determines appropriate for carrying out this section.

“(c) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of Defense as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

“(d) USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the degree for which assistance is provided the person under this section.

“(e) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—(1) A person who voluntarily terminates service before the end of the period of obligated service required under an agreement entered into under subsection (b) shall refund to the United States an amount determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title.

“(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

“(3) The Secretary of Defense may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

“(f) EFFECT OF DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or under subsection (e).

“(g) ALLOCATION OF FUNDING.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of degrees referred to in subsection (a) at institutions of higher education that have established, improved, or are administering programs of education in information assurance under the grant program established in section 2200b of this title, as determined by the Secretary of Defense.

“§ 2200b. Grant program

“(a) AUTHORITY.—The Secretary of Defense may provide grants of financial assistance to institutions of higher education to support the establishment, improvement, or administration of programs of education in information assurance disciplines referred to in section 2200(a) of this title.

“(b) PURPOSES.—The proceeds of grants under this section may be used by an institution of higher education for the following purposes:

- “(1) Faculty development.
- “(2) Curriculum development.
- “(3) Laboratory improvements.
- “(4) Faculty research in information security.

“§ 2200c. Centers of Academic Excellence in Information Assurance Education

“In the selection of a recipient for the award of a scholarship or grant under this chapter, consideration shall be given to whether—

“(1) in the case of a scholarship, the institution at which the recipient pursues a degree is a Center of Academic Excellence in Information Assurance Education; and

“(2) in the case of a grant, the recipient is a Center of Academic Excellence in Information Assurance Education.

“§ 2200d. Regulations

“The Secretary of Defense shall prescribe regulations for the administration of this chapter.

“§ 2200e. Definitions

“In this chapter:

“(1) The term ‘information assurance’ includes the following:

“(A) Computer security.

“(B) Network security.

“(C) Any other information technology that the Secretary of Defense considers related to information assurance.

“(2) The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(3) The term ‘Center of Academic Excellence in Information Assurance Education’ means an institution of higher education that is designated as a Center of Academic Excellence in Information Assurance Education by the Director of the National Security Agency.

“§ 2200f. Inapplicability to Coast Guard

“This chapter does not apply to the Coast Guard when it is not operating as a service in the Navy.”

(2) The tables of chapters at the beginning of subtitle A of title 10, United States Code, and the beginning of part III of such subtitle are amended by inserting after the item relating to chapter 111 the following:

“112. Information Security Scholarship Program 2200”.

(b) FUNDING.—Of the amount authorized to be appropriated under section 301(5), \$20,000,000 shall be available for carrying out chapter 112 of title 10, United States Code (as added by subsection (a)).

(c) REPORT.—Not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing the programs under chapter 112 of title 10, United States Code.

AMENDMENT NO. 3744

(Purpose: To provide for adjustments in the threshold requirement for the submission of a reports on exports of computers to Tier III countries)

On page 610, between lines 13 and 14, insert the following:

SEC. 3178. ADJUSTMENT OF THRESHOLD REQUIREMENT FOR SUBMISSION OF REPORTS ON ADVANCED COMPUTER SALES TO TIER III FOREIGN COUNTRIES.

Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2045) is amended by adding at the end the following:

“(e) ADJUSTMENT OF PERFORMANCE LEVELS.—Whenever a new composite theoretical performance level is established under section 1211(d), that level shall apply for purposes of subsection (a) of this section in lieu of the level set forth in subsection (a).”

AMENDMENT NO. 3745

(Purpose: To add \$18,900,000 for Defense-wide procurement for the procurement of probes for aerial refueling of, and for the procurement and integration of internal, auxiliary, 200-gallon fuel tanks for, MH-60 aircraft for the United States Special Operations Command; and to offset that increase by reducing by \$18,900,000 the amount for the Army for other procurement for the family of medium tactical vehicles)

On page 18, line 4, strike “\$2,184,608,000” and insert “\$2,203,508,000”.

On page 16, line 22, strike “\$4,068,570,000” and insert “\$4,049,670,000”.

AMENDMENT NO. 3746

(Purpose: To increase the authorization of appropriation for the Army for RDT&E by \$40,000,000 in order to fund the development and execution of the plan for comparing costs and operational effectiveness of medium armored combat vehicles; and to offset that amount by reducing the authorization of appropriation for the Air Force for RDT&E for the extended range cruise missile by \$40,000,000)

On page 33, line 10, strike “\$5,461,946,000” and insert “\$5,501,946,000”.

On page 33, line 12, strike “\$13,927,836,000” and insert “\$13,887,836,000”.

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

SEC. 222. FUNDING FOR COMPARISONS OF MEDIUM ARMORED COMBAT VEHICLES.

Of the amount authorized to be appropriated under section 201(1), \$40,000,000 shall be available for the advanced tank armament system program for the development and execution of the plan for comparing costs and operational effectiveness of medium armored combat vehicles required under section 112(b).

AMENDMENT NO. 3747

(Purpose: To provide a two-year extension in the authority to engage in commercial activities as security for intelligence collection activities)

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

SEC. 1061. TWO-YEAR EXTENSION OF AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended in the second sentence by striking “December 31, 2000” and inserting “December 31, 2002”.

AMENDMENT NO. 3748

(Purpose: To state the sense of Congress regarding land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington)

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

SEC. 2882. SENSE OF CONGRESS REGARDING LAND TRANSFERS AT MELROSE RANGE, NEW MEXICO, AND YAKIMA TRAINING CENTER, WASHINGTON.

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

(1) The Secretary of the Air Force seeks the transfer of 6,713 acres of public domain land within the Melrose Range, New Mexico, from the Department of the Interior to the Department of the Air Force for the continued use of these lands as a military range.

(2) The Secretary of the Army seeks the transfer of 6,640 acres of public domain land within the Yakima Training Center, Washington, from the Department of the Interior to the Department of the Army for military training purposes.

(3) The transfers provide the Department of the Air Force and the Department of the Army with complete land management control of these public domain lands to allow for effective land management, minimize safety concerns, and ensure meaningful training.

(4) The Department of the Interior concurs with the land transfers at Melrose Range and Yakima Training Center.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington, will support military training, safety, and land management concerns on the lands subject to transfer.

AMENDMENT NO. 3749

(Purpose: To provide for the construction of an operations office complex for the National Nuclear Security Administration)

On page 586, following line 20, add the following:

SEC. 3138. CONSTRUCTION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION OPERATIONS OFFICE COMPLEX.

(a) AUTHORITY FOR DESIGN AND CONSTRUCTION.—Subject to subsection (b), the Administrator of the National Nuclear Security Administration may provide for the design and construction of a new operations office complex for the National Nuclear Security Administration in accordance with the feasibility study regarding such operations office complex conducted under the National Defense Authorization Act for Fiscal Year 2000.

(b) LIMITATION.—The Administrator may not exercise the authority in subsection (a) until the later of—

(1) 30 days after the date on which the plan required by section 3135(a) is submitted to the Committees on Armed Services of the Senate and House of Representatives under that section; or

(2) the date on which the Administrator certifies to Congress that the design and construction of the complex in accordance with the feasibility study is consistent with the plan required by section 3135(a).

(c) BASIS OF AUTHORITY.—The design and construction of the operations office complex authorized by subsection (a) shall be carried out through one or more energy savings performance contracts (ESPC) entered into under this section and in accordance with the provisions of title VIII of the National Energy Policy Conservation Act (42 U.S.C. 8287 et seq.).

(d) PAYMENT OF COSTS.—Amounts for payments of costs associated with the construction of the operations office complex authorized by subsection (a) shall be derived from energy savings and ancillary operation and maintenance savings that result from the replacement of a current Department of Energy operations office complex (as identified in the feasibility study referred to in subsection (a)) with the operations office complex authorized by subsection (a).

AMENDMENT NO. 3750

(Purpose: To make available \$400,000 for a conceptual design for a Subsurface Geosciences Laboratory at Idaho National Engineering Laboratory, Idaho Falls, Idaho)

On page 603, between lines 18 and 19, insert the following:

SEC. . CONCEPTUAL DESIGN FOR SUBSURFACE GEOSCIENCES LABORATORY AT IDAHO NATIONAL ENGINEERING AND ENVIRONMENTAL LABORATORY, IDAHO FALLS, IDAHO.

(a) AUTHORIZATION.—Of the amounts authorized to be appropriated by paragraphs (2) and (3) of section 3102(a), not more than \$400,000 shall be available to the Secretary of Energy for purposes of carrying out a conceptual design for a Subsurface Geosciences

Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho.

(b) **LIMITATION.**—None of the funds authorized to be appropriated by section (a) may be obligated until 60 days after the Secretary submits the report required by section (c).

(c) **REPORT.**—The Secretary of Energy shall submit to the congressional defense committees a report on the proposed Subsurface Geosciences Laboratory, including the following:

(1) The need to conduct mesoscale experiments to meet long-term clean-up requirements at Department of Energy sites.

(2) The possibility of utilizing or modifying an existing structure or facility to house a new mesoscale experimental capability.

(3) The estimated construction cost of the facility.

(4) The estimated annual operating cost of the facility.

(5) How the facility will utilize, integrate, and support the technical expertise, capabilities, and requirements at other Department of Energy and non-Department of Energy facilities.

(6) An analysis of costs, savings, and benefits which are unique to the Idaho National Engineering and Environmental Laboratory.

Mr. CRAPO. Mr. President, I rise today to offer an amendment to the Fiscal Year 2001 Defense Authorization Act to authorize the conceptual design of a Subsurface Geoscience Laboratory at the Idaho National Engineering and Environmental Laboratory. As many of my colleagues know, money for environmental cleanup is in short supply. The options for addressing cleanup funding shortfalls are limited to taking funds from other programs to support environmental cleanup, not doing the cleanup, or putting money into research, development, science, and technology to make environmental cleanup cheaper and more efficient. This amendment and the Subsurface Geoscience Laboratory addresses the latter of these options.

The Subsurface Geoscience Laboratory would be located at the INEEL which, as the lead laboratory for the Environmental Management program within DOE, is the natural location for this facility. In addition, the capabilities and core competencies of the INEEL are a good fit with the subsurface science needs of the nation. I say the nation because, although this facility would be located in Idaho, the solution developed would be applicable to DOE sites across the nation. The solutions developed would also be applicable outside of the DOE, in fact, anywhere environmental contaminants threaten subsurface water supplies. The \$400,000 authorized by this amendment for conceptual design of the Subsurface Geoscience Laboratory is an important first step to developing the scientific and technical tools needed to solve environmental cleanup problems. I urge my colleagues to support this amendment.

AMENDMENT NO. 3751

(Purpose: To assist the economic development of the Ute Indian Tribe by authorizing the transfer to the Tribe of Oil Shale Reserve Numbered 2, to protect the Colorado River by providing for the removal of the tailings from the Atlas uranium milling site near Moab, Utah, and for other purposes)

(The amendment is printed in Today's RECORD under "Amendments Submitted.")

AMENDMENT NO. 3752

(Purpose: To add funds for the procurement of the anti-personnel obstacle breaching system; and to provide an offset)

On page 17, line 17, strike "\$496,749,000" and insert "\$500,749,000".

On page 31, between lines 18 and 19, insert the following:

SEC. 126. ANTI-PERSONNEL OBSTACLE BREACHING SYSTEM.

Of the total amount authorized to be appropriated under section 102(c), \$4,000,000 is available only for the procurement of the anti-personnel obstacle breaching system.

On page 54, line 16, strike "\$11,973,569,000" and insert "\$11,969,569,000".

AMENDMENT NO. 3753

(Purpose: To authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards)

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

SEC. 1061. FIREFIGHTER INVESTMENT AND RESPONSE ENHANCEMENT.

The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by adding at the end the following:

"SEC. 33. FIREFIGHTER INVESTMENT AND RESPONSE ENHANCEMENT.

"(a) **DEFINITION OF FIREFIGHTING PERSONNEL.**—In this section, the term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

"(b) **ASSISTANCE PROGRAM.**—

"(1) **AUTHORITY.**—In accordance with this section, the Director may—

"(A) make grants on a competitive basis to fire departments for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

"(B) provide assistance for fire prevention programs in accordance with paragraph (4).

"(2) **ESTABLISHMENT OF OFFICE FOR ADMINISTRATION OF ASSISTANCE.**—Before providing assistance under paragraph (1), the Director shall establish an office in the Federal Emergency Management Agency that shall have the duties of establishing specific criteria for the selection of recipients of the assistance, and administering the assistance, under this section.

"(3) **USE OF FIRE DEPARTMENT GRANT FUNDS.**—The Director may make a grant under paragraph (1)(A) only if the applicant for the grant agrees to use the grant funds—

"(A) to hire additional firefighting personnel;

"(B) to train firefighting personnel in firefighting, emergency response, arson prevention and detection, or the handling of hazardous materials, or to train firefighting personnel to provide any of the training described in this subparagraph;

"(C) to fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies;

"(D) to certify fire inspectors;

"(E) to establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel can carry out their duties;

"(F) to fund emergency medical services provided by fire departments;

"(G) to acquire additional firefighting vehicles, including fire trucks;

"(H) to acquire additional firefighting equipment, including equipment for communications and monitoring;

"(I) to acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment for firefighting personnel;

"(J) to modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel;

"(K) to enforce fire codes;

"(L) to fund fire prevention programs; or

"(M) to educate the public about arson prevention and detection.

"(4) **FIRE PREVENTION PROGRAMS.**—

"(A) **IN GENERAL.**—For each fiscal year, the Director shall use not less than 10 percent of the funds made available under subsection (c)—

"(i) to make grants to fire departments for the purpose described in paragraph (3)(L); and

"(ii) to make grants to, or enter into contracts or cooperative agreements with, national, State, local, or community organizations that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities, for the purpose of carrying out fire prevention programs.

"(B) **PRIORITY.**—In selecting organizations described in subparagraph (A)(ii) to receive assistance under this paragraph, the Director shall give priority to organizations that focus on prevention of injuries to children from fire.

"(5) **APPLICATION.**—The Director may provide assistance to a fire department or organization under this subsection only if the fire department or organization seeking the assistance submits to the Director an application in such form and containing such information as the Director may require.

"(6) **MATCHING REQUIREMENT.**—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to match with an equal amount of non-Federal funds 10 percent of the assistance received under this subsection for any fiscal year.

"(7) **MAINTENANCE OF EXPENDITURES.**—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to maintain in the fiscal year for which the assistance will be received the applicant's aggregate expenditures for the uses described in paragraph (3) or (4) at or above the average level of such expenditures in the 2 fiscal years preceding the fiscal year for which the assistance will be received.

"(8) **REPORT TO THE DIRECTOR.**—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to submit to the Director a report, including a description of how the assistance was used, with respect to each fiscal year for which the assistance was received.

"(9) **VARIETY OF FIRE DEPARTMENT GRANT RECIPIENTS.**—The Director shall ensure that grants under paragraph (1)(A) for a fiscal year are made to a variety of fire departments, including, to the extent that there are eligible applicants—

"(A) paid, volunteer, and combination fire departments;

"(B) fire departments located in communities of varying sizes; and

"(C) fire departments located in urban, suburban, and rural communities.

"(10) LIMITATION ON EXPENDITURES FOR FIREFIGHTING VEHICLES.—The Director shall ensure that not more than 25 percent of the assistance made available under this subsection for a fiscal year is used for the use described in paragraph (3)(G).

"(c) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to the Director—

"(A) \$100,000,000 for fiscal year 2001;

"(B) \$200,000,000 for fiscal year 2002;

"(C) \$400,000,000 for fiscal year 2003;

"(D) \$600,000,000 for fiscal year 2004;

"(E) \$800,000,000 for fiscal year 2005; and

"(F) \$1,000,000,000 for fiscal year 2006.

"(2) LIMITATION ON ADMINISTRATIVE COSTS.—Of the amounts made available under paragraph (1) for a fiscal year, the Director may use not more than 10 percent for the administrative costs of carrying out this section."

AMENDMENT NO. 3754

(Purpose: To increase the amount available for close-in weapon system overhauls by \$10,000,000)

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

SEC. 313. CLOSE-IN WEAPON SYSTEM OVERHAULS.

Of the total amount authorized to be appropriated by section 301(2), \$391,806,000 is available for weapons maintenance.

The total amount authorized to be appropriated by section 301(5) for spectrum data base upgrades is reduced by \$10 million.

AMENDMENT NO. 3755

(Purpose: To make available, with an offset, \$150,000,000 for additional cleanup activities at the Hanford Nuclear Reservation, Richland, Washington)

On page 556, line 24, strike "\$5,501,824,000" and insert "\$5,651,824,000".

On page 559, line 8, strike "\$3,028,457,000" and insert "\$3,178,457,000".

On page 559, line 11, strike "\$2,533,725,000" and insert "\$2,683,725,000".

On page 564, line 8, strike "\$540,092,000" and insert "\$390,092,000".

On page 564, line 13, strike "\$450,000,000" and insert "\$300,000,000".

On page 603, between lines 18 and 19, insert the following:

SEC. 3156. TANK WASTE REMEDIATION SYSTEM, HANFORD RESERVATION, RICHLAND, WASHINGTON.

(a) FUNDS AVAILABLE.—Of the amount authorized to be appropriated by section 3102, \$150,000,000 shall be available to carry out an accelerated cleanup and waste management program at the Department of Energy Hanford Site in Richland, Washington.

(b) REPORT.—Not later than December 15, 2000, the Secretary of Energy shall submit to Congress a report on the Tank Waste Remediation System Project at the Hanford Site. The report shall include the following:

(1) A proposed plan for processing and stabilizing all nuclear waste located in the Hanford Tank Farm.

(2) A proposed schedule for carrying out the plan.

(3) The total estimated cost of carrying out the plan.

(4) A description of any alternative options to the proposed plan and a description of the costs and benefits of each such option.

AMENDMENT NO. 3756

(Purpose: To increase funds for the national ignition facility (NIF) at Lawrence Livermore National Laboratory, Livermore, California)

On page 547, line 16, strike "\$6,214,835,000" and insert "\$6,289,835,000".

On page 547, line 19, strike "\$4,672,800,000" and insert "\$4,747,800,000".

On page 547, line 24, strike "\$3,887,383,000" and insert "\$3,822,383,000".

On page 548, line 3, strike "\$1,496,982,000" and insert "\$1,471,982,000".

On page 548, line 5, strike "\$1,547,798,000" and insert "\$1,507,798,000".

On page 549, line 2, strike "\$448,173,000" and insert "\$588,173,000".

On page 552, line 7, strike "\$74,100,000" and insert "\$214,100,000".

On page 560, line 23, strike "\$141,317,000" and insert "\$216,317,000".

On page 603, between lines 18 and 19, insert the following:

SEC. 3156. REPORT ON NATIONAL IGNITION FACILITY, LAWRENCE LIVERMORE NATIONAL LABORATORY, LIVERMORE, CALIFORNIA.

(a) NEW BASELINE.—(1) Not more than 50 percent of the funds available for the national ignition facility (Project 96-D-111) may be obligated or expended until the Secretary of Energy submits to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a new baseline plan for the completion of the national ignition facility.

(2) The report shall include a detailed, year-by-year breakdown of the funding required for completion of the facility, as well as projected dates for the completion of program milestones, including the date on which the first laser beams are expected to become operational.

(b) COMPTROLLER GENERAL REVIEW OF NIF PROGRAM.—(1) The Comptroller General shall conduct a thorough review of the national ignition facility program.

(2) Not later than March 31, 2001, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the review conducted under paragraph (1). The report shall include—

(A) an analysis of—

(i) the relationship of the national ignition facility program to other key components of the Stockpile Stewardship Program; and

(ii) the potential impact of delays in the national ignition facility program, and of a failure to complete key program objectives of the program, on the other key components of the Stockpile Stewardship Program, such as the Advanced Strategic Computing Initiative Program;

(B) a detailed description and analysis of the funds spent as of the date of the report on the national ignition facility program; and

(C) an assessment whether Lawrence Livermore National Laboratory has established a new baseline plan for the national ignition facility program with clear goals and achievable milestones for that program.

AMENDMENT NO. 3755

At the appropriate place, insert the following:

SEC. . BREAST CANCER STAMP EXTENSION.

Section 414(g) of title 39, United States Code, is amended by striking "2-year" and inserting "4-year".

AMENDMENT NO. 3657

(Purpose: Relating to the greenbelt at Fallon Naval Air Station, Nevada)

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

SEC. 2882. ACTIVITIES RELATING TO THE GREENBELT AT FALLON NAVAL AIR STATION, NEVADA.

(a) IN GENERAL.—The Secretary of the Navy shall, in consultation with the Secretary of the Army acting through the Chief of Engineers, carry out appropriate activi-

ties after examination of the potential environmental and flight safety ramifications for irrigation that has been eliminated, or will be eliminated, for the greenbelt at Fallon Naval Air Station, Nevada. Any activities carried out under the preceding sentence shall be consistent with aircrew safety at Fallon Naval Air Station.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for operation and maintenance for the Navy such sums as may be necessary to carry out the activities required by subsection (a).

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

STRATEGIC NUCLEAR WEAPONS POLICY

Mr. KERREY. Mr. President, a few weeks ago the Senate convened a joint meeting between Democrats and Republicans to receive a classified nuclear briefing from the Department of Defense. The purpose of this bipartisan meeting was for the members of the Senate to get a better understanding of our strategic nuclear weapons policy.

Our briefers, which included Admiral Richard Mies, Commander of STRATCOM, had been invited to the Senate to explain the details of the Single Integrated Operational Plan—or SIOP. The SIOP is the highly-classified nuclear blueprint of targets and targeting assignments for our strategic nuclear weapons arsenal, and is the driving force behind our strategic nuclear force levels. While the SIOP is a military document, it is based on guidance given to the Department of Defense by the President.

As elected representatives of the people, and with a Constitutional role in determining national security policy, Congress should have an understanding of the principles underpinning our nuclear policy. Both the guidance provided by the President and the details of the SIOP are necessary for us to make informed national security decisions.

With this in mind, we gathered in an interior room in the Capitol to get a full briefing on the SIOP. But when we asked the DoD briefers precise questions about the SIOP, we did not get the information we were seeking. The briefers were unable, or unwilling, to give us the kind of specific information about our nuclear forces and plans we need to make the decisions required as elected representatives of the people.