

JP

ID# 275606

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

C0083

INCOMING

DATE RECEIVED: OCTOBER 03, 1991

NAME OF CORRESPONDENT: THE HONORABLE GEORGE E. BROWN JR.

SUBJECT: REQUESTS STATUS OF THE REPORT WITH RESPECT
TO CONTRACTING FOR THE REBUILDING OF KUWAIT

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION		DISPOSITION	
		ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
FREDERICK MCCLURE		ORG	91/10/01	FM	A 91/10/07
99OMB	REFERRAL NOTE:	DJE	91/10/16		A 91/11/21
NSC	REFERRAL NOTE:	DJE	91/10/16		/ /
99DOS	REFERRAL NOTE:	DJE	91/10/16		/ /
LA Andr	REFERRAL NOTE:	DJE	91/10/16		/ /
99DOC	REFERRAL NOTE:	I	91/10/16		/ /
COMMENTS: Lamcc1 - fyi - OMB		DJ	91-11-26	WS	C 91/11/26 TC

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 1230
MAIL USER CODES: (A) (B) (C)

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| *ACTION CODES: | *DISPOSITION | *OUTGOING | * |
| * | * | *CORRESPONDENCE: | * |
| *A-APPROPRIATE ACTION | *A-ANSWERED | *TYPE RESP=INITIALS | * |
| *C-COMMENT/RECOM | *B-NON-SPEC-REFERRAL | OF SIGNER | * |
| *D-DRAFT RESPONSE | *C-COMPLETED | CODE = A | * |
| *F-FURNISH FACT SHEET | *S-SUSPENDED | *COMPLETED = DATE OF | * |
| *I-INFO COPY/NO ACT NEC* | | OUTGOING | * |
| *R-DIRECT REPLY W/COPY * | | | * |
| *S-FOR-SIGNATURE | | | * |
| *X-INTERIM REPLY | | | * |
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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
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LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 21, 1991

The Honorable George E. Brown, Jr.
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Brown:

This is to further respond to your letter regarding the submission of a report from the President to Congress on contracting for the rebuilding of Kuwait.

The Department of Commerce is preparing the report in consultation with other agencies, as appropriate. The report should be submitted in the near future.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Robert E. Howard".

Robert E. Howard
Associate Director
National Security and
International Affairs

October 7, 1991

Dear Congressman Brown:

Thank you for your recent letter requesting a report from the President to Congress regarding the rebuilding of Kuwait.

I appreciate your interest in bringing this matter to my attention. I have shared your letter with several of the President's other advisors in this matter for their review.

Thank you again for your interest in writing.

With best regards,

Sincerely,

Frederick D. McClure
Assistant to the President
for Legislative Affairs

The Honorable George E. Brown, Jr.
House of Representatives
Washington, D.C. 20515

FDM:JHH:

bcc: w/ copy of inc to OMB - for direct response
bcc: w/ copy of inc to NSC - FYI
bcc: w/ copy of inc to Dept. of State - FYI
bcc: w/ copy of inc to Gary Andres - FYI
bcc: w/ copy of inc to Dept. of Commerce -
FYI

T H E W H I T E H O U S E O F F I C E

REFERRAL

OCTOBER 17, 1991

TO: OFFICE OF MANAGEMENT AND BUDGET

ACTION REQUESTED:

DIRECT REPLY, FURNISH INFO COPY

REMARKS: ALSO REFERRED TO DOS AND DOC

DESCRIPTION OF INCOMING:

ID: 275606

MEDIA: LETTER, DATED OCTOBER 1, 1991

TO: FRED MCCLURE

FROM: THE HONORABLE GEORGE E. BROWN JR.
U.S. HOUSE OF REPRESENTATIVES

WASHINGTON DC 20515

SUBJECT: REQUESTS STATUS OF THE REPORT WITH RESPECT
TO CONTRACTING FOR THE REBUILDING OF KUWAIT

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE, 20500

SALLY KELLEY
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

37066

GEORGE E. BROWN, JR.
2300 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-8181

CHAIRMAN,
COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

CHAIRMAN,
TECHNOLOGY ASSESSMENT BOARD
AGRICULTURE

Congress of the United States
House of Representatives
Washington, DC 20515

October 1, 1991

Mr. Frederick D. McClure
Assistant to the President for Legislative Affairs
The White House
Washington, D.C. 20500

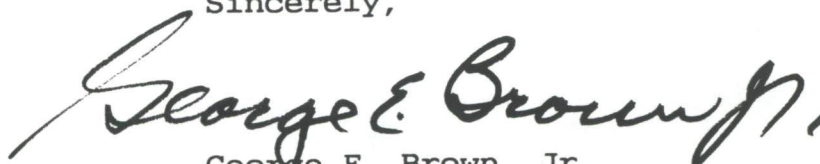
Dear Mr. McClure:

Public Law 102-25, Section 606 (f) requires the President to submit a report to Congress by June 6, 1991 and every four months thereafter with respect to contracting for the rebuilding of Kuwait. As of September 30, 1990, legislative operations staff for the House of Representatives indicate that no report has yet been submitted by the President.

As the author of legislation similar to the language that was finally adopted by the House and Senate in P.L. 102-25, Section 606 (f) and as the Congressional representative for constituents who are interested in gaining employment and contracting opportunities in Kuwait, I am very interested in the President's report.

I would appreciate knowing when the first report will be submitted to Congress. Thank you for your attention to this matter, and I look forward to your response.

Sincerely,



George E. Brown, Jr.
Member of Congress

Enclosure,

(1) relevant portion of P.L. 102-25

275-606
36TH DISTRICT OF
CALIFORNIA

DISTRICT OFFICES:

- 657 LACADENA DRIVE
COLTON, CA 92324
(714) 825-2472
- 3600 LIME STREET, SUITE 116
RIVERSIDE, CA 92501
(714) 686-8863
- WASHINGTON OFFICE

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Comments:

Public Law 102-25
102d Congress

An Act

Entitled the "Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991".

Apr. 6, 1991
[S. 725]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This Act may be cited as the "Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991".

SEC. 2. TABLE OF CONTENTS

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Construction with Public Law 101-510.

TITLE I—AUTHORIZATION OF FISCAL YEAR 1991 SUPPLEMENTAL APPROPRIATIONS FOR OPERATION DESERT STORM

- Sec. 101. Funds in the Defense Cooperation Account.
- Sec. 102. Persian Gulf Conflict Working Capital Account.
- Sec. 103. Additional transfer authority.
- Sec. 104. Administration of transfers.
- Sec. 105. Notice to Congress of transfers.
- Sec. 106. Monthly reports on transfers.

TITLE II—WAIVER OF PERSONNEL CEILINGS AFFECTED BY OPERATION DESERT STORM

- Sec. 201. Authority to waive end strength and grade strength laws.
- Sec. 202. Certification.
- Sec. 203. Authorization from Defense Cooperation Account.
- Sec. 204. Conforming repeal.
- Sec. 205. Relationship to other laws.

TITLE III—BENEFITS FOR PERSONS SERVING IN ARMED FORCES DURING THE PERSIAN GULF CONFLICT

Part A—Military Compensation and Benefits

- Sec. 301. Temporary increase in the rate of special pay for duty subject to hostile fire or imminent danger.
- Sec. 302. Temporary increase in family separation allowance.
- Sec. 303. Determination of variable housing allowance for Reserves.
- Sec. 304. Medical, dental, and nonphysician special pays for reserve, recalled, or retained health care officers.
- Sec. 305. Waiver of board certification requirements.
- Sec. 306. Foreign language proficiency pay.
- Sec. 307. Temporary increase in amount of death gratuity.
- Sec. 308. Death gratuity for participants who died before the date of enactment.
- Sec. 309. Treatment of accrued leave of members who die while on active duty.
- Sec. 310. Removal of limitation on the accrual of savings of members in a missing status.
- Sec. 310A. Basic allowance for quarters for certain members of reserve components without dependents.

Part B—Military Personnel Policies and Programs

- Sec. 311. Grade of recalled retired members.

Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991. Armed Forces. Veterans. 10 USC 101 note.

Reports.
5 USC app. 101.

2 USC 701.

SEC. 605. EXTENSION OF TIME FOR FILING FOR PERSONS SERVING IN COMBAT ZONE

(a) In General.—Section 101(g) of the Ethics in Government Act of 1978 is amended—

- (1) by inserting "(1)" after "(g)"; and
- (2) by adding at the end the following:
 - "(2)(A) In the case of an individual who is serving in the Armed Forces, or serving in support of the Armed Forces, in an area while that area is designated by the President by Executive order as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986, the date for the filing of any report shall be extended so that the date is 180 days after the later of—
 - "(i) the last day of the individual's service in such area during such designated period; or
 - "(ii) the last day of the individual's hospitalization as a result of injury received or disease contracted while serving in such area.

"(B) The Office of Government Ethics, in consultation with the Secretary of Defense, may prescribe procedures under this paragraph."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to reports required to be filed after January 17, 1991.

SEC. 606. SENSE OF CONGRESS CONCERNING BUSINESSES SEEKING TO PARTICIPATE IN THE REBUILDING OF KUWAIT

(a) FINDINGS.—The Congress finds as follows:

- (1) The Armed Forces of the United States, together with allied forces, have successfully liberated Kuwait and have restored the independence of that nation.
 - (2) During the occupation of Kuwait by Iraq, much damage was done to the infrastructure, environment, and industrial capacity of Kuwait, and rebuilding of Kuwait is desperately needed.
 - (3) The principal test of a nation's commitment to the liberation of Kuwait in the Persian Gulf conflict was its willingness to provide military forces for the liberation of Kuwait.
 - (4) United States firms, including small and minority-owned businesses, have expressed a significant interest in participating in the rebuilding of Kuwait.
 - (5) Small and minority-owned businesses face inherent difficulties in competing in foreign markets and in obtaining a share of contracts from foreign governments, particularly those contracts that are performed in distant parts of the world.
- (b) SENSE OF CONGRESS CONCERNING SOURCE SELECTION FOR KUWAIT CONTRACTS.—It is the sense of Congress that the Army Corps of Engineers and other Federal agencies should award contracts for the rebuilding of Kuwait, and, in recommending business firms to the Government of Kuwait for the award by it of such contracts, should encourage the Government of Kuwait to award such contracts, in accordance with the following priority:
- (1) First, to United States firms, including small and minority-owned businesses, that are committed to employing United States workers under the contract.
 - (2) Second, to other United States firms.

(3) Then, to firms from allied nations that committed military forces to the liberation of Kuwait during the Persian Gulf conflict.

(c) SENSE OF CONGRESS CONCERNING SELECTION OF SUBCONTRACTORS FOR KUWAIT CONTRACTS.—It is the sense of Congress that, when making recommendations to any contractor awarded a contract referred to in subsection (b) concerning the selection of firms for subcontracts under such contract, the Army Corps of Engineers shall encourage the contractor to select a firm or firms for the subcontract in accordance with the priority set out in subsection (b).

(d) SENSE OF CONGRESS CONCERNING EMPLOYEES UNDER KUWAIT REBUILDING CONTRACTS.—It is the sense of Congress that any United States firm that receives a contract pertaining to the rebuilding of Kuwait—

- (1) should employ United States citizens to carry out the contract; and
- (2) should provide a preference to veterans of the Armed Forces in hiring for work on the contract.

(e) SENSE OF CONGRESS CONCERNING SMALL AND MINORITY-OWNED BUSINESS PARTICIPATION IN KUWAIT REBUILDING CONTRACTS.—It is the sense of Congress that—

- (1) the President, acting through the appropriate Government agencies (including particularly the agencies that will be engaged in source selections or source recommendations as described in subsection (b)), should take steps to provide assistance to United States small and minority-owned businesses seeking to be awarded contracts as part of the rebuilding of Kuwait;
- (2) the Administrator of the Small Business Administration and other appropriate Federal officials should conduct a public information campaign to advise small and minority-owned business firms with respect to contracts for the rebuilding of Kuwait; and
- (3) United States firms that are awarded contracts pertaining to the rebuilding of Kuwait should, to the maximum extent practicable, seek to award subcontracts for such contracts to United States small and minority-owned business firms.

(f) PROGRESS REPORTS.—(1) The President shall submit to Congress a report every four months with respect to contracting for the rebuilding of Kuwait. Each such report shall show, as of the submission of the report, the country of origin of all business firms awarded Kuwait rebuilding contracts by the Corps of Engineers and other Federal agencies and the country of origin of all business firms awarded subcontracts under such contracts and the other information specified in paragraphs (2) and (3).

(2) The President shall include in each such report the same information (to the extent reasonably available) with regard to all business firms awarded Kuwait rebuilding contracts by the Government of Kuwait and all business firms that are subcontractors under those contracts. The President shall request the Government of Kuwait to provide to the United States, on an ongoing basis, information with respect to the country of origin of business firms to which it awards rebuilding contracts, the country of origin of firms awarded subcontracts under those contracts, and the information with respect to those contracts and subcontracts described in paragraph (3).

(3)(A) Information in reports under paragraph (1) shall be shown by the number of firms from each such country and by the dollar

President.
Reports.

5 USC app. 101
note.

value of contracts and subcontracts awarded to firms from each such country.

(B) Each such report shall also show (to the extent reasonably available) the number and percentage of contractors that are small businesses, and the number and percentage of contractors that are minority-owned businesses, among the total number of contracts awarded to United States. Each such report shall also show (to the extent reasonably available), with respect to each contract awarded to a United States firm, the number and percentage of persons employed (or expected to be employed) under the contract who are United States citizens, the number and percentage of all persons so employed (or expected to be so employed) who are United States citizens and are veterans, and the number of subcontractors under the contract that are small businesses and the number that are minority-owned businesses.

(4) The first report under paragraph (1) shall be submitted not later than two months after the date of the enactment of this Act. The last such report shall be submitted 36 months after the first report.

SEC. 607. SENSE OF CONGRESS REGARDING USE OF UNITED STATES FUNDS FOR REBUILDING IRAQ

It is the sense of Congress that none of the funds appropriated or otherwise made available by any provision of law may be obligated or expended, directly or indirectly, for the purpose of rebuilding Iraq while Saddam Hussein remains in power in Iraq.

SEC. 608. WITHHOLDING OF PAYMENTS TO INDIRECT-HIRE CIVILIAN PERSONNEL OF NONPAYING PLEDGING NATIONS

(a) **GENERAL RULE.**—Effective as of the end of the six-month period beginning on the date of the enactment of this Act, the Secretary of Defense shall withhold payments to any nonpaying pledging nation that would otherwise be paid as reimbursements for expenses of indirect-hire civilian personnel of the Department of Defense in that nation.

(b) **NONPAYING PLEDGING NATION DEFINED.**—For purposes of this section, the term “nonpaying pledging nation” means a foreign nation that has pledged to the United States that it will make contributions to assist the United States in defraying the incremental costs of Operation Desert Shield and which has not paid to the United States the full amount so pledged.

(c) **RELEASE OF WITHHELD AMOUNTS.**—When a nation affected by subsection (a) has paid to the United States the full amount pledged, the Secretary of Defense shall release the amounts withheld from payment pursuant to subsection (a).

(d) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the requirement in subsection (a) upon certification to Congress that the waiver is required in the national security interests of the United States.

SEC. 609. RELIEF FROM REQUIREMENTS FOR REDUCTIONS IN DEFENSE ACQUISITION WORKFORCE DURING FISCAL YEAR 1991

(a) The Secretary of Defense, in allocating to various installations and facilities the defense acquisition workforce reductions required for fiscal year 1991, should use the considerable flexibility concerning the manner in which those reductions are to be made that was provided to the Secretary by section 905 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104

Stat. 1621) in order to respond properly and efficiently to the influx of work expected to come into the defense acquisition system resulting from Operation Desert Storm.

(b) The Secretary should allocate those reductions for fiscal year 1991 in a manner that ensures that any Department of Defense installation or facility that will experience a significant increase in workload during fiscal year 1991 (compared to its workload during fiscal year 1990) as a direct result of activities undertaken in support of Operation Desert Storm is not required to make defense acquisition workforce reductions during fiscal year 1991 that would adversely affect the ability of that installation or facility to perform its mission.

(c) For purposes of this section, the term “defense acquisition workforce reductions” means the reductions in the defense acquisition workforce required by section 905 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1621).

TITLE VII—MISCELLANEOUS TECHNICAL AMENDMENTS

SEC. 701. AMENDMENTS TO TITLE 10, UNITED STATES CODE

(a) **CLARIFICATION OF WAIVER AUTHORITY.**—Section 2331(c)(1) of title 10, United States Code, as added by section 834(a) of Public Law 101-510 (104 Stat. 1613), is amended—

- (1) by striking out “on a case-by-case basis”;
- (2) by striking out “considerations necessary for the use of master agreements” and inserting in lieu thereof “considers the use of master agreements necessary”; and
- (3) by striking out “of this section” before the period at the end.

(b) **CLARIFICATION OF TRUTH-IN-NEGOTIATION ACT AMENDMENTS.**—Section 2306a(a)(1) of title 10, United States Code, as amended by section 803(a) of Public Law 101-510 (104 Stat. 1589), is amended—

- (1) in subparagraph (B), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to that contract”;
 - (2) in subparagraph (C)(1), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to the prime contract of that subcontract”; and
 - (3) in subparagraph (D), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to the prime contract of that subcontract”.
- (c) **CLARIFICATION OF IR&D AMENDMENTS.**—Section 2372(d)(2)(B) of title 10, United States Code, as added by section 824(a)(1) of Public Law 101-510 (104 Stat. 1603), is amended by striking out “or” after “subsection (b)” and inserting in lieu thereof “, including”.
- (d) **DEFINITION OF SMALL PURCHASE THRESHOLD.**—Title 10, United States Code, is amended as follows:

(1) Section 2302 is amended by adding at the end the following new paragraph:

“(7) The term ‘small purchase threshold’ has the meaning given that term in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).”

JK

1667

ID# 275606

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

C0083

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FREDERICK MCCLURE		ORG	91/10/01	FM A91/10/07	
99OMB ✓	REFERRAL NOTE:	DJ	911016		/ /
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COMMENTS:		DJ			

DJ

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RECEIVED: 17 OCT 91 13

TO: MCCLURE, F

FROM: BROWN, GEORGE E

DOC DATE: 01 OCT 91
SOURCE REF: 275606

KEYWORDS: KUWAIT

CONGRESSIONAL

PERSONS:

SUBJECT: LTR TO MCCLURE FM REP BROWN REQUESTING RPT TO CONGRESS FM PRES RE
REBUILDING OF KUWAIT

ACTION: FOR RECORD PURPOSES DUE DATE: 21 OCT 91 STATUS: C

STAFF OFFICER: NONE

LOGREF:

FILES: WH

NSCP:

CODES:

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FOR CONCURRENCE

FOR INFO

HAASS
LAMPLEY
RIEDEL

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CLOSED BY: NSMEM

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RECORD ID: 9107667

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October 7, 1991

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FYI

GEORGE E. BROWN, JR.
2300 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6161

CHAIRMAN,
COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY
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Congress of the United States
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7467 275-606
36TH DISTRICT OF
CALIFORNIA

- DISTRICT OFFICES:
- 657 LACADENA DRIVE
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 - 3600 LIME STREET, SUITE 118
RIVERSIDE, CA 92501
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 - WASHINGTON OFFICE

October 1, 1991

Mr. Frederick D. McClure
Assistant to the President for Legislative Affairs
The White House
Washington, D.C. 20500

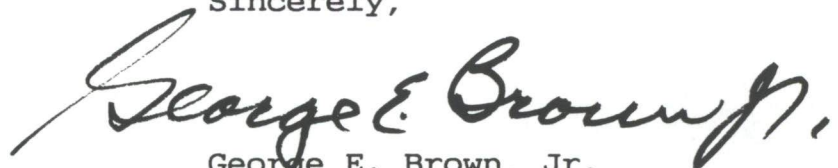
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TITLE III—BENEFITS FOR PERSONS SERVING IN ARMED FORCES DURING THE PERSIAN GULF CONFLICT

Part A—Military Compensation and Benefits

- Sec. 301. Temporary increase in the rate of special pay for duty subject to hostile fire or imminent danger.
- Sec. 302. Temporary increase in family separation allowance.
- Sec. 303. Determination of variable housing allowance for Reserves.
- Sec. 304. Medical, dental, and nonphysician special pays for reserve, recalled, or retained health care officers.
- Sec. 305. Waiver of board certification requirements.
- Sec. 306. Foreign language proficiency pay.
- Sec. 307. Temporary increase in amount of death gratuity.
- Sec. 308. Death gratuity for participants who died before the date of enactment.
- Sec. 309. Treatment of accrued leave of members who die while on active duty.
- Sec. 310. Removal of limitation on the accrual of savings of members in a missing status.

- Sec. 310A. Basic allowance for quarters for certain members of reserve components without dependents.

Part B—Military Personnel Policies and Programs

- Sec. 311. Grade of recalled retired members.

Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991. Armed Forces. Veterans. 10 USC 101 note.

Reports.
5 USC app. 101.

2 USC 701.

SEC. 605. EXTENSION OF TIME FOR FILING FOR PERSONS SERVING IN COMBAT ZONE

(a) In GENERAL.—Section 101(g) of the Ethics in Government Act of 1978 is amended—

- (1) by inserting "(1)" after "(g)"; and
(2) by adding at the end the following:

"(2)(A) In the case of an individual who is serving in the Armed Forces, or serving in support of the Armed Forces, in an area while that area is designated by the President by Executive order as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986, the date for the filing of any report shall be extended so that the date is 180 days after the later of—

"(i) the last day of the individual's service in such area during such designated period; or

"(ii) the last day of the individual's hospitalization as a result of injury received or disease contracted while serving in such area.

"(B) The Office of Government Ethics, in consultation with the Secretary of Defense, may prescribe procedures under this paragraph."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to reports required to be filed after January 17, 1991.

5 USC app. 101
note.

SEC. 606. SENSE OF CONGRESS CONCERNING BUSINESSES SEEKING TO PARTICIPATE IN THE REBUILDING OF KUWAIT

(a) FINDINGS.—The Congress finds as follows:

(1) The Armed Forces of the United States, together with allied forces, have successfully liberated Kuwait and have restored the independence of that nation.

(2) During the occupation of Kuwait by Iraq, much damage was done to the infrastructure, environment, and industrial capacity of Kuwait, and rebuilding of Kuwait is desperately needed.

(3) The principal test of a nation's commitment to the liberation of Kuwait in the Persian Gulf conflict was its willingness to provide military forces for the liberation of Kuwait.

(4) United States firms, including small and minority-owned businesses, have expressed a significant interest in participating in the rebuilding of Kuwait.

(5) Small and minority-owned businesses face inherent difficulties in competing in foreign markets and in obtaining a share of contracts from foreign governments, particularly those contracts that are performed in distant parts of the world.

(b) SENSE OF CONGRESS CONCERNING SOURCE SELECTION FOR KUWAIT CONTRACTS.—It is the sense of Congress that the Army Corps of Engineers and other Federal agencies should award contracts for the rebuilding of Kuwait, and, in recommending business firms to the Government of Kuwait for the award by it of such contracts, should encourage the Government of Kuwait to award such contracts, in accordance with the following priority:

- (1) First, to United States firms, including small and minority-owned businesses, that are committed to employing United States workers under the contract.
(2) Second, to other United States firms.

(3) Then, to firms from allied nations that committed military forces to the liberation of Kuwait during the Persian Gulf conflict.

(c) SENSE OF CONGRESS CONCERNING SELECTION OF SUBCONTRACTORS FOR KUWAIT CONTRACTS.—It is the sense of Congress that, when making recommendations to any contractor awarded a contract referred to in subsection (b) concerning the selection of firms for subcontracts under such contract, the Army Corps of Engineers shall encourage the contractor to select a firm or firms for the subcontract in accordance with the priority set out in subsection (b).

(d) SENSE OF CONGRESS CONCERNING EMPLOYERS UNDER KUWAIT REBUILDING CONTRACTS.—It is the sense of Congress that any United States firm that receives a contract pertaining to the rebuilding of

(1) should employ United States citizens to carry out the contract; and

(2) should provide a preference to veterans of the Armed Forces in hiring for work on the contract.

(e) SENSE OF CONGRESS CONCERNING SMALL AND MINORITY-OWNED BUSINESS PARTICIPATION IN KUWAIT REBUILDING CONTRACTS.—It is the sense of Congress that—

(1) the President, acting through the appropriate Government agencies (including particularly the agencies that will be engaged in source selections or source recommendations as described in subsection (b)), should take steps to provide assistance to United States small and minority-owned businesses seeking to be awarded contracts as part of the rebuilding of Kuwait;

(2) the Administrator of the Small Business Administration and other appropriate Federal officials should conduct a public information campaign to advise small and minority-owned business firms with respect to contracts for the rebuilding of Kuwait; and

(3) United States firms that are awarded contracts pertaining to the rebuilding of Kuwait should, to the maximum extent practicable, seek to award subcontracts for such contracts to United States small and minority-owned business firms.

(f) PROGRESS REPORTS.—(1) The President shall submit to Congress a report every four months with respect to contracting for the rebuilding of Kuwait. Each such report shall show, as of the submission of the report, the country of origin of all business firms awarded Kuwait rebuilding contracts by the Corps of Engineers and other Federal agencies and the country of origin of all business firms awarded subcontracts under such contracts and the other information specified in paragraphs (2) and (3).

(2) The President shall include in each such report the same information (to the extent reasonably available) with regard to all business firms awarded Kuwait rebuilding contracts by the Government of Kuwait and all business firms that are subcontractors under those contracts. The President shall request the Government of Kuwait to provide to the United States, on an ongoing basis, information with respect to the country of origin of business firms to which it awards rebuilding contracts, the country of origin of firms awarded subcontracts under those contracts, and the information with respect to those contracts and subcontracts described in paragraph (3).

(3)(A) Information in reports under paragraph (1) shall be shown by the number of firms from each such country and by the dollar

President,
Reports.

value of contracts and subcontracts awarded to firms from each such country.

(B) Each such report shall also show (to the extent reasonably available) the number and percentage of contractors that are small businesses, and the number and percentage of contractors that are small businesses, among the total number of contracts awarded to United States. Each such report shall also show (to the extent reasonably available), with respect to each contract awarded to a United States firm, the number and percentage of persons employed (or expected to be employed) under the contract who are United States citizens, the number and percentage of all persons so employed (or expected to be so employed) who are United States citizens and are veterans, and the number of subcontractors under the contract that are small businesses and the number that are minority-owned businesses.

(4) The first report under paragraph (1) shall be submitted not later than two months after the date of the enactment of this Act. The last such report shall be submitted 36 months after the first report.

SEC. 607. SENSE OF CONGRESS REGARDING USE OF UNITED STATES FUNDS FOR REBUILDING IRAQ

It is the sense of Congress that none of the funds appropriated or otherwise made available by any provision of law may be obligated or expended, directly or indirectly, for the purpose of rebuilding Iraq while Saddam Hussein remains in power in Iraq.

SEC. 608. WITHHOLDING OF PAYMENTS TO INDIRECT-HIRE CIVILIAN PERSONNEL OF NONPAYING PLEDGING NATIONS

(a) **GENERAL RULE.**—Effective as of the end of the six-month period beginning on the date of the enactment of this Act, the Secretary of Defense shall withhold payments to any nonpaying pledging nation that would otherwise be paid as reimbursements for expenses of indirect-hire civilian personnel of the Department of Defense in that nation.

(b) **NONPAYING PLEDGING NATION DEFINED.**—For purposes of this section, the term “nonpaying pledging nation” means a foreign nation that has pledged to the United States that it will make contributions to assist the United States in defraying the incremental costs of Operation Desert Shield and which has not paid to the United States the full amount so pledged.

(c) **RELEASE OF WITHHELD AMOUNTS.**—When a nation affected by subsection (a) has paid to the United States the full amount pledged, the Secretary of Defense shall release the amounts withheld from payment pursuant to subsection (a).

(d) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the requirement in subsection (a) upon certification to Congress that the waiver is required in the national security interests of the United States.

SEC. 609. RELIEF FROM REQUIREMENTS FOR REDUCTIONS IN DEFENSE ACQUISITION WORKFORCE DURING FISCAL YEAR 1991

(a) The Secretary of Defense, in allocating to various installations and facilities the defense acquisition workforce reductions required for fiscal year 1991, should use the considerable flexibility concerning the manner in which those reductions are to be made that was provided to the Secretary by section 905 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104

Stat. 1621) in order to respond properly and efficiently to the influx of work expected to come into the defense acquisition system resulting from Operation Desert Storm.

(b) The Secretary should allocate those reductions for fiscal year 1991 in a manner that ensures that any Department of Defense installation or facility that will experience a significant increase in workload during fiscal year 1991 (compared to its workload during fiscal year 1990) as a direct result of activities undertaken in support of Operation Desert Storm is not required to make defense acquisition workforce reductions during fiscal year 1991 that would adversely affect the ability of that installation or facility to perform its mission.

(c) For purposes of this section, the term “defense acquisition workforce reductions” means the reductions in the defense acquisition workforce required by section 905 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1621).

TITLE VII—MISCELLANEOUS TECHNICAL AMENDMENTS

SEC. 701. AMENDMENTS TO TITLE 10, UNITED STATES CODE

(a) **CLARIFICATION OF WAIVER AUTHORITY.**—Section 2331(c)(1) of title 10, United States Code, as added by section 834(a) of Public Law 101-510 (104 Stat. 1613), is amended—

- (1) by striking out “on a case-by-case basis”;
- (2) by striking out “considers necessary the use of master agreements” and inserting in lieu thereof “considers the use of master agreements necessary”; and
- (3) by striking out “of this section” before the period at the end.

(b) **CLARIFICATION OF TRUTH-IN-NEGOTIATION ACT AMENDMENTS.**—Section 2306a(a)(1) of title 10, United States Code, as amended by section 803(a) of Public Law 101-510 (104 Stat. 1589), is amended—

- (1) in subparagraph (B), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to that contract”;
- (2) in subparagraph (C)(i), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to the prime contract of that subcontract”; and
- (3) in subparagraph (D), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to the prime contract of that subcontract”.

(c) **CLARIFICATION OF R&D AMENDMENTS.**—Section 2372(d)(2)(B) of title 10, United States Code, as added by section 824(a)(1) of Public Law 101-510 (104 Stat. 1603), is amended by striking out “or” after “subsection (b)” and inserting in lieu thereof “, including”.

(d) **DEFINITION OF SMALL PURCHASE THRESHOLD.**—Title 10, United States Code, is amended as follows:

- (1) Section 2302 is amended by adding at the end the following new paragraph:

“(7) The term ‘small purchase threshold’ has the meaning given that term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).”

JK

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

CO 083

INCOMING

DATE RECEIVED: OCTOBER 03, 1991

NAME OF CORRESPONDENT: THE HONORABLE GEORGE E. BROWN JR.

SUBJECT: REQUESTS STATUS OF THE REPORT WITH RESPECT
TO CONTRACTING FOR THE REBUILDING OF KUWAIT

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION ACT CODE	DATE YY/MM/DD	DISPOSITION TYPE RESP	C COMPLETED D YY/MM/DD
FREDERICK MCCLURE		ORG	91/10/01	EM A91/10/07	
990MB	REFERRAL NOTE:	DJ	911016		1/1
NSC	REFERRAL NOTE:	DJ	911016		1/1
99DOS	REFERRAL NOTE:	DJ	911016		1/1
LA Andr	REFERRAL NOTE:	DJ	911016		1/1
99DOC	REFERRAL NOTE:	I	911016		1/1

DJ

COMMENTS: _____

DJ

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 1230
MAIL USER CODES: (A) _____ (B) _____ (C) _____

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*****
*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                        *                        *CORRESPONDENCE:  *
*A-APPROPRIATE ACTION  *A-ANSWERED          *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL *           OF SIGNER *
*D-DRAFT RESPONSE      *C-COMPLETED        *           CODE = A   *
*F-FURNISH FACT SHEET  *S-SUSPENDED         *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                        *           OUTGOING *
*R-DIRECT REPLY W/COPY *                        *                        *
*S-FOR-SIGNATURE       *                        *                        *
*X-INTERIM REPLY       *                        *                        *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

October 7, 1991

Dear Congressman Brown:

Thank you for your recent letter requesting a report from the President to Congress regarding the rebuilding of Kuwait.

I appreciate your interest in bringing this matter to my attention. I have shared your letter with several of the President's other advisors in this matter for their review.

Thank you again for your interest in writing.

With best regards,

Sincerely,

Frederick D. McClure
Assistant to the President
for Legislative Affairs

The Honorable George E. Brown, Jr.
House of Representatives
Washington, D.C. 20515

FDM:JHH:

bcc: w/ copy of inc to OMB - for direct response
bcc: w/ copy of inc to NSC - FYI
bcc: w/ copy of inc to Dept. of State - FYI
bcc: w/ copy of inc to Gary Andres - FYI
bcc: w/ copy of inc to Dept. of Commerce -
FYI

GEORGE E. BROWN, JR.
2300 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6161

CHAIRMAN,
COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

CHAIRMAN,
TECHNOLOGY ASSESSMENT BOARD
AGRICULTURE

Congress of the United States
House of Representatives
Washington, DC 20515

October 1, 1991

Mr. Frederick D. McClure
Assistant to the President for Legislative Affairs
The White House
Washington, D.C. 20500

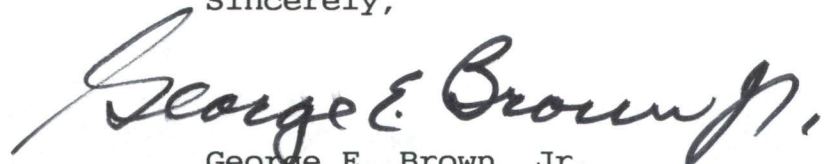
Dear Mr. McClure:

Public Law 102-25, Section 606 (f) requires the President to submit a report to Congress by June 6, 1991 and every four months thereafter with respect to contracting for the rebuilding of Kuwait. As of September 30, 1990, legislative operations staff for the House of Representatives indicate that no report has yet been submitted by the President.

As the author of legislation similar to the language that was finally adopted by the House and Senate in P.L. 102-25, Section 606 (f) and as the Congressional representative for constituents who are interested in gaining employment and contracting opportunities in Kuwait, I am very interested in the President's report.

I would appreciate knowing when the first report will be submitted to Congress. Thank you for your attention to this matter, and I look forward to your response.

Sincerely,



George E. Brown, Jr.
Member of Congress

Enclosure,
(1) relevant portion of P.L. 102-25

275606
36TH DISTRICT OF
CALIFORNIA

- DISTRICT OFFICES:
- 657 LACADENA DRIVE
COLTON, CA 92324
(714) 825-2472
 - 3600 LIME STREET, SUITE 116
RIVERSIDE, CA 92501
(714) 686-8863
 - WASHINGTON OFFICE

Public Law 102-25
102d Congress

An Act

Entitled the "Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991".

Apr. 6, 1991
[S. 725]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This Act may be cited as the "Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991".

SEC. 2. TABLE OF CONTENTS

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Construction with Public Law 101-510.

Persian Gulf
Conflict
Supplemental
Authorization
and Personnel
Benefits Act
of 1991.
Armed Forces
Veterans.
10 USC 101
note.

TITLE I—AUTHORIZATION OF FISCAL YEAR 1991 SUPPLEMENTAL APPROPRIATIONS FOR OPERATION DESERT STORM

- Sec. 101. Funds in the Defense Cooperation Account.
- Sec. 102. Persian Gulf Conflict Working Capital Account.
- Sec. 103. Additional transfer authority.
- Sec. 104. Administration of transfers.
- Sec. 105. Notice to Congress of transfers.
- Sec. 106. Monthly reports on transfers.

TITLE II—WAIVER OF PERSONNEL CEILINGS AFFECTED BY OPERATION DESERT STORM

- Sec. 201. Authority to waive end strength and grade strength laws.
- Sec. 202. Certification.
- Sec. 203. Authorization from Defense Cooperation Account.
- Sec. 204. Conforming repeal.
- Sec. 205. Relationship to other laws.

TITLE III—BENEFITS FOR PERSONS SERVING IN ARMED FORCES DURING THE PERSIAN GULF CONFLICT

Part A—Military Compensation and Benefits

- Sec. 301. Temporary increase in the rate of special pay for duty subject to hostile fire or imminent danger.
- Sec. 302. Temporary increase in family separation allowance.
- Sec. 303. Determination of variable housing allowance for Reserves.
- Sec. 304. Medical, dental, and nonphysician special pays for reserve, recalled, or retained health care officers.
- Sec. 305. Waiver of board certification requirements.
- Sec. 306. Foreign language proficiency pay.
- Sec. 307. Temporary increase in amount of death gratuity.
- Sec. 308. Death gratuity for participants who died before the date of enactment.
- Sec. 309. Treatment of accrued leave of members who die while on active duty.
- Sec. 310. Removal of limitation on the accrual of savings of members in a missing status.
- Sec. 310A. Basic allowance for quarters for certain members of reserve components without dependents.

Part B—Military Personnel Policies and Programs

- Sec. 311. Grade of recalled retired members.

Reports.
5 USC app. 101.

2 USC 701.

SEC. 605. EXTENSION OF TIME FOR FILING FOR PERSONS SERVING IN COMBAT ZONE

(a) In General.—Section 101(g) of the Ethics in Government Act of 1978 is amended—

- (1) by inserting "(1)" after "(g)"; and
- (2) by adding at the end the following:
 - (2)(A) In the case of an individual who is serving in the Armed Forces, or serving in support of the Armed Forces, in an area while that area is designated by the President by Executive order as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986, the date for the filing of any report shall be extended so that the date is 180 days after the later of—
 - (i) the last day of the individual's service in such area during such designated period; or
 - (ii) the last day of the individual's hospitalization as a result of injury received or disease contracted while serving in such area.

"(B) The Office of Government Ethics, in consultation with the Secretary of Defense, may prescribe procedures under this paragraph."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to reports required to be filed after January 17, 1991.

SEC. 606. SENSE OF CONGRESS CONCERNING BUSINESSES SEEKING TO PARTICIPATE IN THE REBUILDING OF KUWAIT

(a) FINDINGS.—The Congress finds as follows:

- (1) The Armed Forces of the United States, together with allied forces, have successfully liberated Kuwait and have restored the independence of that nation.
 - (2) During the occupation of Kuwait by Iraq, much damage was done to the infrastructure, environment, and industrial capacity of Kuwait, and rebuilding of Kuwait is desperately needed.
 - (3) The principal test of a nation's commitment to the liberation of Kuwait in the Persian Gulf conflict was its willingness to provide military forces for the liberation of Kuwait.
 - (4) United States firms, including small and minority-owned businesses, have expressed a significant interest in participating in the rebuilding of Kuwait.
 - (5) Small and minority-owned businesses face inherent difficulties in competing in foreign markets and in obtaining a share of contracts from foreign governments, particularly those contracts that are performed in distant parts of the world.
- (b) SENSE OF CONGRESS CONCERNING SOURCE SELECTION FOR KUWAIT CONTRACTS.—It is the sense of Congress that the Army Corps of Engineers and other Federal agencies should award contracts for the rebuilding of Kuwait, and, in recommending business firms to the Government of Kuwait for the award by it of such contracts, should encourage the Government of Kuwait to award such contracts, in accordance with the following priority:
- (1) First, to United States firms, including small and minority-owned businesses, that are committed to employing United States workers under the contract.
 - (2) Second, to other United States firms.

(3) Then, to firms from allied nations that committed military forces to the liberation of Kuwait during the Persian Gulf conflict.

(c) SENSE OF CONGRESS CONCERNING SELECTION OF SUBCONTRACTORS FOR KUWAIT CONTRACTS.—It is the sense of Congress that, when making recommendations to any contractor awarded a contract referred to in subsection (b) concerning the selection of firms for subcontracts under such contract, the Army Corps of Engineers shall encourage the contractor to select a firm or firms for the subcontract in accordance with the priority set out in subsection (b).

(d) SENSE OF CONGRESS CONCERNING EMPLOYERS UNDER KUWAIT REBUILDING CONTRACTS.—It is the sense of Congress that any United States firm that receives a contract pertaining to the rebuilding of Kuwait—

(1) should employ United States citizens to carry out the contract; and

(2) should provide a preference to veterans of the Armed Forces in hiring for work on the contract.

(e) SENSE OF CONGRESS CONCERNING SMALL AND MINORITY-OWNED BUSINESS PARTICIPATION IN KUWAIT REBUILDING CONTRACTS.—It is the sense of Congress that—

(1) the President, acting through the appropriate Government agencies (including particularly the agencies that will be engaged in source selections or source recommendations as described in subsection (b)), should take steps to provide assistance to United States small and minority-owned businesses seeking to be awarded contracts as part of the rebuilding of Kuwait;

(2) the Administrator of the Small Business Administration and other appropriate Federal officials should conduct a public information campaign to advise small and minority-owned business firms with respect to contracts for the rebuilding of Kuwait; and

(3) United States firms that are awarded contracts pertaining to the rebuilding of Kuwait should, to the maximum extent practicable, seek to award subcontracts for such contracts to United States small and minority-owned business firms.

(f) PROGRESS REPORTS.—(1) The President shall submit to Congress a report every four months with respect to contracting for the rebuilding of Kuwait. Each such report shall show, as of the submission of the report, the country of origin of all business firms awarded Kuwait rebuilding contracts by the Corps of Engineers and other Federal agencies and the country of origin of all business firms awarded subcontracts under such contracts and the other information specified in paragraphs (2) and (3).

(2) The President shall include in each such report the same information (to the extent reasonably available) with regard to all business firms awarded Kuwait rebuilding contracts by the Government of Kuwait and all business firms that are subcontractors under those contracts. The President shall request the Government of Kuwait to provide to the United States, on an ongoing basis, information with respect to the country of origin of business firms to which it awards rebuilding contracts, the country of origin of firms awarded subcontracts under those contracts, and the information with respect to those contracts and subcontracts described in paragraph (3).

(3)(A) Information in reports under paragraph (1) shall be shown by the number of firms from each such country and by the dollar

President.
Reports.

value of contracts and subcontracts awarded to firms from each such country.

(B) Each such report shall also show (to the extent reasonably available) the number and percentage of contractors that are small businesses, and the number and percentage that are minority-owned businesses, among the total number of contracts awarded to United States. Each such report shall also show (to the extent reasonably available), with respect to each contract awarded to a United States firm, the number and percentage of persons employed (or expected to be employed) under the contract who are United States citizens, the number and percentage of all persons so employed (or expected to be so employed) who are United States citizens and are veterans, and the number of subcontractors under the contract that are small businesses and the number that are minority-owned businesses.

(4) The first report under paragraph (1) shall be submitted not later than two months after the date of the enactment of this Act. The last such report shall be submitted 36 months after the first report.

Saddam
Hussein.

SEC. 607. SENSE OF CONGRESS REGARDING USE OF UNITED STATES FUNDS FOR REBUILDING IRAQ

It is the sense of Congress that none of the funds appropriated or otherwise made available by any provision of law may be obligated or expended, directly or indirectly, for the purpose of rebuilding Iraq while Saddam Hussein remains in power in Iraq.

10 USC 113
note.

SEC. 608. WITHHOLDING OF PAYMENTS TO INDIRECT-HIRE CIVILIAN PERSONNEL OF NONPAYING PLEDGING NATIONS

(a) **GENERAL RULE.**—Effective as of the end of the six-month period beginning on the date of the enactment of this Act, the Secretary of Defense shall withhold payments to any nonpaying pledging nation that would otherwise be paid as reimbursements for expenses of indirect-hire civilian personnel of the Department of Defense in that nation.

(b) **NONPAYING PLEDGING NATION DEFINED.**—For purposes of this section, the term “nonpaying pledging nation” means a foreign nation that has pledged to the United States that it will make contributions to assist the United States in defraying the incremental costs of Operation Desert Shield and which has not paid to the United States the full amount so pledged.

(c) **RELEASE OF WITHHELD AMOUNTS.**—When a nation affected by subsection (a) has paid to the United States the full amount pledged, the Secretary of Defense shall release the amounts withheld from payment pursuant to subsection (a).

(d) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the requirement in subsection (a) upon certification to Congress that the waiver is required in the national security interests of the United States.

SEC. 609. RELIEF FROM REQUIREMENTS FOR REDUCTIONS IN DEFENSE ACQUISITION WORKFORCE DURING FISCAL YEAR 1991

(a) The Secretary of Defense, in allocating to various installations and facilities the defense acquisition workforce reductions required for fiscal year 1991, should use the considerable flexibility concerning the manner in which those reductions are to be made that was provided to the Secretary by section 905 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104

Stat. 1621) in order to respond properly and efficiently to the influx of work expected to come into the defense acquisition system resulting from Operation Desert Storm.

(b) The Secretary should allocate those reductions for fiscal year 1991 in a manner that ensures that any Department of Defense installation or facility that will experience a significant increase in workload during fiscal year 1991 (compared to its workload during fiscal year 1990) as a direct result of activities undertaken in support of Operation Desert Storm is not required to make defense acquisition workforce reductions during fiscal year 1991 that would adversely affect the ability of that installation or facility to perform its mission.

(c) For purposes of this section, the term “defense acquisition workforce reductions” means the reductions in the defense acquisition workforce required by section 905 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1621).

TITLE VII—MISCELLANEOUS TECHNICAL AMENDMENTS

SEC. 701. AMENDMENTS TO TITLE 10, UNITED STATES CODE

(a) **CLARIFICATION OF WAIVER AUTHORITY.**—Section 2331(c)(1) of title 10, United States Code, as added by section 834(a) of Public Law 101-510 (104 Stat. 1613), is amended—

- (1) by striking out “on a case-by-case basis”;
- (2) by striking out “considers necessary the use of master agreements” and inserting in lieu thereof “considers the use of master agreements necessary”; and
- (3) by striking out “of this section” before the period at the end.

(b) **CLARIFICATION OF TRUTH-IN-NEGOTIATION ACT AMENDMENTS.**—Section 2306(a)(X1) of title 10, United States Code, as amended by section 803(a) of Public Law 101-510 (104 Stat. 1589), is amended—

- (1) in subparagraph (B), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to that contract”;

(2) in subparagraph (C)(i), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to the prime contract of that subcontract”; and

(3) in subparagraph (D), by striking out “\$500,000” and all that follows through “\$100,000” and inserting in lieu thereof “the dollar amount applicable under subparagraph (A) to the prime contract of that subcontract”.

(c) **CLARIFICATION OF IR&D AMENDMENTS.**—Section 2372(d)(2)(B) of title 10, United States Code, as added by section 824(a)(1) of Public Law 101-510 (104 Stat. 1603), is amended by striking out “or” after “subsection (b)” and inserting in lieu thereof “, including”.

(d) **DEFINITION OF SMALL PURCHASE THRESHOLD.**—Title 10, United States Code, is amended as follows:

(1) Section 2302 is amended by adding at the end the following new paragraph:

“(7) The term ‘small purchase threshold’ has the meaning given that term in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).”