

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

“985. Persons convicted of capital crimes: denial of certain burial-related benefits.”.

(b) **APPLICABILITY.**—Section 985 of title 10, United States Code, as added by subsection (a), applies with respect to persons dying after January 1, 1997. 10 USC 985 note.

**SEC. 1078. RESTRICTIONS ON THE USE OF HUMAN SUBJECTS FOR TESTING OF CHEMICAL OR BIOLOGICAL AGENTS.** 50 USC 1520a.

(a) **PROHIBITED ACTIVITIES.**—The Secretary of Defense may not conduct (directly or by contract)—

(1) any test or experiment involving the use of a chemical agent or biological agent on a civilian population; or

(2) any other testing of a chemical agent or biological agent on human subjects.

(b) **EXCEPTIONS.**—Subject to subsections (c), (d), and (e), the prohibition in subsection (a) does not apply to a test or experiment carried out for any of the following purposes:

(1) Any peaceful purpose that is related to a medical, therapeutic, pharmaceutical, agricultural, industrial, or research activity.

(2) Any purpose that is directly related to protection against toxic chemicals or biological weapons and agents.

(3) Any law enforcement purpose, including any purpose related to riot control.

(c) **INFORMED CONSENT REQUIRED.**—The Secretary of Defense may conduct a test or experiment described in subsection (b) only if informed consent to the testing was obtained from each human subject in advance of the testing on that subject.

(d) **PRIOR NOTICE TO CONGRESS.**—Not later than 30 days after the date of final approval within the Department of Defense of plans for any experiment or study to be conducted by the Department of Defense (whether directly or under contract) involving the use of human subjects for the testing of a chemical agent or a biological agent, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report setting forth a full accounting of those plans, and the experiment or study may then be conducted only after the end of the 30-day period beginning on the date such report is received by those committees. Reports.

(e) **BIOLOGICAL AGENT DEFINED.**—In this section, the term “biological agent” means any micro-organism (including bacteria, viruses, fungi, rickettsiac, or protozoa), pathogen, or infectious substance, and any naturally occurring, bioengineered, or synthesized component of any such micro-organism, pathogen, or infectious substance, whatever its origin or method of production, that is capable of causing—

(1) death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism;

(2) deterioration of food, water, equipment, supplies, or materials of any kind; or

(3) deleterious alteration of the environment.

(f) **REPORT AND CERTIFICATION.**—Section 1703(b) of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 1523(b)) is amended by adding at the end the following new paragraph:

“(9) A description of any program involving the testing of biological or chemical agents on human subjects that was carried out by the Department of Defense during the period covered by the report, together with—

“(A) a detailed justification for the testing;

“(B) a detailed explanation of the purposes of the testing;

“(C) a description of each chemical or biological agent tested; and

“(D) the Secretary’s certification that informed consent to the testing was obtained from each human subject in advance of the testing on that subject.”

(g) REPEAL OF SUPERSEDED PROVISION OF LAW.—Section 808 of the Department of Defense Appropriation Authorization Act, 1978 (50 U.S.C. 1520), is repealed.

49 USC 303 note. SEC. 1079. TREATMENT OF MILITARY FLIGHT OPERATIONS.

No military flight operation (including a military training flight), or designation of airspace for such an operation, may be treated as a transportation program or project for purposes of section 303(c) of title 49, United States Code.

SEC. 1080. NATURALIZATION OF CERTAIN FOREIGN NATIONALS WHO SERVE HONORABLY IN THE ARMED FORCES DURING A PERIOD OF CONFLICT.

(a) IN GENERAL.—Section 329(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1440(a)(1)) is amended—

(1) by inserting “, reenlistment, extension of enlistment,” after “at the time of enlistment”; and

(2) by inserting “or on board a public vessel owned or operated by the United States for noncommercial service,” after “United States, the Canal Zone, American Samoa, or Swains Island.”

Applicability.  
8 USC 1440 note.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to enlistments, reenlistments, extensions of enlistment, and inductions of persons occurring on or after the date of the enactment of this Act.

10 USC 111 note. SEC. 1081. APPLICABILITY OF CERTAIN PAY AUTHORITIES TO MEMBERS OF SPECIFIED INDEPENDENT STUDY ORGANIZATIONS.

(a) APPLICABILITY OF CERTAIN PAY AUTHORITIES.—(1) An individual who is a member of a commission or panel specified in subsection (b) and is an annuitant otherwise covered by section 8344 or 8468 of title 5, United States Code, by reason of membership on the commission or panel is not subject to the provisions of that section with respect to such membership.

(2) An individual who is a member of a commission or panel specified in subsection (b) and is a member or former member of a uniformed service is not subject to the provisions of subsections (b) and (c) of section 5532 of such title with respect to membership on the commission or panel.

(b) SPECIFIED ENTITIES.—Subsection (a) applies—

Effective date.

(1) effective as of September 23, 1996, to members of the National Defense Panel established by section 924 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201; 110 Stat. 2626); and