

106TH CONGRESS  
1ST SESSION

# H. R. 2561

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IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1999

Ordered to be printed with the amendments of the Senate numbered

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## AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 ~~(1) That the following sums are appropriated, out of any~~  
4 ~~money in the Treasury not otherwise appropriated, for the~~  
5 ~~fiscal year ending September 30, 2000, for military func-~~  
6 ~~tions administered by the Department of Defense, and for~~  
7 ~~other purposes, namely:~~

8 TITLE I  
9 MILITARY PERSONNEL  
10 MILITARY PERSONNEL, ARMY

11 For pay, allowances, individual clothing, subsistence,  
12 interest on deposits, gratuities, permanent change of sta-

1 tion travel (including all expenses thereof for organiza-  
2 tional movements), and expenses of temporary duty travel  
3 between permanent duty stations, for members of the  
4 Army on active duty (except members of reserve compo-  
5 nents provided for elsewhere), cadets, and aviation cadets;  
6 and for payments pursuant to section 156 of Public Law  
7 97-377, as amended (42 U.S.C. 402 note), to section  
8 229(b) of the Social Security Act (42 U.S.C. 429(b)), and  
9 to the Department of Defense Military Retirement Fund,  
10 \$21,475,732,000.

11 **MILITARY PERSONNEL, NAVY**

12 For pay, allowances, individual clothing, subsistence,  
13 interest on deposits, gratuities, permanent change of sta-  
14 tion travel (including all expenses thereof for organiza-  
15 tional movements), and expenses of temporary duty travel  
16 between permanent duty stations, for members of the  
17 Navy on active duty (except members of the Reserve pro-  
18 vided for elsewhere), midshipmen, and aviation cadets; and  
19 for payments pursuant to section 156 of Public Law 97-  
20 377, as amended (42 U.S.C. 402 note), to section 229(b)  
21 of the Social Security Act (42 U.S.C. 429(b)), and to the  
22 Department of Defense Military Retirement Fund,  
23 \$16,737,072,000.

## 1           MILITARY PERSONNEL, MARINE CORPS

2           For pay, allowances, individual clothing, subsistence,  
3 interest on deposits, gratuities, permanent change of sta-  
4 tion travel (including all expenses thereof for organiza-  
5 tional movements), and expenses of temporary duty travel  
6 between permanent duty stations, for members of the Ma-  
7 rine Corps on active duty (except members of the Reserve  
8 provided for elsewhere); and for payments pursuant to sec-  
9 tion 156 of Public Law 97-377, as amended (42 U.S.C.  
10 402 note), to section 229(b) of the Social Security Act  
11 (42 U.S.C. 429(b)), and to the Department of Defense  
12 Military Retirement Fund, \$6,353,622,000.

## 13           MILITARY PERSONNEL, AIR FORCE

14           For pay, allowances, individual clothing, subsistence,  
15 interest on deposits, gratuities, permanent change of sta-  
16 tion travel (including all expenses thereof for organiza-  
17 tional movements), and expenses of temporary duty travel  
18 between permanent duty stations, for members of the Air  
19 Force on active duty (except members of reserve compo-  
20 nents provided for elsewhere), cadets, and aviation cadets;  
21 and for payments pursuant to section 156 of Public Law  
22 97-377, as amended (42 U.S.C. 402 note), to section  
23 229(b) of the Social Security Act (42 U.S.C. 429(b)), and  
24 to the Department of Defense Military Retirement Fund,  
25 \$17,565,811,000.

## 1                   RESERVE PERSONNEL, ARMY

2           For pay, allowances, clothing, subsistence, gratuities,  
3 travel, and related expenses for personnel of the Army Re-  
4 serve on active duty under sections 10211, 10302, and  
5 3038 of title 10, United States Code, or while serving on  
6 active duty under section 12301(d) of title 10, United  
7 States Code, in connection with performing duty specified  
8 in section 12310(a) of title 10, United States Code, or  
9 while undergoing reserve training, or while performing  
10 drills or equivalent duty or other duty, and for members  
11 of the Reserve Officers' Training Corps, and expenses au-  
12 thorized by section 16131 of title 10, United States Code;  
13 and for payments to the Department of Defense Military  
14 Retirement Fund, \$2,235,055,000.

## 15                   RESERVE PERSONNEL, NAVY

16           For pay, allowances, clothing, subsistence, gratuities,  
17 travel, and related expenses for personnel of the Navy Re-  
18 serve on active duty under section 10211 of title 10,  
19 United States Code, or while serving on active duty under  
20 section 12301(d) of title 10, United States Code, in con-  
21 nection with performing duty specified in section 12310(a)  
22 of title 10, United States Code, or while undergoing re-  
23 serve training, or while performing drills or equivalent  
24 duty, and for members of the Reserve Officers' Training  
25 Corps, and expenses authorized by section 16131 of title

1 10, United States Code; and for payments to the Depart-  
2 ment of Defense Military Retirement Fund,  
3 \$1,425,210,000.

4 ~~RESERVE PERSONNEL, MARINE CORPS~~

5 ~~For pay, allowances, clothing, subsistence, gratuities,~~  
6 ~~travel, and related expenses for personnel of the Marine~~  
7 ~~Corps Reserve on active duty under section 10211 of title~~  
8 ~~10, United States Code, or while serving on active duty~~  
9 ~~under section 12301(d) of title 10, United States Code,~~  
10 ~~in connection with performing duty specified in section~~  
11 ~~12310(a) of title 10, United States Code, or while under-~~  
12 ~~going reserve training, or while performing drills or equiv-~~  
13 ~~alent duty, and for members of the Marine Corps platoon~~  
14 ~~leaders class, and expenses authorized by section 16131~~  
15 ~~of title 10, United States Code; and for payments to the~~  
16 ~~Department of Defense Military Retirement Fund,~~  
17 ~~\$403,822,000.~~

18 ~~RESERVE PERSONNEL, AIR FORCE~~

19 ~~For pay, allowances, clothing, subsistence, gratuities,~~  
20 ~~travel, and related expenses for personnel of the Air Force~~  
21 ~~Reserve on active duty under sections 10211, 10305, and~~  
22 ~~8038 of title 10, United States Code, or while serving on~~  
23 ~~active duty under section 12301(d) of title 10, United~~  
24 ~~States Code, in connection with performing duty specified~~  
25 ~~in section 12310(a) of title 10, United States Code, or~~

1 while undergoing reserve training, or while performing  
2 drills or equivalent duty or other duty, and for members  
3 of the Air Reserve Officers' Training Corps, and expenses  
4 authorized by section ~~16131~~ of title 10, United States  
5 Code; and for payments to the Department of Defense  
6 Military Retirement Fund, \$872,978,000.

7           NATIONAL GUARD PERSONNEL, ARMY

8           For pay, allowances, clothing, subsistence, gratuities,  
9 travel, and related expenses for personnel of the Army Na-  
10 tional Guard while on duty under section ~~10211~~, ~~10302~~,  
11 or ~~12402~~ of title 10 or section 708 of title 32, United  
12 States Code; or while serving on duty under section  
13 ~~12301(d)~~ of title 10 or section 502(f) of title 32, United  
14 States Code; in connection with performing duty specified  
15 in section ~~12310(a)~~ of title 10, United States Code; or  
16 while undergoing training, or while performing drills or  
17 equivalent duty or other duty, and expenses authorized by  
18 section ~~16131~~ of title 10, United States Code; and for pay-  
19 ments to the Department of Defense Military Retirement  
20 Fund, \$3,486,427,000.

21           NATIONAL GUARD PERSONNEL, AIR FORCE

22           For pay, allowances, clothing, subsistence, gratuities,  
23 travel, and related expenses for personnel of the Air Na-  
24 tional Guard on duty under section ~~10211~~, ~~10305~~, or  
25 ~~12402~~ of title 10 or section 708 of title 32, United States

1 Code, or while serving on duty under section 12301(d) of  
 2 title 10 or section 502(f) of title 32, United States Code,  
 3 in connection with performing duty specified in section  
 4 12310(a) of title 10, United States Code, or while under-  
 5 going training, or while performing drills or equivalent  
 6 duty or other duty, and expenses authorized by section  
 7 16131 of title 10, United States Code; and for payments  
 8 to the Department of Defense Military Retirement Fund,  
 9 \$1,456,248,000.

10

## TITLE II

11

## OPERATION AND MAINTENANCE

12

## OPERATION AND MAINTENANCE, ARMY

13

## (INCLUDING TRANSFER OF FUNDS)

14

For expenses, not otherwise provided for, necessary  
 15 for the operation and maintenance of the Army, as author-  
 16 ized by law; and not to exceed \$10,624,000 can be used  
 17 for emergencies and extraordinary expenses, to be ex-  
 18 pended on the approval or authority of the Secretary of  
 19 the Army, and payments may be made on his certificate  
 20 of necessity for confidential military purposes;  
 21 \$19,629,019,000 and, in addition, \$50,000,000 shall be  
 22 derived by transfer from the National Defense Stockpile  
 23 Transaction Fund: *Provided*, That of the funds made  
 24 available under this heading, \$6,000,000, to remain avail-  
 25 able until expended, shall be transferred to "National

1 ~~Park Service—Construction~~” within 30 days of enactment  
2 of this Act, only for necessary infrastructure repair im-  
3 provements at Fort Baker, under the management of the  
4 Golden Gate Recreation Area: *Provided further*, That of  
5 the funds appropriated in this paragraph, not less than  
6 \$355,000,000 shall be made available only for conven-  
7 tional ammunition care and maintenance:  
8 *Provided further*, That of the funds appropriated under  
9 this heading, \$4,000,000 shall not be available until thirty  
10 days after the Secretary of the Army provides to the con-  
11 gressional defense committees the results of an assess-  
12 ment, solicited by means of a competitive bid, on the pros-  
13 pects of recovering costs associated with the environmental  
14 restoration of the Department of the Army’s government-  
15 owned, contractor-operated facilities: *Provided further*,  
16 That of the funds made available under this heading,  
17 \$7,000,000 shall only be available to the Secretary of the  
18 Army, acting through the Chief of Engineers, only for  
19 demolition and removal of facilities, buildings, and struc-  
20 tures used at MOTBY (a Military Traffic Management  
21 Command facility).

22 OPERATION AND MAINTENANCE, NAVY

23 (INCLUDING TRANSFER OF FUNDS)

24 For expenses, not otherwise provided for, necessary  
25 for the operation and maintenance of the Navy and the

1 Marine Corps, as authorized by law; and not to exceed  
2 \$5,155,000 can be used for emergencies and extraordinary  
3 expenses; to be expended on the approval or authority of  
4 the Secretary of the Navy, and payments may be made  
5 on his certificate of necessity for confidential military pur-  
6 poses; \$23,029,584,000 and, in addition, \$50,000,000  
7 shall be derived by transfer from the National Defense  
8 Stockpile Transaction Fund: *Provided*, That of the funds  
9 available under this heading, \$300,000 shall be available  
10 only for site design and planning, and materials and  
11 equipment acquisition for the Maritime Fire Training  
12 Center at MERTS.

13 OPERATION AND MAINTENANCE, MARINE CORPS

14 For expenses, not otherwise provided for, necessary  
15 for the operation and maintenance of the Marine Corps,  
16 as authorized by law, \$2,822,004,000.

17 OPERATION AND MAINTENANCE, AIR FORCE

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary  
20 for the operation and maintenance of the Air Force, as  
21 authorized by law; and not to exceed \$7,882,000 can be  
22 used for emergencies and extraordinary expenses; to be ex-  
23 pended on the approval or authority of the Secretary of  
24 the Air Force; and payments may be made on his certifi-  
25 cate of necessity for confidential military purposes;

1 \$21,641,099,000 and, in addition, \$50,000,000 shall be  
2 derived by transfer from the National Defense Stockpile  
3 Transaction Fund.

4 OPERATION AND MAINTENANCE, DEFENSE-WIDE  
5 (INCLUDING TRANSFER OF FUNDS)

6 For expenses, not otherwise provided for, necessary  
7 for the operation and maintenance of activities and agen-  
8 cies of the Department of Defense (other than the military  
9 departments), as authorized by law, \$11,402,733,000, of  
10 which not to exceed \$2,000,000 is for providing the Com-  
11 puter/Electronic Accommodations program to federal  
12 agencies which otherwise do not receive funding for such  
13 purposes; of which not to exceed \$25,000,000 may be  
14 available for the CINC initiative fund account; and of  
15 which not to exceed \$32,300,000 can be used for emer-  
16 gencies and extraordinary expenses, to be expended on the  
17 approval or authority of the Secretary of Defense, and  
18 payments may be made on his certificate of necessity for  
19 confidential military purposes: *Provided*, That of the  
20 amount appropriated under the heading "Operation and  
21 Maintenance, Defense-Wide" in division B, title I, of Pub-  
22 lic Law 105-277, the amount of \$177,000,000 not covered  
23 as of July 12, 1999, by an official budget request under  
24 the fifth proviso of that section is available, subject to such

1 an official budget request for that entire amount, only for  
2 the following accounts in the specified amounts:

3           “Other Procurement, Air Force”, \$47,000,000;

4           “Procurement, Defense-Wide”, \$100,000,000;

5           and

6           “Research, Development, Test and Evaluation,

7           Air Force”, \$30,000,000.

8 *Provided further*, That none of the amount of  
9 \$177,000,000 described in the preceding proviso may be  
10 made available for obligation unless the entire amount is  
11 released to the Department of Defense and made available  
12 for obligation for the programs, and in the amounts, speci-  
13 fied in the preceding proviso: *Provided further*, That of the  
14 amounts provided under this heading, \$40,000,000 to re-  
15 main available until expended, is available only for ex-  
16 penses relating to certain classified activities, and may be  
17 transferred as necessary by the Secretary of Defense to  
18 operation and maintenance, procurement, and research,  
19 development, test and evaluation appropriations accounts,  
20 to be merged with and to be available for the same time  
21 period as the appropriations to which transferred: *Pro-*  
22 *vided further*, That the transfer authority provided under  
23 this heading is in addition to any other transfer authority  
24 provided in this Act: *Provided further*, That of the funds  
25 made available under this heading, \$10,000,000 shall be

1 available only for retrofitting security containers that are  
2 under the control of, or that are accessible by, defense con-  
3 tractors: *Provided further*, That of the amounts provided  
4 under this heading, \$6,300,000 is available only for the  
5 Department of Defense STARBASE program.

6 OPERATION AND MAINTENANCE, ARMY RESERVE

7 For expenses, not otherwise provided for, necessary  
8 for the operation and maintenance, including training, or-  
9 ganization, and administration, of the Army Reserve; re-  
10 pair of facilities and equipment; hire of passenger motor  
11 vehicles; travel and transportation; care of the dead; re-  
12 cruiting; procurement of services, supplies, and equip-  
13 ment; and communications, \$1,513,076,000.

14 OPERATION AND MAINTENANCE, NAVY RESERVE

15 For expenses, not otherwise provided for, necessary  
16 for the operation and maintenance, including training, or-  
17 ganization, and administration, of the Navy Reserve; re-  
18 pair of facilities and equipment; hire of passenger motor  
19 vehicles; travel and transportation; care of the dead; re-  
20 cruiting; procurement of services, supplies, and equip-  
21 ment; and communications, \$969,478,000.

22 OPERATION AND MAINTENANCE, MARINE CORPS  
23 RESERVE

24 For expenses, not otherwise provided for, necessary  
25 for the operation and maintenance, including training, or-

1 ganization, and administration, of the Marine Corps Re-  
 2 serve; repair of facilities and equipment; hire of passenger  
 3 motor vehicles; travel and transportation; care of the dead;  
 4 recruiting; procurement of services, supplies, and equip-  
 5 ment; and communications, \$143,911,000.

6 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

7 For expenses, not otherwise provided for, necessary  
 8 for the operation and maintenance, including training, or-  
 9 ganization, and administration, of the Air Force Reserve;  
 10 repair of facilities and equipment; hire of passenger motor  
 11 vehicles; travel and transportation; care of the dead; re-  
 12 cruiting; procurement of services, supplies, and equip-  
 13 ment; and communications, \$1,788,091,000.

14 OPERATION AND MAINTENANCE, ARMY NATIONAL

15 GUARD

16 For expenses of training, organizing, and admin-  
 17 istering the Army National Guard; including medical and  
 18 hospital treatment and related expenses in non-Federal  
 19 hospitals; maintenance, operation, and repairs to struc-  
 20 tures and facilities; hire of passenger motor vehicles; per-  
 21 sonnel services in the National Guard Bureau; travel ex-  
 22 penses (other than mileage), as authorized by law for  
 23 Army personnel on active duty, for Army National Guard  
 24 division, regimental, and battalion commanders while in-  
 25 specting units in compliance with National Guard Bureau

1 regulations when specifically authorized by the Chief, Na-  
2 tional Guard Bureau; supplying and equipping the Army  
3 National Guard as authorized by law; and expenses of re-  
4 pair, modification, maintenance, and issue of supplies and  
5 equipment (including aircraft), \$3,103,642,000.

6 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

7 For operation and maintenance of the Air National  
8 Guard, including medical and hospital treatment and re-  
9 lated expenses in non-Federal hospitals; maintenance, op-  
10 eration, repair, and other necessary expenses of facilities  
11 for the training and administration of the Air National  
12 Guard, including repair of facilities, maintenance, oper-  
13 ation, and modification of aircraft; transportation of  
14 things; hire of passenger motor vehicles; supplies, mate-  
15 rials, and equipment, as authorized by law for the Air Na-  
16 tional Guard; and expenses incident to the maintenance  
17 and use of supplies, materials, and equipment, including  
18 such as may be furnished from stocks under the control  
19 of agencies of the Department of Defense; travel expenses  
20 (other than mileage) on the same basis as authorized by  
21 law for Air National Guard personnel on active Federal  
22 duty, for Air National Guard commanders while inspecting  
23 units in compliance with National Guard Bureau regula-  
24 tions when specifically authorized by the Chief, National  
25 Guard Bureau, \$3,239,438,000.

1 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND  
2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses directly relating to Overseas Contingency Operations by United States military forces,  
4 \$1,812,600,000, to remain available until expended: *Provided*, That the Secretary of Defense may transfer these  
5 funds only to operation and maintenance accounts within this title, the Defense Health Program appropriation, and  
6 to working capital funds: *Provided further*, That the funds transferred shall be merged with and shall be available for  
7 the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That  
8 upon a determination that all or part of the funds transferred from this appropriation are not necessary for the  
9 purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That  
10 the transfer authority provided in this paragraph is in addition to any other transfer authority contained elsewhere  
11 in this Act.

12 UNITED STATES COURT OF APPEALS FOR THE ARMED  
13 FORCES

14 For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces,  
15 \$7,621,000, of which not to exceed \$2,500 can be used for official representation purposes.

## 1 ENVIRONMENTAL RESTORATION, ARMY

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Army, \$378,170,000, to  
4 remain available until transferred: *Provided*, That the Sec-  
5 retary of the Army shall, upon determining that such  
6 funds are required for environmental restoration, reduc-  
7 tion and recycling of hazardous waste, removal of unsafe  
8 buildings and debris of the Department of the Army, or  
9 for similar purposes, transfer the funds made available by  
10 this appropriation to other appropriations made available  
11 to the Department of the Army, to be merged with and  
12 to be available for the same purposes and for the same  
13 time period as the appropriations to which transferred:  
14 *Provided further*, That upon a determination that all or  
15 part of the funds transferred from this appropriation are  
16 not necessary for the purposes provided herein, such  
17 amounts may be transferred back to this appropriation:  
18 *Provided further*, That the transfer authority provided in  
19 this paragraph is in addition to any other transfer author-  
20 ity provided elsewhere in this Act.

## 21 ENVIRONMENTAL RESTORATION, NAVY

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Navy, \$284,000,000, to  
24 remain available until transferred: *Provided*, That the Sec-  
25 retary of the Navy shall, upon determining that such

1 funds are required for environmental restoration, reduc-  
2 tion and recycling of hazardous waste, removal of unsafe  
3 buildings and debris of the Department of the Navy, or  
4 for similar purposes, transfer the funds made available by  
5 this appropriation to other appropriations made available  
6 to the Department of the Navy, to be merged with and  
7 to be available for the same purposes and for the same  
8 time period as the appropriations to which transferred:  
9 *Provided further*, That upon a determination that all or  
10 part of the funds transferred from this appropriation are  
11 not necessary for the purposes provided herein, such  
12 amounts may be transferred back to this appropriation:  
13 *Provided further*, That the transfer authority provided in  
14 this paragraph is in addition to any other transfer author-  
15 ity provided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, AIR FORCE  
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Air Force, \$376,800,000,  
19 to remain available until transferred: *Provided*, That the  
20 Secretary of the Air Force shall, upon determining that  
21 such funds are required for environmental restoration, re-  
22 duction and recycling of hazardous waste, removal of un-  
23 safe buildings and debris of the Department of the Air  
24 Force, or for similar purposes, transfer the funds made  
25 available by this appropriation to other appropriations

1 made available to the Department of the Air Force, to be  
2 merged with and to be available for the same purposes  
3 and for the same time period as the appropriations to  
4 which transferred: *Provided further*, That upon a deter-  
5 mination that all or part of the funds transferred from  
6 this appropriation are not necessary for the purposes pro-  
7 vided herein, such amounts may be transferred back to  
8 this appropriation: *Provided further*, That the transfer au-  
9 thority provided in this paragraph is in addition to any  
10 other transfer authority provided elsewhere in this Act.

11 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of Defense, \$25,370,000, to re-  
14 main available until transferred: *Provided*, That the Sec-  
15 retary of Defense shall, upon determining that such funds  
16 are required for environmental restoration, reduction and  
17 recycling of hazardous waste, removal of unsafe buildings  
18 and debris of the Department of Defense, or for similar  
19 purposes, transfer the funds made available by this appro-  
20 priation to other appropriations made available to the De-  
21 partment of Defense, to be merged with and to be avail-  
22 able for the same purposes and for the same time period  
23 as the appropriations to which transferred: *Provided fur-*  
24 *ther*, That upon a determination that all or part of the  
25 funds transferred from this appropriation are not nec-

1 essary for the purposes provided herein, such amounts  
2 may be transferred back to this appropriation: *Provided*  
3 *further*, That the transfer authority provided in this para-  
4 graph is in addition to any other transfer authority pro-  
5 vided elsewhere in this Act.

6 ENVIRONMENTAL RESTORATION, FORMERLY USED  
7 DEFENSE SITES  
8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of the Army, \$209,214,000, to  
10 remain available until transferred: *Provided*, That the Sec-  
11 retary of the Army shall, upon determining that such  
12 funds are required for environmental restoration, reduc-  
13 tion and recycling of hazardous waste, removal of unsafe  
14 buildings and debris at sites formerly used by the Depart-  
15 ment of Defense, transfer the funds made available by this  
16 appropriation to other appropriations made available to  
17 the Department of the Army, to be merged with and to  
18 be available for the same purposes and for the same time  
19 period as the appropriations to which transferred: *Pro-*  
20 *vided further*, That upon a determination that all or part  
21 of the funds transferred from this appropriation are not  
22 necessary for the purposes provided herein, such amounts  
23 may be transferred back to this appropriation: *Provided*  
24 *further*, That the transfer authority provided in this para-

1 graph is in addition to any other transfer authority pro-  
2 vided elsewhere in this Act.

3 ~~OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID~~

4 For expenses relating to the Overseas Humanitarian,  
5 Disaster, and Civic Aid programs of the Department of  
6 Defense (consisting of the programs provided under sec-  
7 tions 401, 402, 404, 2547, and 2551 of title 10, United  
8 States Code), \$55,800,000, to remain available until Sep-  
9 tember 30, 2001.

10 ~~FORMER SOVIET UNION THREAT REDUCTION~~

11 For assistance to the republics of the former Soviet  
12 Union, including assistance provided by contract or by  
13 grants, for facilitating the elimination and the safe and  
14 secure transportation and storage of nuclear, chemical,  
15 and other weapons; for establishing programs to prevent  
16 the proliferation of weapons, weapons components, and  
17 weapon-related technology and expertise; for programs re-  
18 lating to the training and support of defense and military  
19 personnel for demilitarization and protection of weapons,  
20 weapons components, and weapons technology and exper-  
21 tise; \$456,100,000, to remain available until September  
22 30, 2002.

23 ~~QUALITY OF LIFE ENHANCEMENTS, DEFENSE~~

24 For expenses, not otherwise provided for, resulting  
25 from unfunded shortfalls in the repair and maintenance

1 of real property of the Department of Defense (including  
2 military housing and barracks), \$800,000,000, for the  
3 maintenance of real property of the Department of De-  
4 fense (including minor construction and major mainte-  
5 nance and repair), which shall remain available for obliga-  
6 tion until September 30, 2001, as follows:

7           Army, \$182,600,000;  
8           Navy, \$285,200,000;  
9           Marine Corps, \$62,100,000;  
10          Air Force, \$259,600,000; and  
11          Defense-Wide, \$10,500,000:

12 *Provided*, That notwithstanding any other provision of  
13 law, of the funds appropriated under this heading for De-  
14 fense-Wide activities, the entire amount shall only be  
15 available for grants by the Secretary of Defense to local  
16 educational authorities which maintain primary and sec-  
17 ondary educational facilities located within Department of  
18 Defense installations, and which are used primarily by De-  
19 partment of Defense military and civilian dependents, for  
20 facility repairs and improvements to such educational fa-  
21 cilities: *Provided further*, That such grants to local edu-  
22 cational authorities may be made for repairs and improve-  
23 ments to such educational facilities as required to meet  
24 classroom size requirements: *Provided further*, That the  
25 cumulative amount of any grant or grants to any single

1 local educational authority provided pursuant to the provi-  
2 sions under this heading shall not exceed \$1,500,000.

### 3 TITLE III

## 4 PROCUREMENT

### 5 AIRCRAFT PROCUREMENT, ARMY

6 For construction, procurement, production, modifica-  
7 tion, and modernization of aircraft, equipment, including  
8 ordnance, ground handling equipment, spare parts, and  
9 accessories therefor; specialized equipment and training  
10 devices; expansion of public and private plants, including  
11 the land necessary therefor, for the foregoing purposes,  
12 and such lands and interests therein, may be acquired,  
13 and construction prosecuted thereon prior to approval of  
14 title; and procurement and installation of equipment, ap-  
15 pliances, and machine tools in public and private plants;  
16 reserve plant and Government and contractor-owned  
17 equipment layaway; and other expenses necessary for the  
18 foregoing purposes, \$1,590,488,000, to remain available  
19 for obligation until September 30, 2002.

### 20 MISSILE PROCUREMENT, ARMY

21 For construction, procurement, production, modifica-  
22 tion, and modernization of missiles, equipment, including  
23 ordnance, ground handling equipment, spare parts, and  
24 accessories therefor; specialized equipment and training  
25 devices; expansion of public and private plants, including

1 the land necessary therefor, for the foregoing purposes,  
2 and such lands and interests therein, may be acquired,  
3 and construction prosecuted thereon prior to approval of  
4 title; and procurement and installation of equipment, ap-  
5 pliances, and machine tools in public and private plants;  
6 reserve plant and Government and contractor-owned  
7 equipment layaway; and other expenses necessary for the  
8 foregoing purposes, \$1,272,798,000, to remain available  
9 for obligation until September 30, 2002.

10       PROCUREMENT OF WEAPONS AND TRACKED COMBAT  
11                                       VEHICLES, ARMY

12       For construction, procurement, production, and  
13 modification of weapons and tracked combat vehicles,  
14 equipment, including ordnance, spare parts, and acces-  
15 sories therefor; specialized equipment and training devices;  
16 expansion of public and private plants, including the land  
17 necessary therefor, for the foregoing purposes, and such  
18 lands and interests therein, may be acquired, and con-  
19 struction prosecuted thereon prior to approval of title; and  
20 procurement and installation of equipment, appliances,  
21 and machine tools in public and private plants; reserve  
22 plant and Government and contractor-owned equipment  
23 layaway; and other expenses necessary for the foregoing  
24 purposes, \$1,556,665,000, to remain available for obliga-  
25 tion until September 30, 2002.

## 1           PROCUREMENT OF AMMUNITION, ARMY

2           For construction, procurement, production, and  
3 modification of ammunition, and accessories therefor; spe-  
4 cialized equipment and training devices; expansion of pub-  
5 lic and private plants, including ammunition facilities au-  
6 thorized by section 2854 of title 10, United States Code,  
7 and the land necessary therefor, for the foregoing pur-  
8 poses, and such lands and interests therein, may be ac-  
9 quired, and construction prosecuted thereon prior to ap-  
10 proval of title; and procurement and installation of equip-  
11 ment, appliances, and machine tools in public and private  
12 plants; reserve plant and Government and contractor-  
13 owned equipment layaway; and other expenses necessary  
14 for the foregoing purposes, \$1,228,770,000, to remain  
15 available for obligation until September 30, 2002.

## 16           OTHER PROCUREMENT, ARMY

17           For construction, procurement, production, and  
18 modification of vehicles, including tactical, support, and  
19 non-tracked combat vehicles; the purchase of not to exceed  
20 36 passenger motor vehicles for replacement only; and the  
21 purchase of 3 vehicles required for physical security of  
22 personnel, notwithstanding price limitations applicable to  
23 passenger vehicles but not to exceed \$200,000 per vehicle;  
24 communications and electronic equipment; other support  
25 equipment; spare parts, ordnance, and accessories there-

1 for, specialized equipment and training devices; expansion  
2 of public and private plants, including the land necessary  
3 therefor, for the foregoing purposes, and such lands and  
4 interests therein, may be acquired, and construction pros-  
5 ecututed thereon prior to approval of title; and procurement  
6 and installation of equipment, appliances, and machine  
7 tools in public and private plants; reserve plant and Gov-  
8 ernment and contractor-owned equipment layaway; and  
9 other expenses necessary for the foregoing purposes,  
10 \$3,604,751,000, to remain available for obligation until  
11 September 30, 2002.

12                   AIRCRAFT PROCUREMENT, NAVY

13       For construction, procurement, production, modifica-  
14 tion, and modernization of aircraft, equipment, including  
15 ordnance, spare parts, and accessories therefor; specialized  
16 equipment; expansion of public and private plants, includ-  
17 ing the land necessary therefor, and such lands and inter-  
18 ests therein, may be acquired, and construction prosecuted  
19 thereon prior to approval of title; and procurement and  
20 installation of equipment, appliances, and machine tools  
21 in public and private plants; reserve plant and Govern-  
22 ment and contractor-owned equipment layaway,  
23 \$9,168,405,000, to remain available for obligation until  
24 September 30, 2002.

## 1 WEAPONS PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-  
3 tion, and modernization of missiles, torpedoes, other weap-  
4 ons, and related support equipment including spare parts,  
5 and accessories therefor; expansion of public and private  
6 plants, including the land necessary therefor, and such  
7 lands and interests therein, may be acquired, and con-  
8 struction prosecuted thereon prior to approval of title; and  
9 procurement and installation of equipment, appliances,  
10 and machine tools in public and private plants; reserve  
11 plant and Government and contractor-owned equipment  
12 layaway, \$1,334,800,000, to remain available for obliga-  
13 tion until September 30, 2002.

14 PROCUREMENT OF AMMUNITION, NAVY AND MARINE  
15 CORPS

16 For construction, procurement, production, and  
17 modification of ammunition, and accessories therefor; spe-  
18 cialized equipment and training devices; expansion of pub-  
19 lic and private plants, including ammunition facilities au-  
20 thorized by section 2854 of title 10, United States Code,  
21 and the land necessary therefor, for the foregoing pur-  
22 poses, and such lands and interests therein, may be ac-  
23 quired, and construction prosecuted thereon prior to ap-  
24 proval of title; and procurement and installation of equip-  
25 ment, appliances, and machine tools in public and private

1 plants; reserve plant and Government and contractor-  
2 owned equipment layaway; and other expenses necessary  
3 for the foregoing purposes, \$537,600,000, to remain avail-  
4 able for obligation until September 30, 2002.

5 SHIPBUILDING AND CONVERSION, NAVY

6 For expenses necessary for the construction, acquisi-  
7 tion, or conversion of vessels as authorized by law, includ-  
8 ing armor and armament thereof, plant equipment, appli-  
9 ances, and machine tools and installation thereof in public  
10 and private plants; reserve plant and Government and con-  
11 tractor-owned equipment layaway; procurement of critical,  
12 long leadtime components and designs for vessels to be  
13 constructed or converted in the future; and expansion of  
14 public and private plants, including land necessary there-  
15 for, and such lands and interests therein, may be acquired,  
16 and construction prosecuted thereon prior to approval of  
17 title, as follows:

18 NSSN (AP), \$748,497,000;  
19 CVN-77 (AP), \$751,540,000;  
20 CVN Refuelings (AP), \$323,665,000;  
21 DDG-51 destroyer program, \$2,681,653,000;  
22 LPD-17 amphibious transport dock ship,  
23 \$1,508,338,000;  
24 ADC(X), \$439,966,000;

1 LCAC landing craft air cushion program,  
2 \$31,776,000; and

3 For craft, outfitting, post delivery, conversions,  
4 and first destination transportation, \$171,119,000;

5 In all: \$6,656,554,000, to remain available for obligation  
6 until September 30, 2004: *Provided*, That additional obli-  
7 gations may be incurred after September 30, 2004, for  
8 engineering services, tests, evaluations, and other such  
9 budgeted work that must be performed in the final stage  
10 of ship construction: *Provided further*, That none of the  
11 funds provided under this heading for the construction or  
12 conversion of any naval vessel to be constructed in ship-  
13 yards in the United States shall be expended in foreign  
14 facilities for the construction of major components of such  
15 vessel: *Provided further*, That none of the funds provided  
16 under this heading shall be used for the construction of  
17 any naval vessel in foreign shipyards.

18 OTHER PROCUREMENT, NAVY

19 For procurement, production, and modernization of  
20 support equipment and materials not otherwise provided  
21 for, Navy ordnance (except ordnance for new aircraft, new  
22 ships, and ships authorized for conversion); the purchase  
23 of not to exceed 25 passenger motor vehicles for replace-  
24 ment only; lease of passenger motor vehicles; expansion  
25 of public and private plants, including the land necessary

1 therefor, and such lands and interests therein, may be ac-  
2 quired, and construction prosecuted thereon prior to ap-  
3 proval of title; and procurement and installation of equip-  
4 ment, appliances, and machine tools in public and private  
5 plants; reserve plant and Government and contractor-  
6 owned equipment layaway, \$4,252,191,000, to remain  
7 available for obligation until September 30, 2002.

8                   PROCUREMENT, MARINE CORPS

9           For expenses necessary for the procurement, manu-  
10 facture, and modification of missiles, armament, military  
11 equipment, spare parts, and accessories therefor; plant  
12 equipment, appliances, and machine tools, and installation  
13 thereof in public and private plants; reserve plant and  
14 Government and contractor-owned equipment layaway; ve-  
15 hicles for the Marine Corps, including the purchase of not  
16 to exceed 43 passenger motor vehicles for replacement  
17 only; and expansion of public and private plants, including  
18 land necessary therefor, and such lands and interests  
19 therein, may be acquired, and construction prosecuted  
20 thereon prior to approval of title, \$1,333,120,000, to re-  
21 main available for obligation until September 30, 2002.

22                   AIRCRAFT PROCUREMENT, AIR FORCE

23           For construction, procurement, and modification of  
24 aircraft and equipment, including armor and armament,  
25 specialized ground handling equipment, and training de-

1 vices, spare parts, and accessories therefor; specialized  
2 equipment; expansion of public and private plants; Gov-  
3 ernment-owned equipment and installation thereof in such  
4 plants; erection of structures; and acquisition of land; for  
5 the foregoing purposes; and such lands and interests  
6 therein, may be acquired, and construction prosecuted  
7 thereon prior to approval of title; reserve plant and Gov-  
8 ernment and contractor-owned equipment layaway; and  
9 other expenses necessary for the foregoing purposes in-  
10 cluding rents and transportation of things,  
11 \$8,298,313,000, to remain available for obligation until  
12 September 30, 2002.

13                   MISSILE PROCUREMENT, AIR FORCE

14       For construction, procurement, and modification of  
15 missiles, spacecraft, rockets, and related equipment, in-  
16 cluding spare parts and accessories therefor; ground han-  
17 dling equipment; and training devices; expansion of public  
18 and private plants; Government-owned equipment and in-  
19 stallation thereof in such plants; erection of structures;  
20 and acquisition of land; for the foregoing purposes; and  
21 such lands and interests therein, may be acquired, and  
22 construction prosecuted thereon prior to approval of title;  
23 reserve plant and Government and contractor-owned  
24 equipment layaway; and other expenses necessary for the  
25 foregoing purposes including rents and transportation of

1 things, \$2,329,510,000, to remain available for obligation  
2 until September 30, 2002.

3           PROCUREMENT OF AMMUNITION, AIR FORCE

4           For construction, procurement, production, and  
5 modification of ammunition, and accessories therefor, spe-  
6 cialized equipment and training devices; expansion of pub-  
7 lic and private plants, including ammunition facilities au-  
8 thorized by section 2854 of title 10, United States Code,  
9 and the land necessary therefor, for the foregoing pur-  
10 poses, and such lands and interests therein, may be ac-  
11 quired, and construction prosecuted thereon prior to ap-  
12 proval of title; and procurement and installation of equip-  
13 ment, appliances, and machine tools in public and private  
14 plants; reserve plant and Government and contractor-  
15 owned equipment layaway; and other expenses necessary  
16 for the foregoing purposes, \$481,837,000, to remain avail-  
17 able for obligation until September 30, 2002.

18           OTHER PROCUREMENT, AIR FORCE

19           For procurement and modification of equipment (in-  
20 cluding ground guidance and electronic control equipment,  
21 and ground electronic and communication equipment),  
22 and supplies, materials, and spare parts therefor, not oth-  
23 erwise provided for; the purchase of not to exceed 53 pas-  
24 senger motor vehicles for replacement only; lease of pas-  
25 senger motor vehicles; and expansion of public and private

1 plants, Government-owned equipment and installation  
2 thereof in such plants, erection of structures, and acquisi-  
3 tion of land, for the foregoing purposes, and such lands  
4 and interests therein, may be acquired, and construction  
5 prosecuted thereon, prior to approval of title; reserve plant  
6 and Government and contractor-owned equipment lay-  
7 away, \$6,958,227,000, to remain available for obligation  
8 until September 30, 2002: *Provided*, That of the amounts  
9 provided under this heading, \$82,363,000 shall be avail-  
10 able only for procurement of the 60K A/C Loader pro-  
11 gram: *Provided further*, That of the amounts provided  
12 under this heading, \$179,339,000 is available only for the  
13 Base Information Infrastructure program.

14                   PROCUREMENT, DEFENSE-WIDE

15                   (INCLUDING TRANSFER OF FUNDS)

16           For expenses of activities and agencies of the Depart-  
17 ment of Defense (other than the military departments)  
18 necessary for procurement, production, and modification  
19 of equipment, supplies, materials, and spare parts there-  
20 for, not otherwise provided for; the purchase of not to ex-  
21 ceed 103 passenger motor vehicles for replacement only;  
22 the purchase of 7 vehicles required for physical security  
23 of personnel, notwithstanding price limitations applicable  
24 to passenger vehicles but not to exceed \$250,000 per vehi-  
25 cle; expansion of public and private plants, equipment, and

1 installation thereof in such plants, erection of structures,  
2 and acquisition of land for the foregoing purposes, and  
3 such lands and interests therein, may be acquired, and  
4 construction prosecuted thereon prior to approval of title;  
5 reserve plant and Government and contractor-owned  
6 equipment layaway, \$2,286,368,000, to remain available  
7 for obligation until September 30, 2002: *Provided*, That  
8 of the funds available under this heading, not less than  
9 \$39,491,000, including \$6,000,000 derived by transfer  
10 from “Research, Development, Test and Evaluation, De-  
11 fense-Wide”, shall be available only to support Electronic  
12 Commerce Resource Centers: *Provided further*, That none  
13 of the funds in this or any other Act shall be used to com-  
14 pensate administrative support contractors for the Joint  
15 Electronic Commerce Program Office.

16 NATIONAL GUARD AND RESERVE EQUIPMENT

17 For procurement of aircraft, missiles, tracked combat  
18 vehicles, ammunition, other weapons, and other procure-  
19 ment for the reserve components of the Armed Forces,  
20 \$130,000,000, to remain available for obligation until Sep-  
21 tember 30, 2002: *Provided*, That the Chiefs of the Reserve  
22 and National Guard components shall, not later than 30  
23 days after the enactment of this Act, individually submit  
24 to the congressional defense committees the modernization

1 priority assessment for their respective Reserve or Na-  
 2 tional Guard component.

3           DEFENSE PRODUCTION ACT PURCHASES

4           For activities by the Department of Defense pursuant  
 5 to sections 108, 301, 302, and 303 of the Defense Produc-  
 6 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and  
 7 2093), \$5,000,000 only for microwave power tubes and  
 8 to remain available until expended.

9                           TITLE IV

10           RESEARCH, DEVELOPMENT, TEST AND  
 11                           EVALUATION

12           RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

13                           ARMY

14           For expenses necessary for basic and applied sci-  
 15 entific research, development, test and evaluation, includ-  
 16 ing maintenance, rehabilitation, lease, and operation of fa-  
 17 cilities and equipment, \$5,148,093,000, to remain avail-  
 18 able for obligation until September 30, 2001.

19           RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

20                           NAVY

21           For expenses necessary for basic and applied sci-  
 22 entific research, development, test and evaluation, includ-  
 23 ing maintenance, rehabilitation, lease, and operation of fa-  
 24 cilities and equipment, \$9,080,580,000, to remain avail-  
 25 able for obligation until September 30, 2001: *Provided,*

1 That funds appropriated in this paragraph which are  
 2 available for the V-22 may be used to meet unique re-  
 3 quirements of the Special Operation Forces: *Provided fur-*  
 4 *ther*, That of the funds available under this heading, no  
 5 more than \$5,000,000 shall be available only to initiate  
 6 a cost improvement program for the Interecooled  
 7 Recuperated Gas Turbine Engine program: *Provided fur-*  
 8 *ther*, That the funds identified in the immediately pre-  
 9 ceeding proviso shall be made available only if the Secretary  
 10 of the Navy certifies to the congressional defense commit-  
 11 tees that binding commitments to finance the remaining  
 12 cost of the ICR cost improvement program have been se-  
 13 cured from non-federal sources: *Provided further*, That  
 14 should the Secretary of the Navy fail to make the certifi-  
 15 cation required in the immediately preceding proviso by  
 16 July 31, 2000, the Secretary shall make the funds subject  
 17 to such certification available for DD-21 ship propulsion  
 18 risk reduction: *Provided further*, That the Department of  
 19 Defense shall not pay more than one-third of the cost of  
 20 the Interecooled Recuperated Gas Turbine Engine cost im-  
 21 provement program.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

23 AIR FORCE

24 For expenses necessary for basic and applied sci-  
 25 entific research, development, test and evaluation, includ-

1 ing maintenance, rehabilitation, lease, and operation of fa-  
2 cilities and equipment, ~~\$13,709,233,000~~, to remain avail-  
3 able for obligation until September 30, 2001.

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
5 DEFENSE-WIDE

6 For expenses of activities and agencies of the Depart-  
7 ment of Defense (other than the military departments),  
8 necessary for basic and applied scientific research, devel-  
9 opment, test and evaluation; advanced research projects  
10 as may be designated and determined by the Secretary  
11 of Defense, pursuant to law; maintenance, rehabilitation,  
12 lease, and operation of facilities and equipment,  
13 ~~\$8,935,149,000~~, to remain available for obligation until  
14 September 30, 2001: *Provided*, That not less than  
15 ~~\$419,768,000~~ of the funds made available under this  
16 heading shall be made available only for the Navy Theater  
17 Wide Missile Defense program: *Provided further*, That of  
18 the amount appropriated in section 102 of division B, title  
19 I, of Public Law 105-277 (112 Stat. 2681-558), the  
20 amount of ~~\$230,000,000~~ not covered as of July 12, 1999,  
21 by an official budget request under the third proviso of  
22 that section is available, subject to such an official budget  
23 request for that entire amount, only for the following pro-  
24 grams in the specified amounts:

1           “International Cooperative Programs”  
 2       (ARROW anti-tactical ballistic missile),  
 3       \$45,000,000;  
 4           “Navy Theater Wide Missile Defense System”,  
 5       \$35,000,000;  
 6           “PATRIOT PAC-3 Theater Missile Defense  
 7       Acquisition—EMD”, \$75,000,000; and  
 8           “National Missile Defense Dem/Val”,  
 9       \$75,000,000.

10 *Provided further*, That none of the amount of  
 11 \$230,000,000 described in the preceding proviso may be  
 12 made available for obligation unless the entire amount is  
 13 released to the Department of Defense and made available  
 14 for obligation for the programs, and in the amounts, speci-  
 15 fied in the preceding proviso: *Provided further*, That of the  
 16 amounts provided under this heading, \$5,000,000 is only  
 17 for a technology insertion program, to be carried out by  
 18 a federally funded research and development center and  
 19 other units it affiliates with, to demonstrate the cost sav-  
 20 ing and efficiency benefits of applying commercially avail-  
 21 able software and information technology to the manufac-  
 22 turing lines of small defense firms.

23       DEVELOPMENTAL TEST AND EVALUATION, DEFENSE  
 24       For expenses, not otherwise provided for, of inde-  
 25 pendent activities of the Director, Test and Evaluation in



## 1 NATIONAL DEFENSE SEALIFT FUND

2 For National Defense Sealift Fund programs,  
3 projects, and activities, and for expenses of the National  
4 Defense Reserve Fleet, as established by section 11 of the  
5 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),  
6 \$729,700,000, to remain available until expended: *Pro-*  
7 *vided*, That none of the funds provided in this paragraph  
8 shall be used to award a new contract that provides for  
9 the acquisition of any of the following major components  
10 unless such components are manufactured in the United  
11 States: auxiliary equipment, including pumps, for all ship-  
12 board services; propulsion system components (that is, en-  
13 gines, reduction gears, and propellers); shipboard cranes;  
14 and spreaders for shipboard cranes: *Provided further*, That  
15 the exercise of an option in a contract awarded through  
16 the obligation of previously appropriated funds shall not  
17 be considered to be the award of a new contract: *Provided*  
18 *further*, That the Secretary of the military department re-  
19 sponsible for such procurement may waive the restrictions  
20 in the first proviso on a case-by-case basis by certifying  
21 in writing to the Committees on Appropriations of the  
22 House of Representatives and the Senate that adequate  
23 domestic supplies are not available to meet Department  
24 of Defense requirements on a timely basis and that such

1 an acquisition must be made in order to acquire capability  
2 for national security purposes.

3 **TITLE VI**

4 **OTHER DEPARTMENT OF DEFENSE PROGRAMS**

5 **DEFENSE HEALTH PROGRAM**

6 ~~For expenses, not otherwise provided for, for medical~~  
7 ~~and health care programs of the Department of Defense,~~  
8 ~~as authorized by law, \$11,078,417,000, of which~~  
9 ~~\$10,471,447,000 shall be for Operation and maintenance,~~  
10 ~~of which not to exceed 2 per centum shall remain available~~  
11 ~~until September 30, 2001; of which \$356,970,000, to re-~~  
12 ~~main available for obligation until September 30, 2002,~~  
13 ~~shall be for Procurement; and of which \$250,000,000, to~~  
14 ~~remain available for obligation until September 30, 2000,~~  
15 ~~shall be for Research, development, test and evaluation:~~  
16 ~~Provided, That of the amounts made available under this~~  
17 ~~heading for Research, development, test and evaluation,~~  
18 ~~\$175,000,000 shall be made available only for the Army~~  
19 ~~peer-reviewed breast cancer research program and~~  
20 ~~\$75,000,000 shall be made available only for the Army~~  
21 ~~peer-reviewed prostate cancer research program.~~

1 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
2 ARMY  
3 (INCLUDING TRANSFER OF FUNDS)

4 For expenses, not otherwise provided for, necessary  
5 for the destruction of the United States stockpile of lethal  
6 chemical agents and munitions in accordance with the pro-  
7 visions of section 1412 of the Department of Defense Au-  
8 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
9 struction of other chemical warfare materials that are not  
10 in the chemical weapon stockpile, \$781,000,000, of which  
11 \$492,000,000 shall be for Operation and maintenance,  
12 \$116,000,000 shall be for Procurement to remain avail-  
13 able until September 30, 2002, and \$173,000,000 shall  
14 be for Research, development, test and evaluation to re-  
15 main available until September 30, 2001: *Provided*, That  
16 notwithstanding 10 U.S.C. 2215, of the funds appro-  
17 priated under this heading, \$75,303,000 shall be trans-  
18 ferred to the Federal Emergency Management Agency  
19 “Defense Chemical Stockpile Emergency Preparedness  
20 Program” account by October 31, 1999, to provide off-  
21 post emergency response and preparedness assistance to  
22 the communities surrounding the eight continental United  
23 States chemical agent storage and disposal sites; of which  
24 \$32,209,000 shall be derived from Operation and mainte-

1 nance, and \$43,094,000 shall be derived from Procure-  
2 ment.

3 ~~DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,~~  
4 ~~DEFENSE~~  
5 ~~(INCLUDING TRANSFER OF FUNDS)~~

6 For drug interdiction and counter-drug activities of  
7 the Department of Defense, for transfer to appropriations  
8 available to the Department of Defense for military per-  
9 sonnel of the reserve components serving under the provi-  
10 sions of title 10 and title 32, United States Code; for Op-  
11 eration and maintenance; for Procurement; and for Re-  
12 search, development, test and evaluation, \$883,700,000:  
13 *Provided*, That of the funds appropriated under this head-  
14 ing, \$42,800,000 is hereby transferred to appropriations  
15 available for "Military Construction, Air Force" for fiscal  
16 year 2000, and the transferred funds shall be available  
17 for construction at forward operating locations in the area  
18 of responsibility of the United States Southern Command:  
19 *Provided further*, That the funds appropriated under this  
20 heading shall be available for obligation for the same time  
21 period and for the same purpose as the appropriation to  
22 which transferred: *Provided further*, That the transfer au-  
23 thority provided under this heading is in addition to any  
24 transfer authority contained elsewhere in this Act.

## 1                   OFFICE OF THE INSPECTOR GENERAL

2           For expenses and activities of the Office of the In-  
3 spector General in carrying out the provisions of the In-  
4 spector General Act of 1978, as amended, \$140,844,000,  
5 of which \$138,744,000 shall be for Operation and mainte-  
6 nance, of which not to exceed \$700,000 is available for  
7 emergencies and extraordinary expenses to be expended on  
8 the approval or authority of the Inspector General, and  
9 payments may be made on the Inspector General's certifi-  
10 cate of necessity for confidential military purposes; and  
11 of which \$2,100,000 to remain available until September  
12 30, 2002, shall be for Procurement.

## 13                   TITLE VII

## 14                   RELATED AGENCIES

## 15           CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

## 16                   DISABILITY SYSTEM FUND

17           For payment to the Central Intelligence Agency Re-  
18 tirement and Disability System Fund, to maintain proper  
19 funding level for continuing the operation of the Central  
20 Intelligence Agency Retirement and Disability System,  
21 \$209,100,000.

## 22           INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

## 23                   (INCLUDING TRANSFER OF FUNDS)

24           For necessary expenses of the Intelligence Commu-  
25 nity Management Account, \$144,415,000, of which

1 ~~\$34,923,000~~ for the Advanced Research and Development  
2 Committee shall remain available until September 30,  
3 2001: *Provided*, That of the funds appropriated under this  
4 heading, ~~\$27,000,000~~ shall be transferred to the Depart-  
5 ment of Justice for the National Drug Intelligence Center  
6 to support the Department of Defense's counter-drug in-  
7 telligence responsibilities, and of the said amount,  
8 ~~\$1,500,000~~ for Procurement shall remain available until  
9 September 30, 2002, and ~~\$1,000,000~~ for Research, devel-  
10 opment, test and evaluation shall remain available until  
11 September 30, 2001.

12 PAYMENT TO KAHO'OLAWA ISLAND CONVEYANCE, RE-  
13 MEDIATION, AND ENVIRONMENTAL RESTORATION  
14 FUND

15 For payment to Kaho'olawe Island Conveyance, Re-  
16 mediation, and Environmental Restoration Fund, as au-  
17 thorized by law, ~~\$15,000,000~~, to remain available until ex-  
18 pended.

19 NATIONAL SECURITY EDUCATION TRUST FUND

20 For the purposes of title VIII of Public Law 102-  
21 183, ~~\$8,000,000~~, to be derived from the National Security  
22 Education Trust Fund, to remain available until ex-  
23 pended.

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TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense:

*Provided,* That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher. *Provided further,* That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980. *Provided further,* That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.



1 requested has been denied by Congress: *Provided further,*  
2 That the Secretary of Defense shall notify the Congress  
3 promptly of all transfers made pursuant to this authority  
4 or any other authority in this Act: *Provided further,* That  
5 no part of the funds in this Act shall be available to pre-  
6 pare or present a request to the Committees on Appropria-  
7 tions for reprogramming of funds, unless for higher pri-  
8 ority items, based on unforeseen military requirements,  
9 than those for which originally appropriated and in no  
10 case where the item for which reprogramming is requested  
11 has been denied by the Congress: *Provided further,* That  
12 the Department of the Army, Department of the Air  
13 Force, Defense-Wide Agencies, and the Office of the Sec-  
14 retary of Defense may not reprogram funds within any  
15 appropriation in title III or IV of this or prior annual De-  
16 partment of Defense Acts under the authority of the De-  
17 partment of Defense Financial Management Regulation  
18 without prior written approval from the Appropriations  
19 Committees of Congress:

20 (TRANSFER OF FUNDS)

21 SEC. 8006. During the current fiscal year, cash bal-  
22 ances in working capital funds of the Department of De-  
23 fense established pursuant to section 2208 of title 10,  
24 United States Code, may be maintained in only such  
25 amounts as are necessary at any time for cash disburse-  
26 ments to be made from such funds: *Provided,* That trans-

1 fers may be made between such funds: *Provided further,*  
2 That transfers may be made between working capital  
3 funds and the “Foreign Currency Fluctuations, Defense”  
4 appropriation and the “Operation and Maintenance” ap-  
5 propriation accounts in such amounts as may be deter-  
6 mined by the Secretary of Defense, with the approval of  
7 the Office of Management and Budget, except that such  
8 transfers may not be made unless the Secretary of Defense  
9 has notified the Congress of the proposed transfer. Except  
10 in amounts equal to the amounts appropriated to working  
11 capital funds in this Act, no obligations may be made  
12 against a working capital fund to procure or increase the  
13 value of war reserve material inventory, unless the Sec-  
14 retary of Defense has notified the Congress prior to any  
15 such obligation.

16       SEC. 8007. Funds appropriated by this Act may not  
17 be used to initiate a special access program without prior  
18 notification 30 calendar days in session in advance to the  
19 congressional defense committees.

20       SEC. 8008. None of the funds provided in this or any  
21 other Act hereafter shall be available to initiate: (1) a  
22 multiyear contract that employs economic order quantity  
23 procurement in excess of \$20,000,000 in any one year of  
24 the contract or that includes an unfunded contingent li-  
25 ability in excess of \$20,000,000; or (2) a contract for ad-

1 vance procurement leading to a multiyear contract that  
2 employs economic order quantity procurement in excess of  
3 \$20,000,000 in any one year; or (3) a contract for any  
4 systems or component thereof if the value of the multiyear  
5 contract would exceed \$100,000,000: *Provided*, That the  
6 limitations in the preceding provisos of this section do not  
7 apply to multiyear contracts awarded prior to the date of  
8 enactment of this Act or to multiyear contracts for which  
9 authority is specifically provided in subsequent defense au-  
10 thorization acts and appropriation acts: *Provided further*,  
11 That no funds in this or any other Act may be used to  
12 initiate, expand, or extend a multiyear contract unless the  
13 Secretary of Defense has specifically notified the congress-  
14 sional defense committees in writing thirty days in ad-  
15 vance of contract award that such a contract is in the na-  
16 tional interest: *Provided further*, That no multiyear con-  
17 tract may be terminated without ten day prior notification  
18 to the congressional defense committees: *Provided further*,  
19 That the execution of multiyear authority shall require the  
20 use of a present value analysis to determine lowest cost  
21 compared to an annual procurement.

22       SEC. 8009. Within the funds appropriated for the op-  
23 eration and maintenance of the Armed Forces, funds are  
24 hereby appropriated pursuant to section 401 of title 10,  
25 United States Code, for humanitarian and civic assistance

1 costs under chapter 20 of title 10, United States Code.  
2 Such funds may also be obligated for humanitarian and  
3 civic assistance costs incidental to authorized operations  
4 and pursuant to authority granted in section 401 of chap-  
5 ter 20 of title 10, United States Code, and these obliga-  
6 tions shall be reported to Congress on September 30 of  
7 each year: *Provided*, That funds available for operation  
8 and maintenance shall be available for providing humani-  
9 tarian and similar assistance by using Civic Action Teams  
10 in the Trust Territories of the Pacific Islands and freely  
11 associated states of Micronesia, pursuant to the Compact  
12 of Free Association as authorized by Public Law 99-239:  
13 *Provided further*, That upon a determination by the Sec-  
14 retary of the Army that such action is beneficial for grad-  
15 uate medical education programs conducted at Army med-  
16 ical facilities located in Hawaii, the Secretary of the Army  
17 may authorize the provision of medical services at such  
18 facilities and transportation to such facilities, on a non-  
19 reimbursable basis, for civilian patients from American  
20 Samoa, the Commonwealth of the Northern Mariana Is-  
21 lands, the Marshall Islands, the Federated States of Mi-  
22 cronesia, Palau, and Guam.

23       SEC. 8010. (a) During fiscal year 2000, the civilian  
24 personnel of the Department of Defense may not be man-  
25 aged on the basis of any end-strength, and the manage-

1 ment of such personnel during that fiscal year shall not  
2 be subject to any constraint or limitation (known as an  
3 end-strength) on the number of such personnel who may  
4 be employed on the last day of such fiscal year.

5 (b) The fiscal year 2001 budget request for the De-  
6 partment of Defense as well as all justification material  
7 and other documentation supporting the fiscal year 2001  
8 Department of Defense budget request shall be prepared  
9 and submitted to the Congress as if subsections (a) and  
10 (b) of this provision were effective with regard to fiscal  
11 year 2001.

12 (c) Nothing in this section shall be construed to apply  
13 to military (civilian) technicians.

14 SEC. 8011. Notwithstanding any other provision of  
15 law, none of the funds made available by this Act shall  
16 be used by the Department of Defense to exceed, outside  
17 the 50 United States, its territories, and the District of  
18 Columbia, 125,000 civilian workyears: *Provided*, That  
19 workyears shall be applied as defined in the Federal Per-  
20 sonnel Manual: *Provided further*, That workyears ex-  
21 pended in dependent student hiring programs for dis-  
22 advantaged youths shall not be included in this workyear  
23 limitation.

24 SEC. 8012. None of the funds made available by this  
25 Act shall be used in any way, directly or indirectly, to in-

1 fluence congressional action on any legislation or appro-  
2 priation matters pending before the Congress.

3       SEC. 8013. (a) None of the funds appropriated by  
4 this Act shall be used to make contributions to the Depart-  
5 ment of Defense Education Benefits Fund pursuant to  
6 section 2006(g) of title 10, United States Code, rep-  
7 resenting the normal cost for future benefits under section  
8 3015(e) of title 38, United States Code, for any member  
9 of the armed services who, on or after the date of the en-  
10 actment of this Act, enlists in the armed services for a  
11 period of active duty of less than three years, nor shall  
12 any amounts representing the normal cost of such future  
13 benefits be transferred from the Fund by the Secretary  
14 of the Treasury to the Secretary of Veterans Affairs pur-  
15 suant to section 2006(d) of title 10, United States Code;  
16 nor shall the Secretary of Veterans Affairs pay such bene-  
17 fits to any such member: *Provided*, That these limitations  
18 shall not apply to members in combat arms skills or to  
19 members who enlist in the armed services on or after July  
20 1, 1989, under a program continued or established by the  
21 Secretary of Defense in fiscal year 1991 to test the cost-  
22 effective use of special recruiting incentives involving not  
23 more than nineteen noncombat arms skills approved in ad-  
24 vance by the Secretary of Defense: *Provided further*, That

1 this subsection applies only to active components of the  
2 Army.

3 (b) None of the funds appropriated by this Act shall  
4 be available for the basic pay and allowances of any mem-  
5 ber of the Army participating as a full-time student and  
6 receiving benefits paid by the Secretary of Veterans Af-  
7 fairs from the Department of Defense Education Benefits  
8 Fund when time spent as a full-time student is credited  
9 toward completion of a service commitment: *Provided,*  
10 That this subsection shall not apply to those members who  
11 have reenlisted with this option prior to October 1, 1987:  
12 *Provided further,* That this subsection applies only to ac-  
13 tive components of the Army.

14 SEC. 8014. None of the funds appropriated by this  
15 Act shall be available to convert to contractor performance  
16 an activity or function of the Department of Defense that,  
17 on or after the date of the enactment of this Act, is per-  
18 formed by more than ten Department of Defense civilian  
19 employees until a most efficient and cost-effective organi-  
20 zation analysis is completed on such activity or function  
21 and certification of the analysis is made to the Committees  
22 on Appropriations of the House of Representatives and the  
23 Senate: *Provided,* That this section and subsections (a),  
24 (b), and (c) of 10 U.S.C. 2461 shall not apply to a com-  
25 mercial or industrial type function of the Department of

1 Defense that: (1) is included on the procurement list es-  
2 tablished pursuant to section 2 of the Act of June 25,  
3 1938 (41 U.S.C. 47), popularly referred to as the Javits-  
4 Wagner-O'Day Act; (2) is planned to be converted to per-  
5 formance by a qualified nonprofit agency for the blind or  
6 by a qualified nonprofit agency for other severely handi-  
7 capped individuals in accordance with that Act; or (3) is  
8 planned to be converted to performance by a qualified firm  
9 under 51 per centum Native American ownership.

10 (TRANSFER OF FUNDS)

11 SEC. 8015. Funds appropriated in title III of this Act  
12 for the Department of Defense Pilot Mentor-Protege Pro-  
13 gram may be transferred to any other appropriation con-  
14 tained in this Act solely for the purpose of implementing  
15 a Mentor-Protege Program developmental assistance  
16 agreement pursuant to section 831 of the National De-  
17 fense Authorization Act for Fiscal Year 1991 (Public Law  
18 101-510; 10 U.S.C. 2301 note), as amended, under the  
19 authority of this provision or any other transfer authority  
20 contained in this Act.

21 SEC. 8016. None of the funds in this Act may be  
22 available for the purchase by the Department of Defense  
23 (and its departments and agencies) of welded shipboard  
24 anchor and mooring chain 4 inches in diameter and under  
25 unless the anchor and mooring chain are manufactured  
26 in the United States from components which are substan-

1 tially manufactured in the United States: *Provided*, That  
2 for the purpose of this section manufactured will include  
3 cutting, heat treating, quality control, testing of chain and  
4 welding (including the forging and shot blasting process):  
5 *Provided further*, That for the purpose of this section sub-  
6 stantially all of the components of anchor and mooring  
7 chain shall be considered to be produced or manufactured  
8 in the United States if the aggregate cost of the compo-  
9 nents produced or manufactured in the United States ex-  
10 ceeds the aggregate cost of the components produced or  
11 manufactured outside the United States: *Provided further*,  
12 That when adequate domestic supplies are not available  
13 to meet Department of Defense requirements on a timely  
14 basis, the Secretary of the service responsible for the pro-  
15 curement may waive this restriction on a case-by-case  
16 basis by certifying in writing to the Committees on Appro-  
17 priations that such an acquisition must be made in order  
18 to acquire capability for national security purposes.

19       SEC. 8017. None of the funds appropriated by this  
20 Act available for the Civilian Health and Medical Program  
21 of the Uniformed Services (CHAMPUS) shall be available  
22 for the reimbursement of any health care provider for in-  
23 patient mental health service for care received when a pa-  
24 tient is referred to a provider of inpatient mental health  
25 care or residential treatment care by a medical or health

1 care professional having an economic interest in the facil-  
2 ity to which the patient is referred: *Provided*, That this  
3 limitation does not apply in the case of inpatient mental  
4 health services provided under the program for the handi-  
5 capped under subsection (d) of section 1079 of title 10,  
6 United States Code, provided as partial hospital care, or  
7 provided pursuant to a waiver authorized by the Secretary  
8 of Defense because of medical or psychological cir-  
9 cumstances of the patient that are confirmed by a health  
10 professional who is not a Federal employee after a review,  
11 pursuant to rules prescribed by the Secretary, which takes  
12 into account the appropriate level of care for the patient,  
13 the intensity of services required by the patient, and the  
14 availability of that care.

15       SEC. 8018. Funds available in this Act may be used  
16 to provide transportation for the next-of-kin of individuals  
17 who have been prisoners of war or missing in action from  
18 the Vietnam era to an annual meeting in the United  
19 States, under such regulations as the Secretary of Defense  
20 may prescribe.

21       SEC. 8019. Notwithstanding any other provision of  
22 law, during the current fiscal year, the Secretary of De-  
23 fense may, by executive agreement, establish with host na-  
24 tion governments in NATO member states a separate ac-  
25 count into which such residual value amounts negotiated

1 in the return of United States military installations in  
2 NATO member states may be deposited, in the currency  
3 of the host nation, in lieu of direct monetary transfers to  
4 the United States Treasury: *Provided*, That such credits  
5 may be utilized only for the construction of facilities to  
6 support United States military forces in that host nation,  
7 or such real property maintenance and base operating  
8 costs that are currently executed through monetary trans-  
9 fers to such host nations: *Provided further*, That the De-  
10 partment of Defense's budget submission for fiscal year  
11 2001 shall identify such sums anticipated in residual value  
12 settlements, and identify such construction, real property  
13 maintenance or base operating costs that shall be funded  
14 by the host nation through such credits: *Provided further*,  
15 That all military construction projects to be executed from  
16 such accounts must be previously approved in a prior Act  
17 of Congress: *Provided further*, That each such executive  
18 agreement with a NATO member host nation shall be re-  
19 ported to the congressional defense committees, the Com-  
20 mittee on International Relations of the House of Rep-  
21 resentatives and the Committee on Foreign Relations of  
22 the Senate 30 days prior to the conclusion and endorse-  
23 ment of any such agreement established under this provi-  
24 sion.

1        ~~SEC. 8020.~~ None of the funds available to the De-  
2        partment of Defense may be used to demilitarize or dis-  
3        pose of ~~M-1~~ Carbines, ~~M-1~~ Garand rifles, ~~M-14~~ rifles,  
4        .22 caliber rifles, .30 caliber rifles, or ~~M-1911~~ pistols.

5        ~~SEC. 8021.~~ Notwithstanding any other provision of  
6        law, none of the funds appropriated by this Act shall be  
7        available to pay more than 50 per centum of an amount  
8        paid to any person under section 308 of title 37, United  
9        States Code, in a lump sum.

10       ~~SEC. 8022.~~ No more than \$500,000 of the funds ap-  
11       propriated or made available in this Act shall be used dur-  
12       ing a single fiscal year for any single relocation of an orga-  
13       nization, unit, activity or function of the Department of  
14       Defense into or within the National Capital Region: *Pro-*  
15       *vided,* That the Secretary of Defense may waive this re-  
16       striction on a case-by-case basis by certifying in writing  
17       to the congressional defense committees that such a relo-  
18       cation is required in the best interest of the Government.

19       ~~SEC. 8023.~~ A member of a reserve component whose  
20       unit or whose residence is located in a State which is not  
21       contiguous with another State is authorized to travel in  
22       a space required status on aircraft of the Armed Forces  
23       between home and place of inactive duty training, or place  
24       of duty in lieu of unit training assembly, when there is  
25       no road or railroad transportation (or combination of road

1 and railroad transportation between those locations): *Pro-*  
2 *vided*, That a member traveling in that status on a mili-  
3 tary aircraft pursuant to the authority provided in this  
4 section is not authorized to receive travel, transportation,  
5 or per diem allowances in connection with that travel.

6       SEC. 8024. (a) In addition to the funds provided else-  
7 where in this Act, \$8,000,000 is appropriated only for in-  
8 centive payments authorized by section 504 of the Indian  
9 Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That  
10 contractors participating in the test program established  
11 by section 854 of Public Law 101-189 (15 U.S.C. 637  
12 note) shall be eligible for the program established by sec-  
13 tion 504 of the Indian Financing Act of 1974 (25 U.S.C.  
14 1544).

15       SEC. 8025. During the current fiscal year, funds ap-  
16 propriated or otherwise available for any Federal agency,  
17 the Congress, the judicial branch, or the District of Co-  
18 lumbia may be used for the pay, allowances, and benefits  
19 of an employee as defined by section 2105 of title 5,  
20 United States Code, or an individual employed by the gov-  
21 ernment of the District of Columbia, permanent or tem-  
22 porary indefinite, who—

23               (1) is a member of a Reserve component of the  
24       Armed Forces, as described in section 10101 of title  
25       10, United States Code, or the National Guard, as

1 described in section 101 of title 32, United States  
2 Code;

3 ~~(2)~~ performs, for the purpose of providing mili-  
4 tary aid to enforce the law or providing assistance  
5 to civil authorities in the protection or saving of life  
6 or property or prevention of injury—

7 (A) Federal service under sections 331,  
8 332, 333, or 12406 of title 10, or other provi-  
9 sion of law, as applicable; or

10 (B) full-time military service for his or her  
11 State, the District of Columbia, the Common-  
12 wealth of Puerto Rico, or a territory of the  
13 United States; and

14 ~~(3)~~ requests and is granted—

15 (A) leave under the authority of this sec-  
16 tion; or

17 (B) annual leave, which may be granted  
18 without regard to the provisions of sections  
19 5519 and 6323(b) of title 5, if such employee  
20 is otherwise entitled to such annual leave:

21 *Provided*, That any employee who requests leave under  
22 subsection ~~(3)~~(A) for service described in subsection ~~(2)~~  
23 of this section is entitled to such leave, subject to the pro-  
24 visions of this section and of the last sentence of section

1 ~~6323(b)~~ of title 5, and such leave shall be considered leave  
2 under section ~~6323(b)~~ of title 5, United States Code.

3       ~~SEC. 8026.~~ None of the funds appropriated by this  
4 Act shall be available to perform any cost study pursuant  
5 to the provisions of OMB Circular A-76 if the study being  
6 performed exceeds a period of 24 months after initiation  
7 of such study with respect to a single function activity or  
8 48 months after initiation of such study for a multi-func-  
9 tion activity.

10       ~~SEC. 8027.~~ Funds appropriated by this Act for the  
11 American Forces Information Service shall not be used for  
12 any national or international political or psychological ac-  
13 tivities.

14       ~~SEC. 8028.~~ Notwithstanding any other provision of  
15 law or regulation, the Secretary of Defense may adjust  
16 wage rates for civilian employees hired for certain health  
17 care occupations as authorized for the Secretary of Vet-  
18 erans Affairs by section 7455 of title 38, United States  
19 Code.

20       ~~Sec. 8029.~~ None of the funds appropriated or made  
21 available in this Act shall be used to reduce or disestablish  
22 the operation of the 53rd Weather Reconnaissance Squad-  
23 ron of the Air Force Reserve, if such action would reduce  
24 the WC-130 Weather Reconnaissance mission below the  
25 levels funded in this Act.

1        ~~SEC. 8030.~~ (a) Of the funds for the procurement of  
2 supplies or services appropriated by this Act, qualified  
3 nonprofit agencies for the blind or other severely handi-  
4 capped shall be afforded the maximum practicable oppor-  
5 tunity to participate as subcontractors and suppliers in the  
6 performance of contracts let by the Department of De-  
7 fense.

8        (b) During the current fiscal year, a business concern  
9 which has negotiated with a military service or defense  
10 agency a subcontracting plan for the participation by  
11 small business concerns pursuant to section 8(d) of the  
12 Small Business Act (~~15 U.S.C. 637(d)~~) shall be given  
13 credit toward meeting that subcontracting goal for any  
14 purchases made from qualified nonprofit agencies for the  
15 blind or other severely handicapped.

16        (c) For the purpose of this section, the phrase “quali-  
17 fied nonprofit agency for the blind or other severely handi-  
18 capped” means a nonprofit agency for the blind or other  
19 severely handicapped that has been approved by the Com-  
20 mittee for the Purchase from the Blind and Other Severely  
21 Handicapped under the Javits-Wagner-O’Day Act (~~41~~  
22 ~~U.S.C. 46–48~~).

23        ~~SEC. 8031.~~ During the current fiscal year, net re-  
24 ceipts pursuant to collections from third party payers pur-  
25 suant to section 1095 of title 10, United States Code, shall

1 be made available to the local facility of the uniformed  
2 services responsible for the collections and shall be over  
3 and above the facility's direct budget amount.

4       SEC. 8032. During the current fiscal year, the De-  
5 partment of Defense is authorized to incur obligations of  
6 not to exceed \$350,000,000 for purposes specified in sec-  
7 tion 2350j(c) of title 10, United States Code, in anticipa-  
8 tion of receipt of contributions, only from the Government  
9 of Kuwait, under that section: *Provided*, That upon re-  
10 ceipt, such contributions from the Government of Kuwait  
11 shall be credited to the appropriations or fund which in-  
12 curred such obligations.

13       SEC. 8033. Of the funds made available in this Act,  
14 not less than \$26,588,000 shall be available for the Civil  
15 Air Patrol Corporation, of which \$22,888,000 shall be  
16 available for Civil Air Patrol Corporation operation and  
17 maintenance to support readiness activities which includes  
18 \$1,418,000 for the Civil Air Patrol counterdrug program:  
19 *Provided*, That funds identified for "Civil Air Patrol"  
20 under this section are intended for and shall be for the  
21 exclusive use of the Civil Air Patrol Corporation and not  
22 for the Air Force or any unit thereof.

23       SEC. 8034. (a) None of the funds appropriated in this  
24 Act are available to establish a new Department of De-  
25 fense (department) federally funded research and develop-

1 ment center (FFRDC), either as a new entity, or as a  
2 separate entity administrated by an organization man-  
3 aging another FFRDC, or as a nonprofit membership cor-  
4 poration consisting of a consortium of other FFRDCs and  
5 other non-profit entities.

6 (b) No member of a Board of Directors, Trustees,  
7 Overseers, Advisory Group, Special Issues Panel, Visiting  
8 Committee, or any similar entity of a defense FFRDC,  
9 and no paid consultant to any defense FFRDC, except  
10 when acting in a technical advisory capacity, may be com-  
11 pensated for his or her services as a member of such enti-  
12 ty, or as a paid consultant by more than one FFRDC in  
13 a fiscal year. *Provided*, That a member of any such entity  
14 referred to previously in this subsection shall be allowed  
15 travel expenses and per diem as authorized under the Fed-  
16 eral Joint Travel Regulations, when engaged in the per-  
17 formance of membership duties.

18 (c) Notwithstanding any other provision of law, none  
19 of the funds available to the department from any source  
20 during fiscal year 2000 may be used by a defense FFRDC,  
21 through a fee or other payment mechanism, for construc-  
22 tion of new buildings, for payment of cost sharing for  
23 projects funded by government grants, for absorption of  
24 contract overruns, or for certain charitable contributions,

1 not to include employee participation in community service  
2 and/or development.

3 (d) Notwithstanding any other provision of law, of  
4 the funds available to the department during fiscal year  
5 2000, not more than 6,206 staff years of technical effort  
6 (staff years) may be funded for defense FFRDCs: *Pro-*  
7 *vided*, That of the specific amount referred to previously  
8 in this subsection, not more than 1,105 staff years may  
9 be funded for the defense studies and analysis FFRDCs.

10 (e) Within 60 days after the enactment of this Act,  
11 the Secretary of Defense shall submit to the congressional  
12 defense committees a report presenting the specific  
13 amounts of staff years of technical effort to be allocated  
14 by the department for each defense FFRDC during fiscal  
15 year 2000: *Provided*, That, after the submission of the re-  
16 port required by this subsection, the department may not  
17 reallocate more than 5 per centum of an FFRDC's staff  
18 years among other defense FFRDCs until 30 days after  
19 a detailed justification for any such reallocation is sub-  
20 mitted to the congressional defense committees.

21 (f) The Secretary of Defense shall, with the submis-  
22 sion of the department's fiscal year 2001 budget request,  
23 submit a report presenting the specific amounts of staff  
24 years of technical effort to be allocated for each defense  
25 FFRDC during that fiscal year.

1           (g) Notwithstanding any other provision of law, none  
2 of the reductions for advisory and assistance services con-  
3 tained in this Act shall be applied to defense FFRDCs.

4           SEC. 8035. None of the funds appropriated or made  
5 available in this Act shall be used to procure carbon, alloy  
6 or armor steel plate for use in any Government-owned fa-  
7 cility or property under the control of the Department of  
8 Defense which were not melted and rolled in the United  
9 States or Canada: *Provided*, That these procurement re-  
10 strictions shall apply to any and all Federal Supply Class  
11 9515, American Society of Testing and Materials (ASTM)  
12 or American Iron and Steel Institute (AISI) specifications  
13 of carbon, alloy or armor steel plate: *Provided further*,  
14 That the Secretary of the military department responsible  
15 for the procurement may waive this restriction on a case-  
16 by-case basis by certifying in writing to the Committees  
17 on Appropriations of the House of Representatives and the  
18 Senate that adequate domestic supplies are not available  
19 to meet Department of Defense requirements on a timely  
20 basis and that such an acquisition must be made in order  
21 to acquire capability for national security purposes: *Pro-*  
22 *vided further*, That these restrictions shall not apply to  
23 contracts which are in being as of the date of the enact-  
24 ment of this Act.

1       SEC. 8036. For the purposes of this Act, the term  
2 “congressional defense committees” means the Armed  
3 Services Committee of the House of Representatives, the  
4 Armed Services Committee of the Senate, the Sub-  
5 committee on Defense of the Committee on Appropriations  
6 of the Senate, and the Subcommittee on Defense of the  
7 Committee on Appropriations of the House of Representa-  
8 tives.

9       SEC. 8037. During the current fiscal year, the De-  
10 partment of Defense may acquire the modification, depot  
11 maintenance and repair of aircraft, vehicles and vessels  
12 as well as the production of components and other De-  
13 fense-related articles, through competition between De-  
14 partment of Defense depot maintenance activities and pri-  
15 vate firms: *Provided*, That the Senior Acquisition Execu-  
16 tive of the military department or defense agency con-  
17 cerned, with power of delegation, shall certify that success-  
18 ful bids include comparable estimates of all direct and in-  
19 direct costs for both public and private bids: *Provided fur-*  
20 *ther*, That Office of Management and Budget Circular A-  
21 76 shall not apply to competitions conducted under this  
22 section.

23       SEC. 8038. (a)(1) If the Secretary of Defense, after  
24 consultation with the United States Trade Representative,  
25 determines that a foreign country which is party to an

1 agreement described in paragraph (2) has violated the  
2 terms of the agreement by discriminating against certain  
3 types of products produced in the United States that are  
4 covered by the agreement, the Secretary of Defense shall  
5 rescind the Secretary's blanket waiver of the Buy Amer-  
6 ican Act with respect to such types of products produced  
7 in that foreign country.

8       (2) An agreement referred to in paragraph (1) is any  
9 reciprocal defense procurement memorandum of under-  
10 standing, between the United States and a foreign country  
11 pursuant to which the Secretary of Defense has prospec-  
12 tively waived the Buy American Act for certain products  
13 in that country.

14       (b) The Secretary of Defense shall submit to Con-  
15 gress a report on the amount of Department of Defense  
16 purchases from foreign entities in fiscal year 2000. Such  
17 report shall separately indicate the dollar value of items  
18 for which the Buy American Act was waived pursuant to  
19 any agreement described in subsection (a)(2), the Trade  
20 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
21 international agreement to which the United States is a  
22 party.

23       (c) For purposes of this section, the term "Buy  
24 American Act" means title III of the Act entitled "An Act  
25 making appropriations for the Treasury and Post Office

1 Departments for the fiscal year ending June 30, 1934,  
2 and for other purposes<sup>2</sup>, approved March 3, 1933 (41  
3 U.S.C. 10a et seq.).

4       SEC. 8039. Appropriations contained in this Act that  
5 remain available at the end of the current fiscal year as  
6 a result of energy cost savings realized by the Department  
7 of Defense shall remain available for obligation for the  
8 next fiscal year to the extent, and for the purposes, pro-  
9 vided in section 2865 of title 10, United States Code.

10                   (INCLUDING TRANSFER OF FUNDS)

11       SEC. 8040. Amounts deposited during the current fis-  
12 cal year to the special account established under 40 U.S.C.  
13 485(h)(2) and to the special account established under 10  
14 U.S.C. 2667(d)(1) are appropriated and shall be available  
15 until transferred by the Secretary of Defense to current  
16 applicable appropriations or funds of the Department of  
17 Defense under the terms and conditions specified by 40  
18 U.S.C. 485(h)(2)(A) and (B) and 10 U.S.C.  
19 2667(d)(1)(B), to be merged with and to be available for  
20 the same time period and the same purposes as the appro-  
21 priation to which transferred.

22       SEC. 8041. During the current fiscal year, appropria-  
23 tions available to the Department of Defense may be used  
24 to reimburse a member of a reserve component of the  
25 Armed Forces who is not otherwise entitled to travel and  
26 transportation allowances and who occupies transient gov-

1 ernment housing while performing active duty for training  
2 or inactive duty training: *Provided*, That such members  
3 may be provided lodging in kind if transient government  
4 quarters are unavailable as if the member was entitled to  
5 such allowances under subsection (a) of section 404 of title  
6 37, United States Code: *Provided further*, That if lodging  
7 in kind is provided, any authorized service charge or cost  
8 of such lodging may be paid directly from funds appro-  
9 priated for operation and maintenance of the reserve com-  
10 ponent of the member concerned.

11 SEC. 8042. The President shall include with each  
12 budget for a fiscal year submitted to the Congress under  
13 section 1105 of title 31, United States Code, materials  
14 that shall identify clearly and separately the amounts re-  
15 quested in the budget for appropriation for that fiscal year  
16 for salaries and expenses related to administrative activi-  
17 ties of the Department of Defense, the military depart-  
18 ments, and the Defense agencies.

19 SEC. 8043. Notwithstanding any other provision of  
20 law, funds available for “Drug Interdiction and Counter-  
21 Drug Activities, Defense” may be obligated for the Young  
22 Marines program.

23 SEC. 8044. During the current fiscal year, amounts  
24 contained in the Department of Defense Overseas Military  
25 Facility Investment Recovery Account established by sec-

1 tion 2921(c)(1) of the National Defense Authorization Act  
2 of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall  
3 be available until expended for the payments specified by  
4 section 2921(c)(2) of that Act.

5       SEC. 8045. Of the funds appropriated or otherwise  
6 made available by this Act, not more than \$119,200,000  
7 shall be available for payment of the operating costs of  
8 NATO Headquarters: *Provided*, That the Secretary of De-  
9 fense may waive this section for Department of Defense  
10 support provided to NATO forces in and around the  
11 former Yugoslavia.

12       SEC. 8046. During the current fiscal year, appropria-  
13 tions which are available to the Department of Defense  
14 for operation and maintenance may be used to purchase  
15 items having an investment item unit cost of not more  
16 than \$100,000.

17       SEC. 8047. (a) During the current fiscal year, none  
18 of the appropriations or funds available to the Department  
19 of Defense Working Capital Funds shall be used for the  
20 purchase of an investment item for the purpose of acquir-  
21 ing a new inventory item for sale or anticipated sale dur-  
22 ing the current fiscal year or a subsequent fiscal year to  
23 customers of the Department of Defense Working Capital  
24 Funds if such an item would not have been chargeable  
25 to the Department of Defense Business Operations Fund

1 during fiscal year 1994 and if the purchase of such an  
2 investment item would be chargeable during the current  
3 fiscal year to appropriations made to the Department of  
4 Defense for procurement.

5 (b) The fiscal year 2001 budget request for the De-  
6 partment of Defense as well as all justification material  
7 and other documentation supporting the fiscal year 2001  
8 Department of Defense budget shall be prepared and sub-  
9 mitted to the Congress on the basis that any equipment  
10 which was classified as an end item and funded in a pro-  
11 curement appropriation contained in this Act shall be  
12 budgeted for in a proposed fiscal year 2001 procurement  
13 appropriation and not in the supply management business  
14 area or any other area or category of the Department of  
15 Defense Working Capital Funds.

16 SEC. 8048. None of the funds appropriated by this  
17 Act for programs of the Central Intelligence Agency shall  
18 remain available for obligation beyond the current fiscal  
19 year, except for funds appropriated for the Reserve for  
20 Contingencies, which shall remain available until Sep-  
21 tember 30, 2001: *Provided*, That funds appropriated,  
22 transferred, or otherwise credited to the Central Intel-  
23 ligence Agency Central Services Working Capital Fund  
24 during this or any prior or subsequent fiscal year shall  
25 remain available until expended.

1        SEC. 8049. Notwithstanding any other provision of  
2 law, funds made available in this Act for the Defense In-  
3 telligence Agency may be used for the design, develop-  
4 ment, and deployment of General Defense Intelligence  
5 Program intelligence communications and intelligence in-  
6 formation systems for the Services, the Unified and Speci-  
7 fied Commands, and the component commands.

8        SEC. 8050. Of the funds appropriated by the Depart-  
9 ment of Defense under the heading “Operation and Main-  
10 tenance, Defense-Wide”, not less than \$8,000,000 shall be  
11 made available only for the mitigation of environmental  
12 impacts, including training and technical assistance to  
13 tribes, related administrative support, the gathering of in-  
14 formation, documenting of environmental damage, and de-  
15 veloping a system for prioritization of mitigation and cost  
16 to complete estimates for mitigation, on Indian lands re-  
17 sulting from Department of Defense activities.

18        SEC. 8051. Amounts collected for the use of the fa-  
19 cilities of the National Science Center for Communications  
20 and Electronics during the current fiscal year pursuant  
21 to section 1459(g) of the Department of Defense Author-  
22 ization Act, 1986, and deposited to the special account es-  
23 tablished under subsection 1459(g)(2) of that Act are ap-  
24 propriated and shall be available until expended for the

1 operation and maintenance of the Center as provided for  
2 in subsection 1459(g)(2).

3       SEC. 8052. None of the funds appropriated in this  
4 Act may be used to fill the commander's position at any  
5 military medical facility with a health care professional  
6 unless the prospective candidate can demonstrate profes-  
7 sional administrative skills.

8       SEC. 8053. (a) None of the funds appropriated in this  
9 Act may be expended by an entity of the Department of  
10 Defense unless the entity, in expending the funds, com-  
11 plies with the Buy American Act. For purposes of this  
12 subsection, the term "Buy American Act" means title III  
13 of the Act entitled "An Act making appropriations for the  
14 Treasury and Post Office Departments for the fiscal year  
15 ending June 30, 1934, and for other purposes", approved  
16 March 3, 1933 (41 U.S.C. 10a et seq.).

17       (b) If the Secretary of Defense determines that a per-  
18 son has been convicted of intentionally affixing a label  
19 bearing a "Made in America" inscription to any product  
20 sold in or shipped to the United States that is not made  
21 in America, the Secretary shall determine, in accordance  
22 with section 2410f of title 10, United States Code, wheth-  
23 er the person should be debarred from contracting with  
24 the Department of Defense.

1           (e) In the case of any equipment or products pur-  
2 chased with appropriations provided under this Act, it is  
3 the sense of the Congress that any entity of the Depart-  
4 ment of Defense, in expending the appropriation, purchase  
5 only American-made equipment and products, provided  
6 that American-made equipment and products are cost-  
7 competitive, quality-competitive, and available in a timely  
8 fashion.

9           SEC. 8054. None of the funds appropriated by this  
10 Act shall be available for a contract for studies, analysis,  
11 or consulting services entered into without competition on  
12 the basis of an unsolicited proposal unless the head of the  
13 activity responsible for the procurement determines—

14           (1) as a result of thorough technical evaluation,  
15 only one source is found fully qualified to perform  
16 the proposed work;

17           (2) the purpose of the contract is to explore an  
18 unsolicited proposal which offers significant sci-  
19 entific or technological promise, represents the prod-  
20 uct of original thinking, and was submitted in con-  
21 fidence by one source; or

22           (3) the purpose of the contract is to take ad-  
23 vantage of unique and significant industrial accom-  
24 plishment by a specific concern, or to insure that a

1 new product or idea of a specific concern is given fi-  
2 nancial support:

3 *Provided*, That this limitation shall not apply to contracts  
4 in an amount of less than \$25,000, contracts related to  
5 improvements of equipment that is in development or pro-  
6 duction, or contracts as to which a civilian official of the  
7 Department of Defense, who has been confirmed by the  
8 Senate, determines that the award of such contract is in  
9 the interest of the national defense.

10 SEC. 8055. (a) Except as provided in subsections (b)  
11 and (c), none of the funds made available by this Act may  
12 be used—

13 (1) to establish a field operating agency; or  
14 (2) to pay the basic pay of a member of the  
15 Armed Forces or civilian employee of the depart-  
16 ment who is transferred or reassigned from a head-  
17 quarters activity if the member or employee's place  
18 of duty remains at the location of that headquarters.

19 (b) The Secretary of Defense or Secretary of a mili-  
20 tary department may waive the limitations in subsection  
21 (a), on a case-by-case basis, if the Secretary determines,  
22 and certifies to the Committees on Appropriations of the  
23 House of Representatives and Senate that the granting  
24 of the waiver will reduce the personnel requirements or  
25 the financial requirements of the department.

1           (c) This section does not apply to field operating  
2 agencies funded within the National Foreign Intelligence  
3 Program.

4           ~~SEC. 8056.~~ Funds appropriated by this Act and in  
5 Public Law 105-277, or made available by the transfer  
6 of funds in this Act and in Public Law 105-277 for intel-  
7 ligence activities are deemed to be specifically authorized  
8 by the Congress for purposes of section 504 of the Na-  
9 tional Security Act of 1947 (50 U.S.C. 414) during fiscal  
10 year 2000 until the enactment of the Intelligence Author-  
11 ization Act for Fiscal Year 2000.

12           ~~SEC. 8057.~~ Notwithstanding section 303 of Public  
13 Law 96-487 or any other provision of law, the Secretary  
14 of the Navy is authorized to lease real and personal prop-  
15 erty at Naval Air Facility, Adak, Alaska, pursuant to 10  
16 U.S.C. 2667(f), for commercial, industrial or other pur-  
17 poses: *Provided*, That notwithstanding any other provision  
18 of law, the Secretary of the Navy may remove hazardous  
19 materials from facilities, buildings, and structures at  
20 Adak, Alaska, and may demolish or otherwise dispose of  
21 such facilities, buildings, and structures: *Provided further*,  
22 That notwithstanding any other provision of law, not more  
23 than \$4,650,000 of the funds provided under the heading  
24 "Operation and Maintenance, Army" in title II of this Act  
25 shall be available to the Secretary of the Army, acting

1 through the Chief of Engineers, only for demolition and  
 2 removal of facilities, buildings, and structures formerly  
 3 used as a District Headquarters Office by the Corps of  
 4 Engineers (Northwest Division, CENWW, Washington  
 5 State), as described in the study conducted regarding the  
 6 headquarters pursuant to the Energy and Water Develop-  
 7 ment Appropriations Act, 1992 (Public Law 102-104;  
 8 105 Stat. 511).

9 (RESCISSIONS)

10 SEC. 8058. Of the funds provided in Department of  
 11 Defense Appropriations Acts, the following funds are here-  
 12 by rescinded as of the date of the enactment of this Act,  
 13 or October 1, 1999, whichever is later, from the following  
 14 accounts and programs in the specified amounts:

15 “Other Procurement, Navy, 1998/2000”,  
 16 \$6,384,000;

17 “Aircraft Procurement, Air Force, 1998/2000”,  
 18 \$26,100,000;

19 “Missile Procurement, Air Force, 1998/2000”,  
 20 \$100,000,000;

21 “Other Procurement, Army, 1999/2001”,  
 22 \$20,700,000;

23 “Aircraft Procurement, Navy, 1999/2001”,  
 24 \$62,500,000;

25 “Weapons Procurement, Navy, 1999/2001”,  
 26 \$8,000,000;

1 Under the heading, “Shipbuilding and Conver-  
2 sion, Navy, 1999/2003”:

3 New Attack Submarine, \$35,000,000;

4 CVN-69, \$11,400,000;

5 “Other Procurement, Navy, 1999/2001”,  
6 \$16,353,000;

7 “Aircraft Procurement, Air Force, 1999/2001”,  
8 \$81,229,000;

9 “Missile Procurement, Air Force, 1999/2001”,  
10 \$155,500,000;

11 “Research, Development, Test and Evaluation,  
12 Army, 1999/2000”, \$16,400,000;

13 “Research, Development, Test and Evaluation,  
14 Air Force, 1999/2000”, \$49,921,000; and

15 “Research, Development, Test and Evaluation,  
16 Defense-Wide, 1999/2000”, \$23,500,000.

17 SEC. 8059. None of the funds available in this Act  
18 may be used to reduce the authorized positions for mili-  
19 tary (civilian) technicians of the National Guard, the Air  
20 National Guard, Army Reserve and Air Force Reserve for  
21 the purpose of applying any administratively imposed civil-  
22 ian personnel ceiling, freeze, or reduction on military (ci-  
23 vilian) technicians, unless such reductions are a direct re-  
24 sult of a reduction in military force structure.

1       SEC. 8060. None of the funds appropriated or other-  
2 wise made available in this Act may be obligated or ex-  
3 pended for assistance to the Democratic People's Republic  
4 of North Korea unless specifically appropriated for that  
5 purpose.

6       SEC. 8061. During the current fiscal year, funds ap-  
7 propriated in this Act are available to compensate mem-  
8 bers of the National Guard for duty performed pursuant  
9 to a plan submitted by a Governor of a State and approved  
10 by the Secretary of Defense under section 112 of title 32,  
11 United States Code: *Provided*, That during the perform-  
12 ance of such duty, the members of the National Guard  
13 shall be under State command and control: *Provided fur-*  
14 *ther*, That such duty shall be treated as full-time National  
15 Guard duty for purposes of sections 12602(a)(2) and  
16 (b)(2) of title 10, United States Code.

17       SEC. 8062. Funds appropriated in this Act for oper-  
18 ation and maintenance of the Military Departments, Uni-  
19 fied and Specified Commands and Defense Agencies shall  
20 be available for reimbursement of pay, allowances and  
21 other expenses which would otherwise be incurred against  
22 appropriations for the National Guard and Reserve when  
23 members of the National Guard and Reserve provide intel-  
24 ligence or counterintelligence support to Unified Com-  
25 mands, Defense Agencies and Joint Intelligence Activities,

1 including the activities and programs included within the  
2 National Foreign Intelligence Program (NFIP), the Joint  
3 Military Intelligence Program (JMIP), and the Tactical  
4 Intelligence and Related Activities (TIARA) aggregate:  
5 *Provided*, That nothing in this section authorizes deviation  
6 from established Reserve and National Guard personnel  
7 and training procedures.

8       SEC. 8063. During the current fiscal year, none of  
9 the funds appropriated in this Act may be used to reduce  
10 the civilian medical and medical support personnel as-  
11 signed to military treatment facilities below the September  
12 30, 1999 level: *Provided*, That the Service Surgeons Gen-  
13 eral may waive this section by certifying to the congres-  
14 sional defense committees that the beneficiary population  
15 is declining in some catchment areas and civilian strength  
16 reductions may be consistent with responsible resource  
17 stewardship and capitation-based budgeting.

18                                   (INCLUDING TRANSFER OF FUNDS)

19       SEC. 8064. (a) None of the funds appropriated in this  
20 Act may be transferred to or obligated from the Pentagon  
21 Reservation Maintenance Revolving Fund, unless the Sec-  
22 retary of Defense certifies that the total cost for the plan-  
23 ning, design, construction and installation of equipment  
24 for the renovation of the Pentagon Reservation will not  
25 exceed \$1,222,000,000.



1 bearings other than those produced by a domestic source  
2 and of domestic origin: *Provided*, That the Secretary of  
3 the military department responsible for such procurement  
4 may waive this restriction on a case-by-case basis by certi-  
5 fying in writing to the Committees on Appropriations of  
6 the House of Representatives and the Senate, that ade-  
7 quate domestic supplies are not available to meet Depart-  
8 ment of Defense requirements on a timely basis and that  
9 such an acquisition must be made in order to acquire ca-  
10 pability for national security purposes.

11       SEC. 8068. Notwithstanding any other provision of  
12 law, funds available to the Department of Defense shall  
13 be made available to provide transportation of medical  
14 supplies and equipment, on a nonreimbursable basis, to  
15 American Samoa: *Provided*, That notwithstanding any  
16 other provision of law, funds available to the Department  
17 of Defense shall be made available to provide transpor-  
18 tation of medical supplies and equipment, on a non-  
19 reimbursable basis, to the Indian Health Service when it  
20 is in conjunction with a civil-military project.

21       SEC. 8069. None of the funds in this Act may be  
22 used to purchase any supercomputer which is not manu-  
23 factured in the United States, unless the Secretary of De-  
24 fense certifies to the congressional defense committees  
25 that such an acquisition must be made in order to acquire

1 capability for national security purposes that is not avail-  
2 able from United States manufacturers.

3       SEC. 8070. Notwithstanding any other provision of  
4 law, the Naval shipyards of the United States shall be eli-  
5 gible to participate in any manufacturing extension pro-  
6 gram financed by funds appropriated in this or any other  
7 Act.

8       SEC. 8071. Notwithstanding any other provision of  
9 law, each contract awarded by the Department of Defense  
10 during the current fiscal year for construction or service  
11 performed in whole or in part in a State (as defined in  
12 section 381(d) of title 10, United States Code) which is  
13 not contiguous with another State and has an unemploy-  
14 ment rate in excess of the national average rate of unem-  
15 ployment as determined by the Secretary of Labor, shall  
16 include a provision requiring the contractor to employ, for  
17 the purpose of performing that portion of the contract in  
18 such State that is not contiguous with another State, indi-  
19 viduals who are residents of such State and who, in the  
20 case of any craft or trade, possess or would be able to  
21 acquire promptly the necessary skills: *Provided*, That the  
22 Secretary of Defense may waive the requirements of this  
23 section, on a case-by-case basis, in the interest of national  
24 security.

1       SEC. 8072. During the current fiscal year, the Army  
2 shall use the former George Air Force Base as the airhead  
3 for the National Training Center at Fort Irwin. *Provided,*  
4 That none of the funds in this Act shall be obligated or  
5 expended to transport Army personnel into Edwards Air  
6 Force Base for training rotations at the National Training  
7 Center.

8       SEC. 8073. (a) The Secretary of Defense shall sub-  
9 mit, on a quarterly basis, a report to the congressional  
10 defense committees, the Committee on International Rela-  
11 tions of the House of Representatives and the Committee  
12 on Foreign Relations of the Senate setting forth all costs  
13 (including incremental costs) incurred by the Department  
14 of Defense during the preceding quarter in implementing  
15 or supporting resolutions of the United Nations Security  
16 Council, including any such resolution calling for inter-  
17 national sanctions, international peacekeeping operations,  
18 and humanitarian missions undertaken by the Depart-  
19 ment of Defense. The quarterly report shall include an ag-  
20 gregate of all such Department of Defense costs by oper-  
21 ation or mission.

22       (b) The Secretary of Defense shall detail in the quar-  
23 terly reports all efforts made to seek credit against past  
24 United Nations expenditures and all efforts made to seek  
25 compensation from the United Nations for costs incurred

1 by the Department of Defense in implementing and sup-  
2 porting United Nations activities.

3       SEC. 8074. (a) LIMITATION ON TRANSFER OF DE-  
4 FENSE ARTICLES AND SERVICES.—Notwithstanding any  
5 other provision of law, none of the funds available to the  
6 Department of Defense for the current fiscal year may be  
7 obligated or expended to transfer to another nation or an  
8 international organization any defense articles or services  
9 (other than intelligence services) for use in the activities  
10 described in subsection (b) unless the congressional de-  
11 fense committees, the Committee on International Rela-  
12 tions of the House of Representatives, and the Committee  
13 on Foreign Relations of the Senate are notified 15 days  
14 in advance of such transfer.

15       (b) COVERED ACTIVITIES.—This section applies to—

16           (1) any international peacekeeping or peace-en-  
17           forcement operation under the authority of chapter  
18           VI or chapter VII of the United Nations Charter  
19           under the authority of a United Nations Security  
20           Council resolution; and

21           (2) any other international peacekeeping, peace-  
22           enforcement, or humanitarian assistance operation.

23       (c) REQUIRED NOTICE.—A notice under subsection  
24 (a) shall include the following:

1           (1) A description of the equipment, supplies, or  
2 services to be transferred.

3           (2) A statement of the value of the equipment,  
4 supplies, or services to be transferred.

5           (3) In the case of a proposed transfer of equip-  
6 ment or supplies—

7               (A) a statement of whether the inventory  
8 requirements of all elements of the Armed  
9 Forces (including the reserve components) for  
10 the type of equipment or supplies to be trans-  
11 ferred have been met; and

12               (B) a statement of whether the items pro-  
13 posed to be transferred will have to be replaced  
14 and, if so, how the President proposes to pro-  
15 vide funds for such replacement.

16       SEC. 8075. To the extent authorized by subchapter  
17 VI of chapter 148 of title 10, United States Code, the  
18 Secretary of Defense may issue loan guarantees in support  
19 of United States defense exports not otherwise provided  
20 for: *Provided*, That the total contingent liability of the  
21 United States for guarantees issued under the authority  
22 of this section may not exceed \$15,000,000,000: *Provided*  
23 *further*, That the exposure fees charged and collected by  
24 the Secretary for each guarantee, shall be paid by the  
25 country involved and shall not be financed as part of a

1 loan guaranteed by the United States: *Provided further,*  
2 That the Secretary shall provide quarterly reports to the  
3 Committees on Appropriations, Armed Services and For-  
4 eign Relations of the Senate and the Committees on Ap-  
5 propriations, Armed Services and International Relations  
6 in the House of Representatives on the implementation of  
7 this program: *Provided further,* That amounts charged for  
8 administrative fees and deposited to the special account  
9 provided for under section 2540e(d) of title 10, shall be  
10 available for paying the costs of administrative expenses  
11 of the Department of Defense that are attributable to the  
12 loan guarantee program under subchapter VI of chapter  
13 148 of title 10, United States Code.

14       SEC. 8076. None of the funds available to the De-  
15 partment of Defense shall be obligated or expended to  
16 make a financial contribution to the United Nations for  
17 the cost of an United Nations peacekeeping activity  
18 (whether pursuant to assessment or a voluntary contribu-  
19 tion) or for payment of any United States arrearage to  
20 the United Nations.

21       SEC. 8077. None of the funds available to the De-  
22 partment of Defense under this Act shall be obligated or  
23 expended to pay a contractor under a contract with the  
24 Department of Defense for costs of any amount paid by  
25 the contractor to an employee when—



1 the heading “Operation and Maintenance, Defense-Wide”  
2 may be transferred to appropriations available for the pay  
3 of military personnel, to be merged with, and to be avail-  
4 able for the same time period as the appropriations to  
5 which transferred, to be used in support of such personnel  
6 in connection with support and services for eligible organi-  
7 zations and activities outside the Department of Defense  
8 pursuant to section 2012 of title 10, United States Code.

9       SEC. 8081. For purposes of section 1553(b) of title  
10 31, United States Code, any subdivision of appropriations  
11 made in this Act under the heading “Shipbuilding and  
12 Conversion, Navy” shall be considered to be for the same  
13 purpose as any subdivision under the heading “Ship-  
14 building and Conversion, Navy” appropriations in any  
15 prior year, and the 1 percent limitation shall apply to the  
16 total amount of the appropriation.

17       SEC. 8082. During the current fiscal year, in the case  
18 of an appropriation account of the Department of Defense  
19 for which the period of availability for obligation has ex-  
20 pired or which has closed under the provisions of section  
21 1552 of title 31, United States Code, and which has a  
22 negative unliquidated or unexpended balance, an obliga-  
23 tion or an adjustment of an obligation may be charged  
24 to any current appropriation account for the same purpose  
25 as the expired or closed account if—



1 funds: *Provided*, That the amounts transferred shall be  
 2 available for the same purposes as the appropriations to  
 3 which transferred, and for the same time period as the  
 4 appropriation from which transferred: *Provided further*,  
 5 That the amounts shall be transferred between the fol-  
 6 lowing appropriations in the amount specified:

7           From:

8                     Under the heading, “Shipbuilding and  
 9           Conversion, Navy, 1988/2001”:

10                         SSN-688 attack submarine program,

11                         \$6,585,000;

12                         CG-47 cruiser program, \$12,100,000;

13                         Aircraft carrier service life extension  
 14                         program, \$202,000;

15                         LHD-1 amphibious assault ship pro-  
 16                         gram, \$2,311,000;

17                         LSD-41 cargo variant ship program,  
 18                         \$566,000;

19                         T-AO fleet oiler program,  
 20                         \$3,494,000;

21                         AO conversion program, \$133,000;

22                         Craft, outfitting, and post delivery,  
 23                         \$1,688,000;

24           To:

1 Under the heading, “Shipbuilding and  
2 Conversion, Navy, 1995/2001”:

3 ~~DDG-51~~ destroyer program,  
4 \$27,079,000;

5 From:

6 Under the heading, “Shipbuilding and  
7 Conversion, Navy, 1989/2000”:

8 ~~DDG-51~~ destroyer program,  
9 \$13,200,000;

10 Aircraft carrier service life extension  
11 program, \$186,000;

12 ~~LHD-1~~ amphibious assault ship pro-  
13 gram, \$3,621,000;

14 LCAC landing craft, air cushioned  
15 program, \$1,313,000;

16 T-AO fleet oiler program, \$258,000;

17 AOE combat support ship program,  
18 \$1,078,000;

19 AO conversion program, \$881,000;

20 T-AGOS drug interdiction conversion,  
21 \$407,000;

22 Outfitting and post delivery,  
23 \$219,000;

24 To:

1 Under the heading, “Shipbuilding and  
2 Conversion, Navy, 1996/2000”:

3 LPD-17 amphibious transport dock  
4 ship, \$21,163,000;

5 From:

6 Under the heading, “Shipbuilding and  
7 Conversion, Navy, 1990/2002”:

8 SSN-688 attack submarine program,  
9 \$5,606,000;

10 DDG-51 destroyer program,  
11 \$6,000,000;

12 ENTERPRISE refueling/moderniza-  
13 tion program, \$2,306,000;

14 LHD-1 amphibious assault ship pro-  
15 gram, \$183,000;

16 LSD-41 dock landing ship cargo vari-  
17 ant program, \$501,000;

18 LCAC landing craft, air cushioned  
19 program, \$345,000;

20 MCM mine countermeasures program,  
21 \$1,369,000;

22 Moored training ship demonstration  
23 program, \$1,906,000;

24 Oceanographic ship program,  
25 \$1,296,000;

1           AOE combat support ship program,  
2           \$4,086,000;

3           AO conversion program, \$143,000;

4           Craft, outfitting, post delivery, and  
5           ship special support equipment,  
6           \$1,209,000;

7           To:

8           Under the heading, “Shipbuilding and  
9           Conversion, Navy, 1990/2002”:

10           T-AGOS surveillance ship program,  
11           \$5,000,000;

12           Coast Guard icebreaker program,  
13           \$8,153,000;

14           Under the heading, “Shipbuilding and  
15           Conversion, Navy, 1996/2002”:

16           LPD-17 amphibious transport dock  
17           ship, \$7,192,000;

18           Under the heading, “Shipbuilding and  
19           Conversion, Navy, 1998/2002”:

20           CVN refuelings, \$4,605,000;

21           From:

22           Under the heading, “Shipbuilding and  
23           Conversion, Navy, 1991/2001”:

24           SSN-21(AP) attack submarine pro-  
25           gram, \$1,614,000;

1           LHD-1 amphibious assault ship pro-  
2           gram, \$5,647,000;

3           LSD-41 dock landing ship cargo vari-  
4           ant program, \$1,389,000;

5           LCAC landing craft, air cushioned  
6           program, \$330,000;

7           AOE combat support ship program,  
8           \$1,435,000;

9           To:

10           Under the heading, “Shipbuilding and  
11           Conversion, Navy, 1998/2001”:

12           CVN refuelings, \$10,415,000;

13           From:

14           Under the heading, “Shipbuilding and  
15           Conversion, Navy, 1992/2001”:

16           SSN-21 attack submarine program,  
17           \$11,983,000;

18           Craft, outfitting, post delivery, and  
19           DBOF transfer, \$836,000;

20           Escalation, \$5,378,000;

21           To:

22           Under the heading, “Shipbuilding and  
23           Conversion, Navy, 1998/2001”:

24           CVN refuelings, \$18,197,000;

25           From:

1 Under the heading, “Shipbuilding and  
2 Conversion, Navy, 1993/2002”:

3 Carrier replacement program (AP),  
4 \$30,332,000;

5 LSD-41 cargo variant ship program,  
6 \$676,000;

7 AOE combat support ship program,  
8 \$2,066,000;

9 Craft, outfitting, post delivery, and  
10 first destination transportation, and infla-  
11 tion adjustments, \$2,127,000;

12 To:

13 Under the heading, “Shipbuilding and  
14 Conversion, Navy, 1998/2002”:

15 CVN refuelings, \$29,844,000;

16 Under the heading, “Shipbuilding and  
17 Conversion, Navy, 1999/2002”:

18 Craft, outfitting, post delivery, conver-  
19 sions, and first destination transportation,  
20 \$5,357,000;

21 From:

22 Under the heading, “Shipbuilding and  
23 Conversion, Navy, 1994/2003”:

24 LHD-1 amphibious assault ship pro-  
25 gram, \$23,900,000;

1 Oceanographic ship program, \$9,000;

2 To:

3 Under the heading, “Shipbuilding and  
4 Conversion, Navy, 1994/2003”:

5 DDG-51 destroyer program,  
6 \$18,349,000;

7 Under the heading, “Shipbuilding and  
8 Conversion, Navy, 1995/1999”:

9 DDG-51 destroyer program,  
10 \$5,383,000;

11 Under the heading, “Shipbuilding and  
12 Conversion, Navy, 1996/2000”:

13 LPD-17 amphibious transport dock  
14 ship, \$168,000;

15 Under the heading, “Shipbuilding and  
16 Conversion, Navy, 1999/2003”:

17 Craft, outfitting, post delivery, conver-  
18 sions, and first destination transportation,  
19 \$9,000;

20 From:

21 Under the heading, “Shipbuilding and  
22 Conversion, Navy, 1996/2000”:

23 SSN-21 attack submarine program,  
24 \$10,100,000;

1                   LHD-1 amphibious assault ship pro-  
2                   gram, \$7,100,000;

3                   To:

4                   Under the heading, “Shipbuilding and  
5                   Conversion, Navy, 1996/2000”:

6                   DDG-51        destroyer        program,  
7                   \$3,723,000;

8                   LPD-17 amphibious transport dock  
9                   ship, \$13,477,000;

10                  From:

11                  Under the heading, “National Defense  
12                  Sealift Fund, 1996”:

13                  Defense features, \$30,000,000;

14                  Under the heading, “National Defense  
15                  Sealift Fund, 1999”:

16                  Research, development, test and eval-  
17                  uation, \$8,000,000;

18                  To:

19                  Under the heading, “National Defense  
20                  Sealift Fund, 1997”:

21                  Maritime pre-positioning force en-  
22                  hancement, \$38,000,000.

23                  SEC. 8084. The Under Secretary of Defense (Comp-  
24                  troller) shall submit to the congressional defense commit-  
25                  tees by February 1, 2000, a detailed report identifying,

1 by amount and by separate budget activity, activity group,  
2 subactivity group, line item, program element, program,  
3 project, subproject, and activity; any activity for which the  
4 fiscal year 2001 budget request was reduced because Con-  
5 gress appropriated funds above the President's budget re-  
6 quest for that specific activity for fiscal year 2000.

7       SEC. 8085. Funds appropriated in title II of this Act  
8 and for the Defense Health Program in title VI of this  
9 Act for supervision and administration costs for facilities  
10 maintenance and repair, minor construction, or design  
11 projects may be obligated at the time the reimbursable  
12 order is accepted by the performing activity: *Provided,*  
13 That for the purpose of this section, supervision and ad-  
14 ministration costs includes all in-house Government cost.

15       SEC. 8086. The Secretary of Defense may waive re-  
16 imbursement of the cost of conferences, seminars, courses  
17 of instruction, or similar educational activities of the Asia-  
18 Pacific Center for Security Studies for military officers  
19 and civilian officials of foreign nations if the Secretary de-  
20 termines that attendance by such personnel, without reim-  
21 bursement, is in the national security interest of the  
22 United States: *Provided,* That costs for which reimburse-  
23 ment is waived pursuant to this subsection shall be paid  
24 from appropriations available for the Asia-Pacific Center.

1        SEC. 8087. (a) Notwithstanding any other provision  
2 of law, the Chief of the National Guard Bureau may per-  
3 mit the use of equipment of the National Guard Distance  
4 Learning Project by any person or entity on a space-avail-  
5 able, reimbursable basis. The Chief of the National Guard  
6 Bureau shall establish the amount of reimbursement for  
7 such use on a case-by-case basis.

8        (b) Amounts collected under subsection (a) shall be  
9 credited to funds available for the National Guard Dis-  
10 tance Learning Project and be available to defray the costs  
11 associated with the use of equipment of the project under  
12 that subsection. Such funds shall be available for such  
13 purposes without fiscal year limitation.

14        SEC. 8088. Using funds available by this Act or any  
15 other Act, the Secretary of the Air Force, pursuant to a  
16 determination under section 2690 of title 10, United  
17 States Code, may implement cost-effective agreements for  
18 required heating facility modernization in the  
19 Kaiserslautern Military Community in the Federal Repub-  
20 lic of Germany: *Provided*, That in the City of  
21 Kaiserslautern such agreements will include the use of  
22 United States anthracite as the base load energy for mu-  
23 nicipal district heat to the United States Defense installa-  
24 tions: *Provided further*, That at Landstuhl Army Regional  
25 Medical Center and Ramstein Air Base, furnished heat



1 nomic assumptions, is hereby rescinded as of the date of  
2 enactment of this Act, or October 1, 1999, whichever is  
3 later, from the following accounts in the specified  
4 amounts:

5           “~~Aircraft Procurement, Army~~”, \$8,000,000;

6           “~~Missile Procurement, Army~~”, \$7,000,000;

7           “~~Procurement of Weapons and Tracked Combat~~  
8           ~~Vehicles, Army~~”, \$9,000,000;

9           “~~Procurement of Ammunition, Army~~”,  
10          \$6,000,000;

11          “~~Other Procurement, Army~~”, \$19,000,000;

12          “~~Aircraft Procurement, Navy~~”, \$44,000,000;

13          “~~Weapons Procurement, Navy~~”, \$8,000,000;

14          “~~Procurement of Ammunition, Navy and Ma-~~  
15          ~~rine Corps~~”, \$3,000,000;

16          “~~Shipbuilding and Conversion, Navy~~”,  
17          \$37,000,000;

18          “~~Other Procurement, Navy~~”, \$23,000,000;

19          “~~Procurement, Marine Corps~~”, \$5,000,000;

20          “~~Aircraft Procurement, Air Force~~”,  
21          \$46,000,000;

22          “~~Missile Procurement, Air Force~~”,  
23          \$14,000,000;

24          “~~Procurement of Ammunition, Air Force~~”,  
25          \$2,000,000;

1           ~~“Other Procurement, Air Force”, \$44,400,000;~~  
2           ~~“Procurement, Defense-Wide”, \$5,200,000;~~  
3           ~~“Chemical Agents and Munitions Destruction,~~  
4           ~~Army”, \$5,000,000;~~  
5           ~~“Research, Development, Test and Evaluation,~~  
6           ~~Army”, \$20,000,000;~~  
7           ~~“Research, Development, Test and Evaluation,~~  
8           ~~Navy”, \$40,900,000;~~  
9           ~~“Research, Development, Test and Evaluation,~~  
10          ~~Air Force”, \$76,900,000; and~~  
11          ~~“Research, Development, Test and Evaluation,~~  
12          ~~Defense-Wide”, \$28,700,000.~~

13 *Provided*, That these reductions shall be applied propor-  
14 tionally to each budget activity, activity group and sub-  
15 activity group and each program, project, and activity  
16 within each appropriation account.

17       SEC. 8092. The budget of the President for fiscal  
18 year 2001 submitted to Congress pursuant to section 1105  
19 of title 31, United States Code, and each annual budget  
20 request thereafter, shall include budget activity groups  
21 (known as “subactivities”) in all appropriations accounts  
22 provided in this Act, as may be necessary, to separately  
23 identify all costs incurred by the Department of Defense  
24 to support the North Atlantic Treaty Organization and all  
25 Partnership For Peace programs and initiatives. The

1 budget justification materials submitted to Congress in  
2 support of the budget of the Department of Defense for  
3 fiscal year 2001, and subsequent fiscal years, shall provide  
4 complete, detailed estimates for all such costs.

5       ~~SEC. 8093.~~ None of the funds made available in this  
6 Act may be used to approve or license the sale of the F-  
7 ~~22~~ advanced tactical fighter to any foreign government.

8       ~~SEC. 8094.~~ (a) The Secretary of Defense may, on a  
9 ~~case-by-case~~ basis, waive with respect to a foreign country  
10 each limitation on the procurement of defense items from  
11 foreign sources provided in law if the Secretary determines  
12 that the application of the limitation with respect to that  
13 country would invalidate cooperative programs entered  
14 into between the Department of Defense and the foreign  
15 country, or would invalidate reciprocal trade agreements  
16 for the procurement of defense items entered into under  
17 section ~~2531~~ of title 10, United States Code, and the  
18 country does not discriminate against the same or similar  
19 defense items produced in the United States for that coun-  
20 try.

21       (b) Subsection (a) applies with respect to—

22               (1) contracts and subcontracts entered into on  
23               or after the date of the enactment of this Act; and

24               (2) options for the procurement of items that  
25               are exercised after such date under contracts that

1 are entered into before such date if the option prices  
2 are adjusted for any reason other than the applica-  
3 tion of a waiver granted under subsection (a).

4 (c) Subsection (a) does not apply to a limitation re-  
5 garding construction of public vessels, ball and roller bear-  
6 ings, food, and clothing or textile materials as defined by  
7 section 11 (chapters 50–65) of the Harmonized Tariff  
8 Schedule and products classified under headings 4010,  
9 4202, 4203, 6401 through 6406, 6505, 7019, 7218  
10 through 7229, 7304.41 through 7304.49, 7306.40, 7502  
11 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

12 SEC. 8095. Funds made available to the Civil Air Pa-  
13 trol in this Act under the heading “Drug Interdiction and  
14 Counter-Drug Activities, Defense” may be used for the  
15 Civil Air Patrol Corporation’s counterdrug program, in-  
16 cluding its demand reduction program involving youth  
17 programs, as well as operational and training drug recon-  
18 naissance missions for Federal, State and local govern-  
19 ment agencies; for administrative costs, including the hir-  
20 ing of Civil Air Patrol Corporation employees; for travel  
21 and per diem expenses of Civil Air Patrol Corporation per-  
22 sonnel in support of those missions; and for equipment  
23 needed for mission support or performance: *Provided,*  
24 That of these funds, \$300,000 shall be made available to  
25 establish and operate a distance learning program: *Pro-*

1 *vided further*, That the Department of the Air Force  
2 should waive reimbursement from the Federal, State and  
3 local government agencies for the use of these funds.

4       SEC. 8096. Notwithstanding any other provision of  
5 law, the TRICARE managed care support contracts in ef-  
6 fect, or in final stages of acquisition as of September 30,  
7 1999, may be extended for two years: *Provided*, That any  
8 such extension may only take place if the Secretary of De-  
9 fense determines that it is in the best interest of the Gov-  
10 ernment: *Provided further*, That any contract extension  
11 shall be based on the price in the final best and final offer  
12 for the last year of the existing contract as adjusted for  
13 inflation and other factors mutually agreed to by the con-  
14 tractor and the Government: *Provided further*, That not-  
15 withstanding any other provision of law, all future  
16 TRICARE managed care support contracts replacing con-  
17 tracts in effect, or in the final stages of acquisition as of  
18 September 30, 1999, may include a base contract period  
19 for transition and up to seven one-year option periods.

20       SEC. 8097. None of the funds in this Act may be  
21 used to compensate an employee of the Department of De-  
22 fense who initiates a new start program without notifica-  
23 tion to the Office of the Secretary of Defense, the Office  
24 of Management and Budget, and the congressional de-

1 fense committees, as required by Department of Defense  
2 financial management regulations.

3       SEC. 8098. section 8118 of the Department of De-  
4 fense Appropriations Act, 1999 (Public Law 105-262;  
5 112 Stat. 2331; 10 U.S.C. 2241 note) is amended by  
6 striking “convicted” and inserting “debarred by the De-  
7 partment of Defense based upon a conviction”.

8       SEC. 8099. In addition to the amounts provided else-  
9 where in this Act, notwithstanding any other provision of  
10 law, \$5,000,000 is hereby appropriated to the Office of  
11 the Secretary of Defense, and is available only for a grant  
12 to the Women in Military Service for America Memorial  
13 Foundation, Inc., only for costs associated with completion  
14 of the “Women in Military Service For America” memo-  
15 rial at Arlington National Cemetery.

16                                   TRAINING AND OTHER PROGRAMS

17       SEC. 8100. (a) PROHIBITION.—None of the funds  
18 made available by this Act may be used to support any  
19 training program involving a unit of the security forces  
20 of a foreign country if the Secretary of Defense has re-  
21 ceived credible information from the Department of State  
22 that the unit has committed a gross violation of human  
23 rights, unless all necessary corrective steps have been  
24 taken.

25       (b) MONITORING.—The Secretary of Defense, in con-  
26 sultation with the Secretary of State, shall ensure that

1 prior to a decision to conduct any training program re-  
 2 ferred to in subsection (a), full consideration is given to  
 3 all credible information available to the Department of  
 4 State relating to human rights violations by foreign secu-  
 5 rity forces.

6 (c) WAIVER.—The Secretary of Defense, after con-  
 7 sultation with the Secretary of State, may waive the prohi-  
 8 bition in subsection (a) if he determines that such waiver  
 9 is required by extraordinary circumstances.

10 SEC. 8101. Notwithstanding any other provision in  
 11 this Act, the total amount appropriated in this Act is here-  
 12 by reduced by \$171,000,000 to reflect savings from favor-  
 13 able foreign currency fluctuations, to be distributed as fol-  
 14 lows:

15 ~~“Military Personnel, Army”, \$19,100,000;~~

16 ~~“Military Personnel, Navy”, \$2,200,000;~~

17 ~~“Military Personnel, Air Force”, \$9,900,000;~~

18 ~~“Operation and Maintenance, Army”,~~

19 ~~\$80,700,000;~~

20 ~~“Operation and Maintenance, Navy”,~~

21 ~~\$13,700,000;~~

22 ~~“Operation and Maintenance, Air Force,”~~

23 ~~\$26,900,000;~~

24 ~~“Operation and Maintenance, Defense-Wide”,~~

25 ~~\$8,700,000; and~~



1       SEC. 8104. Funds appropriated to the Department  
2 of the Navy in title II of this Act may be available to re-  
3 place lost and canceled Treasury checks issued to Trans  
4 World Airlines in the total amount of \$255,333.24 for  
5 which timely claims were filed and for which detailed sup-  
6 porting records no longer exist.

7       SEC. 8105. Notwithstanding any other provision of  
8 law, section 112 of Public Law 105-261 shall apply only  
9 to phase III of the Army's second source acquisition strat-  
10 egy for medium tactical vehicles.

11       SEC. 8106. None of the funds appropriated or made  
12 available in this Act to the Department of the Navy shall  
13 be used to develop, lease or procure the ADC(X) class of  
14 ships unless the main propulsion diesel engines are manu-  
15 factured in the United States by a domestically operated  
16 entity: *Provided*, That the Secretary of Defense may waive  
17 this restriction on a case-by-case basis by certifying in  
18 writing to the Committees on Appropriations of the House  
19 of Representatives and the Senate that adequate domestic  
20 supplies are not available to meet Department of Defense  
21 requirements on a timely basis and that such an acquisi-  
22 tion must be made in order to acquire capability for na-  
23 tional security purposes or there exists a significant cost  
24 or quality difference.

1       SEC. 8107. From within amounts made available in  
2 title II of this Act under the heading “Operation and  
3 Maintenance, Defense-Wide”, and notwithstanding any  
4 other provision of law, \$2,500,000 shall be available only  
5 for a grant for “America’s Promise—The Alliance for  
6 Youth, Inc.”, only to support, on a dollar-for-dollar match-  
7 ing basis with non-departmental funds, efforts to mobilize  
8 individuals, groups and organizations to build and  
9 strengthen the character and competence of the Nation’s  
10 youth.

11       SEC. 8108. Of the funds made available in this Act,  
12 not less than \$47,100,000 shall be available to maintain  
13 an attrition reserve force of ~~23~~ B-52 aircraft, of which  
14 \$3,000,000 shall be available from “Military Personnel,  
15 Air Force”, \$34,500,000 shall be available from “Oper-  
16 ation and Maintenance, Air Force”, and \$9,600,000 shall  
17 be available from “Aircraft Procurement, Air Force”: *Pro-*  
18 *vided*, That the Secretary of the Air Force shall maintain  
19 a total force of 94 B-52 aircraft, including ~~23~~ attrition  
20 reserve aircraft, during fiscal year 2000: *Provided further*,  
21 That the Secretary of Defense shall include in the Air  
22 Force budget request for fiscal year 2001 amounts suffi-  
23 cient to maintain a B-52 force totaling 94 aircraft.

24       SEC. 8109. Notwithstanding any other provision in  
25 this Act, the total amount appropriated in title II is hereby

1 reduced by \$100,000,000 to reflect savings resulting from  
2 reviews of Department of Defense missions and functions  
3 conducted pursuant to Office of Management and Budget  
4 Circular A-76, to be distributed as follows:

5           “Operation and Maintenance, Army”,  
6       \$34,300,000;

7           “Operation and Maintenance, Navy”,  
8       \$22,800,000;

9           “Operation and Maintenance, Marine Corps”,  
10       \$1,400,000; and

11           “Operation and Maintenance, Air Force”,  
12       \$41,500,000.

13 *Provided*, That none of the funds appropriated or other-  
14 wise made available by this Act may be obligated or ex-  
15 pended for the purpose of contracting out functions di-  
16 rectly related to the award of Department of Defense con-  
17 tracts, oversight of contractors with the Department of  
18 Defense, or the payment of such contractors including, but  
19 not limited to: contracting technical officers, contract ad-  
20 ministration officers, accounting and finance officers, and  
21 budget officers.

22       SEC. 8110. (a) REPORT ON OMB CIRCULAR A-76  
23 REVIEWS OF WORK PERFORMED BY DOD EMPLOYEES.—  
24 The Secretary of Defense shall submit a report not later  
25 than 90 days after the enactment of this Act which lists

1 all instances since 1995 in which missions or functions  
2 of the Department of Defense have been reviewed by the  
3 Department of Defense pursuant to OMB Circular A-76.  
4 The report shall list the disposition of each such review  
5 and indicate whether the review resulted in the perform-  
6 ance of such missions or functions by Department of De-  
7 fense civilian and military personnel, or whether such re-  
8 views resulted in performance by contractors. The report  
9 shall include a description of the types of missions or func-  
10 tions, the locations where the missions or functions are  
11 performed, the name of the contractor performing the  
12 work (if applicable), the cost to perform the missions or  
13 functions at the time the review was conducted, and the  
14 current cost to perform the missions or functions.

15 (b) REPORT ON OMB CIRCULAR A-76 REVIEWS OF  
16 WORK PERFORMED BY DOD CONTRACTORS.—The report  
17 shall also identify those instances in which work performed  
18 by a contractor has been converted to performance by ei-  
19 vilian or military employees of the Department of Defense.  
20 For each instance of contracting in, the report shall in-  
21 clude a description of the types of work, the locations  
22 where the work was performed, the name of the contractor  
23 that was performing the work, the cost of contractor per-  
24 formance at the time the work was contracted in, and the  
25 current cost of performance by civilian or military employ-

1 ces of the Department of Defense. In addition, the report  
2 shall include recommendations for maximizing the possi-  
3 bility of effective public-private competition for work that  
4 has been contracted out.

5 (e) **COMPTROLLER GENERAL REVIEW.**—Not later  
6 than 90 days after the date on which the Secretary sub-  
7 mits the annual report, the Comptroller General shall sub-  
8 mit to the House and Senate Committees on Appropria-  
9 tions the Comptroller General's views on whether the De-  
10 partment has complied with the requirements for the re-  
11 port.

12 **SEC. 8111.** The budget of the President for fiscal  
13 year 2001 submitted to Congress pursuant to section 1105  
14 of title 31, United States Code, and each annual budget  
15 request thereafter, shall include separate budget justifica-  
16 tion documents for costs of United States armed forces'  
17 participation in contingency operations for the Military  
18 Personnel accounts, the Procurement accounts, and the  
19 Overseas Contingency Operations Transfer Fund: *Pro-*  
20 *vided,* That these budget justification documents shall in-  
21 clude a description of the funding requested for each an-  
22 ticipated contingency operation, for each military service,  
23 to include active duty and Guard and Reserve components,  
24 and for each appropriation account: *Provided further,* That  
25 these documents shall include estimated costs for each ele-

1 ment of expense or object class, a reconciliation of in-  
 2 creases and decreases for ongoing contingency operations,  
 3 and programmatic data including, but not limited to troop  
 4 strength for each active duty and Guard and Reserve com-  
 5 ponent, and estimates of the major weapons systems de-  
 6 ployed in support of each contingency.

7       SEC. 8112. In addition to amounts otherwise appro-  
 8 priated or made available by this Act, \$20,000,000 is ap-  
 9 propriated to the Army National Guard and shall be avail-  
 10 able only for the purpose of the procurement or lease of  
 11 fire-fighting aircraft or systems.

12                               (INCLUDING TRANSFER OF FUNDS)

13       SEC. 8113. In addition to amounts appropriated or  
 14 otherwise made available in this Act, \$50,000,000 is here-  
 15 by appropriated, only to initiate and expand activities of  
 16 the Department of Defense to prevent, prepare for, and  
 17 respond to a terrorist attack in the United States involving  
 18 weapons of mass destruction: *Provided*, That funds made  
 19 available under this section shall be transferred to the fol-  
 20 lowing accounts:

21                               “Reserve Personnel, Army”, \$2,000,000;

22                               “National Guard Personnel, Army”,  
 23       \$4,310,000;

24                               “National Guard Personnel, Air Force”,  
 25       \$1,080,000;

1           “Operation and Maintenance, Army”,  
2           \$12,110,000;

3           “Operation and Maintenance, Army National  
4           Guard”, \$12,320,000;

5           “Other Procurement, Army”, \$12,180,000; and

6           “Research, Development, Test and Evaluation,  
7           Army”, \$6,000,000.

8 *Provided further*, That funds transferred pursuant to this  
9 section shall be merged with and be available for the same  
10 purposes and for the same time period as the appropria-  
11 tion to which transferred: *Provided further*, That the  
12 transfer authority provided in this section is in addition  
13 to any other transfer authority available to the Depart-  
14 ment of Defense: *Provided further*, That of the funds  
15 transferred to “Operation and Maintenance, Army Na-  
16 tional Guard”, not less than \$3,000,000 shall be made  
17 available only to establish cost effective counter-terrorism  
18 training of first responders and concurrent testing of re-  
19 sponse apparatus and equipment at the Memorial Tunnel  
20 Facility as part of the WMD Study under the WMD Task  
21 Force: *Provided further*, That of the funds transferred to  
22 “Operation and Maintenance, Army National Guard”, not  
23 less than \$2,000,000 shall be made available only to sup-  
24 port development of a structured undergraduate research  
25 program designed to produce graduates with specialized

1 laboratory training and scientific skills required by mili-  
2 tary and industrial laboratories engaged in combating the  
3 threat of biological and chemical terrorism: *Provided fur-*  
4 *ther*, That of the funds transferred to “Operation and  
5 Maintenance, Army National Guard”, not less than  
6 \$3,500,000 shall be made available only to enhance dis-  
7 tance learning technologies and develop related courseware  
8 to provide training for counter-terrorism and related con-  
9 cerns: *Provided further*, That of the funds transferred to  
10 “Research, Development, Test and Evaluation, Army”,  
11 not less than \$3,000,000 shall be made available only to  
12 continue development and presentation of advanced dis-  
13 tributed learning consequence management response  
14 courses and conventional courses.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8114. In addition to the amounts made available  
17 elsewhere in this Act, \$150,000,000, to remain available  
18 until expended, is hereby appropriated to “Operation and  
19 Maintenance, Defense-Wide”, only for information assur-  
20 ance programs, to include protection from non-authorized  
21 access to information technology systems and computer  
22 systems, and for related infrastructure expenses: *Provided*,  
23 That funds under this heading may only be obligated after  
24 the approval of the Deputy Secretary of Defense: *Provided*  
25 *further*, That none of the funds provided by this provision  
26 may be obligated or transferred to other appropriations

1 accounts until fifteen days after the Deputy Secretary of  
2 Defense has submitted to the House and Senate Commit-  
3 tees on Appropriations a proposed funding allocation and  
4 a plan for the Department of Defense to achieve informa-  
5 tion superiority and information assurance: *Provided fur-*  
6 *ther*, That the Deputy Secretary of Defense shall provide  
7 written notification to the House and Senate Committees  
8 on Appropriations prior to the transfer of any amount in  
9 excess of \$10,000,000 to a specific program or project:  
10 *Provided further*, That funds made available under this  
11 heading may be transferred only to operation and mainte-  
12 nance accounts, procurement accounts, the Defense  
13 Health Program appropriation, and research, develop-  
14 ment, test and evaluation accounts: *Provided further*, That  
15 the funds transferred shall be merged with and shall be  
16 available for the same purposes and for the same time pe-  
17 riod as the appropriation to which transferred: *Provided*  
18 *further*, That the transfer authority provided in this sec-  
19 tion shall be in addition to the transfer authority provided  
20 to the Department of Defense in this Act or any other  
21 Act.

22       SEC. 8115. (a) The Secretary of Defense shall, along  
23 with submission of the fiscal year 2001 budget request for  
24 the Department of Defense, submit to the congressional  
25 defense committees a report, in both unclassified and clas-

1 sified versions, which contains an assessment of the ad-  
2 vantages or disadvantages of deploying a ground-based  
3 National Missile Defense system at more than one site.

4 (b) This report shall include, but not be limited to,  
5 an assessment of the following issues:

6 (1) The ability of a single site, versus multiple  
7 sites, to counter the expected ballistic missile threat;

8 (2) The optimum basing locations for a single  
9 and multiple site National Missile Defense system;

10 (3) The survivability and redundancy of poten-  
11 tial National Missile Defense systems under a single  
12 or multiple site architecture;

13 (4) The estimated costs (including development,  
14 construction and infrastructure, and procurement of  
15 equipment) associated with different site deployment  
16 options; and

17 (5) Other issues bearing on deploying a Na-  
18 tional Missile Defense system at one or more sites.

19 SEC. 8116. The Secretary of the Navy and the Sec-  
20 retary of the Air Force each shall submit a report to the  
21 congressional defense committees within 90 days of enact-  
22 ment of this Act in both classified and unclassified form  
23 which shall provide a detailed description of the dedicated  
24 aggressor squadrons used to conduct combat flight train-  
25 ing for the Navy, Marine Corps and Air Force covering

1 the period from fiscal year 1990 through the present. For  
2 each year of the specified time period, each report shall  
3 provide a detailed description of the following: the assets  
4 which comprise dedicated aggressor squadrons including  
5 both aircrews, and the types and models of aircraft as-  
6 signed to these squadrons; the number of training sorties  
7 for all forms of combat flight training which require ag-  
8 gressor aircraft, and the number of sorties that the dedi-  
9 cated aggressor squadrons can generate to meet these re-  
10 quirements; the ratio of the total inventory of attack and  
11 fighter aircraft to the number of aircraft available for  
12 dedicated aggressor squadrons; a comparison of the per-  
13 formance characteristics of the aircraft assigned to dedi-  
14 cated aggressor squadrons compared to the performance  
15 characteristics of the aircraft they are intended to rep-  
16 resent in training scenarios; an assessment of pilot pro-  
17 ficiency by year from 1986 to the present; Service rec-  
18 ommendations to enhance aggressor squadron proficiency  
19 to include number of dedicated aircraft, equipment, facili-  
20 ties, and personnel; and a plan that proposes improve-  
21 ments in dissimilar aircraft air combat training.

22       SEC. 8117. None of the funds appropriated or other-  
23 wise made available by this or other Department of De-  
24 fense Appropriations Acts may be obligated or expended  
25 for the purpose of performing repairs or maintenance to

1 military family housing units of the Department of De-  
2 fense, including areas in such military family housing  
3 units that may be used for the purpose of conducting offi-  
4 cial Department of Defense business: *Provided*, That the  
5 Department of Defense Office of the Inspector General  
6 shall provide a report to the House and Senate Commit-  
7 tees on Appropriations not later than 60 days after the  
8 enactment of this Act which assesses the compliance of  
9 each of the military services with applicable appropriations  
10 law, Office of Management and Budget circulars, and Un-  
11 dersecretary of Defense (Comptroller) directives which  
12 govern funding for maintenance and repairs to flag officer  
13 quarters: *Provided further*, That this report shall include  
14 an assessment as to whether there have been violations  
15 of the Anti-Deficiency Act resulting from instances of im-  
16 proper funding of such maintenance and repair projects.

17       SEC. 8118. Notwithstanding any other provision of  
18 law, funds appropriated in this Act under the heading  
19 “Research, Development, Test and Evaluation, Defense-  
20 Wide” for any advanced concept technology demonstration  
21 project may only be obligated thirty days after a report,  
22 including a description of the project and its estimated  
23 annual and total cost, has been provided in writing to the  
24 congressional defense committees: *Provided*, That the Sec-  
25 retary of Defense may waive this restriction on a case-

1 by-case basis by certifying to the congressional defense  
2 committees that it is in the national interest to do so: *Pro-*  
3 *vided further*, That none of the funds appropriated under  
4 the heading “Research, Development, Test and Evalua-  
5 tion, Defense-Wide” in the Department of Defense Appro-  
6 priations Act, 1999 (Public Law 105–262) are available  
7 for the Line of Sight Anti-Tank Program: *Provided fur-*  
8 *ther*, That of the funds appropriated under the heading  
9 “Research, Development, Test and Evaluation, Defense-  
10 Wide” in Public Law 105–262, \$10,027,000 shall be  
11 available only for the Air Directed Surface to Air Missile.

12       SEC. 8119. Notwithstanding any other provision of  
13 law, none of the funds appropriated or otherwise made  
14 available by this Act may be used for concept development,  
15 pre-engineering management and development, engineer-  
16 ing management and development, risk reduction, pro-  
17 gram office operations, travel of Department of Defense  
18 personnel, or contributions to international cooperative ef-  
19 forts for the Medium Extended Air Defense System, or  
20 successor systems: *Provided*, That none of the funds ap-  
21 propriated under the heading “Research, Development,  
22 Test and Evaluation, Defense-Wide” in the Department  
23 of Defense Appropriations Act, 1999 (Public Law 105–  
24 262) are available for the Medium Extended Air Defense  
25 System or successor systems.

1        SEC. 8120. None of the funds in this Act may be  
2 used to conduct a Defense Acquisition Board oversight re-  
3 view of a major weapon system acquisition unless the  
4 Commander-in-Chief of the United States Atlantic Com-  
5 mand is a fully participating member of the Board which  
6 is conducting the review: *Provided*, That none of the funds  
7 in this Act may be used for the Defense Acquisition Board  
8 to approve a major weapon system acquisition to proceed  
9 into a subsequent phase of development or production un-  
10 less the Commander-in-Chief of the United States Atlantic  
11 Command certifies to the congressional defense commit-  
12 tees that the acquisition fully meets joint service interoper-  
13 ability requirements as determined by the theater Com-  
14 manders-in-Chief: *Provided further*, That no additional  
15 funds or personnel beyond those contained in the fiscal  
16 year 2000 President's budget for ongoing United States  
17 Atlantic Command activities are available to support par-  
18 ticipation by the Commander-in-Chief of the United States  
19 Atlantic Command in Defense Acquisition Board weapon  
20 system reviews.

21        SEC. 8121. Of the funds appropriated in title II of  
22 this Act under the heading "Operation and Maintenance,  
23 Army", \$250,000 shall be available only for a grant to  
24 the Nebraska Game and Parks Commission for the pur-  
25 pose of locating, identifying the boundaries of, acquiring,

1 preserving, and memorializing the cemetery site that is lo-  
2 cated in close proximity to Fort Atkinson, Nebraska. The  
3 Secretary of the Army shall require as a condition of such  
4 grant that the Nebraska Game and Parks Commission,  
5 in carrying out the purposes of which the grant is made,  
6 work in conjunction with the Nebraska State Historical  
7 Society. The grant under this section shall be made with-  
8 out regard to section 1301 of title 31, United States Code,  
9 or any other provision of law.

10       SEC. 8122. Notwithstanding any other provision of  
11 law, for the purpose of establishing all Department of De-  
12 fense policies governing the provision of care provided by  
13 and financed under the military health care system, the  
14 term “custodial care” shall be defined as care designed  
15 essentially to assist an individual in meeting the activities  
16 of daily living and which does not require the supervision  
17 of trained medical, nursing, paramedical or other specially  
18 trained individuals.

19       SEC. 8123. During the current fiscal year—

20             (1) refunds attributable to the use of the Gov-  
21 ernment travel card and refunds attributable to offi-  
22 cial Government travel arranged by Government  
23 Contracted Travel Management Centers may be  
24 credited to operation and maintenance accounts of

1 the Department of Defense which are current when  
2 the refunds are received; and

3 ~~(2)~~ refunds attributable to the use of the Gov-  
4 ernment Purchase Card by military personnel and  
5 civilian employees of the Department of Defense  
6 may be credited to accounts of the Department of  
7 Defense that are current when the refunds are re-  
8 ceived and that are available for the same purposes  
9 as the accounts originally charged.

10 SEC. 8124. During the current fiscal year and here-  
11 after, any Federal grant of funds to an institution of high-  
12 er education to be available solely for student financial as-  
13 sistance or related administrative costs may be used for  
14 the purpose for which the grant is made without regard  
15 to any provision to the contrary in section 514 of the De-  
16 partments of Labor, Health and Human Services, Edu-  
17 cation, and Related Agencies Appropriations Act, 1997  
18 ~~(10 U.S.C. 503 note)~~, or section 983 of title 10, United  
19 States Code.

20 INFORMATION TECHNOLOGY SYSTEMS

21 SEC. 8125. (a) REGISTERING WITH DOD CHIEF IN-  
22 FORMATION OFFICER.—After March 31, 2000, none of  
23 the funds appropriated in this Act may be used for an  
24 information technology system that is not registered with  
25 the Chief Information Officer of the Department of De-  
26 fense. A system shall be considered to be registered with

1 that officer upon the furnishing to that officer of notice  
2 of the system, together with such information concerning  
3 the system as the Secretary of Defense may prescribe.

4 (b) MILESTONE CERTIFICATIONS TO CONGRES-  
5 SIONAL COMMITTEES.—An information technology system  
6 may not receive Milestone I approval, Milestone II ap-  
7 proval, or Milestone III approval until the Chief Informa-  
8 tion Officer of the Department of Defense provides to the  
9 congressional defense committees written certification,  
10 with respect to that milestone, that the system is being  
11 developed in accordance with the sections 5122 and 5123  
12 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422 and  
13 1423). The Chief Information Officer shall include with  
14 any such certification a report providing, at a minimum,  
15 the funding baseline and milestone schedule for the system  
16 and confirmation that the following steps have been taken  
17 with respect to the system:

18 (1) Business process reengineering.

19 (2) An analysis of alternatives.

20 (3) An economic analysis that includes a cal-  
21 culation of the return on investment.

22 (4) Performance measures.

23 (5) Effective information security measure.

24 (c) DEFINITIONS.—For purposes of this section:

1           (1) The term “Chief Information Officer”  
2           means the senior official of the Department of De-  
3           fense designated by the Secretary of Defense pursu-  
4           ant to section 3506 of title 44, United States Code.

5           (2) The term “information technology” has the  
6           meaning given that term in section 5002 of the  
7           Clinger-Cohen Act of 1996 (40 U.S.C. 1401), but  
8           does not include a national security system.

9           (3) The term “national security system” has  
10          the meaning given that term in section 5142 of such  
11          Act (40 U.S.C. 1452).

12          SEC. 8126. During the current fiscal year, none of  
13          the funds available to the Department of Defense may be  
14          used to provide support to another department or agency  
15          of the United States if such department or agency is more  
16          than 90 days in arrears in making payment to the Depart-  
17          ment of Defense for goods or services previously provided  
18          to such department or agency on a reimbursable basis:  
19          *Provided*, That this restriction shall not apply if the De-  
20          partment is authorized by law to provide support to such  
21          department or agency on a nonreimbursable basis, and is  
22          providing the requested support pursuant to such author-  
23          ity: *Provided further*, That the Secretary of Defense may  
24          waive this restriction on a case-by-case basis by certifying  
25          in writing to the Committees on Appropriations of the

1 House of Representatives and the Senate that it is in the  
2 national security interest to do so:

3       ~~SEC. 8127. (a) RECOVERY OF CERTAIN DOD ADMIN-~~  
4 ~~ISTRATIVE EXPENSES IN CONNECTION WITH FOREIGN~~  
5 ~~MILITARY SALES PROGRAM.—Charges for administrative~~  
6 ~~services calculated under section 21(e) of the Arms Export~~  
7 ~~Control Act (22 U.S.C. 2761(e)) in connection with the~~  
8 ~~sale of defense articles or defense services shall (notwith-~~  
9 ~~standing paragraph (3) of section 43(b) of such Act (22~~  
10 ~~U.S.C. 2792(b)) include recovery of administrative ex-~~  
11 ~~penses incurred by the Department of Defense during fis-~~  
12 ~~cal year 2000 that are attributable to (1) salaries of mem-~~  
13 ~~bers of the Armed Forces, and (2) unfunded estimated~~  
14 ~~costs of civilian retirement and other benefits.~~

15       ~~(b) REIMBURSEMENT OF APPLICABLE MILITARY~~  
16 ~~PERSONNEL ACCOUNTS.—During the current fiscal year,~~  
17 ~~amounts in the Foreign Military Sales Trust Fund shall~~  
18 ~~be available in an amount not to exceed \$63,000,000 to~~  
19 ~~reimburse the applicable military personnel accounts in~~  
20 ~~title I of this Act for the value of administrative expenses~~  
21 ~~referred in subsection (a)(1).~~

22       ~~(c) REDUCTIONS TO REFLECT AMOUNTS EXPECTED~~  
23 ~~TO BE RECOVERED.—(1) The amounts in title I of this~~  
24 ~~Act are hereby reduced by an aggregate of \$63,000,000~~

1 (such amount being the amount expected to be recovered  
2 by reason of subsection (a)(1)).

3 (2) The amounts in title II of this Act are hereby  
4 reduced by an aggregate of \$31,000,000 (such amount  
5 being that amount expected to be recovered by reason of  
6 subsection (a)(2)).

7 SEC. 8128. (a) The Communications Act of 1934 is  
8 amended in section 337(b) (47 U.S.C. 337(b)), by deleting  
9 paragraph (2). Upon enactment of this provision, the FCC  
10 shall initiate the competitive bidding process in fiscal year  
11 1999 and shall conduct the competitive bidding in a man-  
12 ner that ensures that all proceeds of such bidding are de-  
13 posited in accordance with section 309(j)(8) of the Act not  
14 later than September 30, 2000. To expedite the assign-  
15 ment by competitive bidding of the frequencies identified  
16 in section 337(a)(2) of the Act, the rules governing such  
17 frequencies shall be effective immediately upon publication  
18 in the Federal Register, notwithstanding 5 U.S.C. 553(d),  
19 801(a)(3), 804(2), and 806(a). Chapter 6 of such title,  
20 15 U.S.C. 632, and 44 U.S.C. 3507 and 3512, shall not  
21 apply to the rules and competitive bidding procedures gov-  
22 erning such frequencies. Notwithstanding section 309(b)  
23 of the Act, no application for an instrument of authoriza-  
24 tion for such frequencies shall be granted by the Commis-  
25 sion earlier than 7 days following issuance of public notice

1 by the Commission of the acceptance for filing of such ap-  
2 plication or of any substantial amendment thereto. Not-  
3 withstanding section 309(d)(1) of such Act, the Commis-  
4 sion may specify a period (no less than 5 days following  
5 issuance of such public notice) for the filing of petitions  
6 to deny any application for an instrument of authorization  
7 for such frequencies.

8 (b)(1) Not later than 15 days after the date of the  
9 enactment of this Act, the Director of the Office of Man-  
10 agement and Budget and the Federal Communications  
11 Commission shall each submit to the appropriate congres-  
12 sional committees a report which shall—

13 (A) set forth the anticipated schedule (including  
14 specific dates) for—

15 (i) preparing and conducting the competi-  
16 tive bidding process required by subsection (a);  
17 and

18 (ii) depositing the receipts of the competi-  
19 tive bidding process;

20 (B) set forth each significant milestone in the  
21 rulemaking process with respect to the competitive  
22 bidding process;

23 (C) include an explanation of the effect of each  
24 requirement in subsection (a) on the schedule for the  
25 competitive bidding process and any post-bidding ac-

1 activities (including the deposit of receipts) when com-  
2 pared with the schedule for the competitive bidding  
3 and any post-bidding activities (including the deposit  
4 of receipts) that would otherwise have occurred  
5 under section 337(b)(2) of the Communications Act  
6 of 1934 (47 U.S.C. 337(b)(2)) if not for the enact-  
7 ment of subsection (a);

8 (D) set forth for each spectrum auction held by  
9 the Federal Communications Commission since 1993  
10 information on—

11 (i) the time required for each stage of  
12 preparation for the auction;

13 (ii) the date of the commencement and of  
14 the completion of the auction;

15 (iii) the time which elapsed between the  
16 date of the completion of the auction and the  
17 date of the first deposit of receipts from the  
18 auction in the Treasury; and

19 (iv) the dates of all subsequent deposits of  
20 receipts from the auction in the Treasury; and

21 (E) include an assessment of how the stages of  
22 the competitive bidding process required by sub-  
23 section (a), including preparation, commencement  
24 and completion, and deposit of receipts, will differ

1 from similar stages in the auctions referred to in  
2 subparagraph (D).

3 (2) Not later than October 5, 2000, the Director of  
4 the Office of Management and Budget and the Federal  
5 Communications Commission shall each submit to the ap-  
6 propriate congressional committees the report which  
7 shall—

8 (A) describe the course of the competitive bid-  
9 ding process required by subsection (a) through Sep-  
10 tember 30, 2000, including the amount of any re-  
11 ceipts from the competitive bidding process depos-  
12 ited in the Treasury as of September 30, 2000; and

13 (B) if the course of the competitive bidding  
14 process has included any deviations from the sched-  
15 ule set forth under paragraph (1)(A), an explanation  
16 for such deviations from the schedule.

17 (3) The Federal Communications Commission may  
18 not consult with the Director in the preparation and sub-  
19 mittal of the reports required of the Commission by this  
20 subsection.

21 (4) In this subsection, the term “appropriate congres-  
22 sional committees” means the following:

23 (A) The Committees on Appropriations, the  
24 Budget, and Commerce of the Senate.

1           (B) The Committees on Appropriations, the  
2       Budget, and Commerce of the House of Representa-  
3       tives.

4 DEPARTMENT OF DEFENSE REPORT ON THE CONDUCT  
5       OF OPERATION DESERT FOX AND OPERATION AL-  
6       LIED FORCE

7       SEC. 8129. (a) REPORT REQUIRED.—Not later than  
8       January 31, 2000, the Secretary of Defense shall submit  
9       to the congressional defense committees in both classified  
10      and unclassified form a report on the conduct of Operation  
11      Desert Fox and Operation Allied Force (also referred to  
12      as Operation Noble Anvil). The Secretary of Defense shall  
13      submit to such committees a preliminary report on the  
14      conduct of these operations not later than October 15,  
15      1999. The report (including the preliminary report) should  
16      be prepared in consultation with the Chairman of the  
17      Joint Chiefs of Staff, the Commander in Chief of the  
18      United States Central Command, and the Commander in  
19      Chief of the United States European Command.

20      (b) REVIEW OF SUCCESSES AND DEFICIENCIES.—  
21      The report should contain a thorough review of the suc-  
22      cesses and deficiencies of these operations, with respect  
23      to the following matters:

24           (1) United States military objectives in these  
25      operations.

1           (2) With respect to Operation Allied Force, the  
2 military strategy of the North Atlantic Treaty Orga-  
3 nization (NATO) to obtain said military objectives.

4           (3) The command structure for the execution of  
5 Operation Allied Force.

6           (4) The process for identifying, nominating, se-  
7 lecting, and verifying targets to be attacked during  
8 Operation Desert Fox and Operation Allied Force.

9           (5) A comprehensive battle damage assessment  
10 of targets prosecuted during the conduct of the air  
11 campaigns in these operations, to include—

12           (A) fixed targets, both military and civil-  
13 ian, to include bridges, roads, rail lines, air-  
14 fields, power generating plants, broadcast facili-  
15 ties, oil refining infrastructure, fuel and muni-  
16 tions storage installations, industrial plants pro-  
17 ducing military equipment, command and con-  
18 trol nodes, civilian leadership bunkers and mili-  
19 tary barracks;

20           (B) mobile military targets such as tanks,  
21 armored personnel carriers, artillery pieces,  
22 trucks, and air defense assets;

23           (C) with respect to Operation Desert Fox,  
24 research and production facilities associated  
25 with Iraq's weapons of mass destruction and

1 ballistic missile programs, and any military  
2 units or organizations associated with such ac-  
3 tivities within Iraq; and

4 (D) a discussion of decoy, deception and  
5 counter-intelligence techniques employed by the  
6 Iraqi and Serbian military.

7 (6) The use and performance of United States  
8 military equipment, weapon systems, munitions, and  
9 national and tactical reconnaissance and surveillance  
10 assets (including items classified under special ac-  
11 cess procedures) and an analysis of—

12 (A) any equipment or capabilities that  
13 were in research and development and if avail-  
14 able could have been used in these operations'  
15 respective theater of operations;

16 (B) any equipment or capabilities that  
17 were available and could have been used but  
18 were not introduced into these operations' re-  
19 spective theater of operations; and

20 (C) any equipment or capabilities that  
21 were introduced to these operations' respective  
22 theater of operations that could have been used  
23 but were not.

24 (7) Command, control, communications and  
25 operational security of NATO forces as a whole and

1 United States forces separately during Operation Al-  
2 lied Force, including the ability of United States air-  
3 craft to operate with aircraft of other nations with-  
4 out degradation of capabilities or protection of  
5 United States forces.

6 (8) The deployment of United States forces and  
7 supplies to the theater of operations, including an  
8 assessment of airlift and sealift (to include a specific  
9 assessment of the deployment of Task Force Hawk  
10 during Operation Allied Force, to include detailed  
11 explanations for the delay in initial deployment, the  
12 suitability of equipment deployed compared to other  
13 equipment in the U.S. inventory that was not de-  
14 ployed, and a critique of the training provided to  
15 operational personnel prior to and during the deploy-  
16 ment).

17 (9) The use of electronic warfare assets, in par-  
18 ticular an assessment of the adequacy of EA-6B air-  
19 craft in terms of inventory, capabilities, deficiencies,  
20 and ability to provide logistics support.

21 (10) The effectiveness of reserve component  
22 forces including their use and performance in the  
23 theater of operations.

24 (11) The contributions of United States (and  
25 with respect to Operation Allied Force, NATO) in-

1 intelligence and counterintelligence systems and per-  
2 sonnel, including an assessment of the targeting se-  
3 lection and bomb damage assessment process.

4 (c) The report should also contain:

5 (1) An analysis of the transfer of operational  
6 assets from other United States Unified Commands  
7 to these operations' theater of operations and the  
8 impact on the readiness, warfighting capability and  
9 deterrence value of those commands.

10 (2) An analysis of the implications of these op-  
11 erations as regards the ability of United States  
12 armed forces and intelligence capabilities to carry  
13 out the current national security strategy,  
14 including—

15 (A) whether the Department of Defense  
16 and its components, and the intelligence com-  
17 munity and its components, have sufficient  
18 force structure and manning as well as equip-  
19 ment (to include items such as munitions  
20 stocks) to deploy, prosecute and sustain oper-  
21 ations in a second major theater of war as  
22 called for under the current national security  
23 strategy;

24 (B) which, if any aspects, of currently pro-  
25 grammed manpower, operations, training and

1 other readiness programs, and weapons and  
2 other systems are found to be inadequate in  
3 terms of supporting the national military strat-  
4 egy; and

5 (C) what adjustments need to be made to  
6 current defense planning and budgets; and spe-  
7 cific programs to redress any deficiencies identi-  
8 fied by this analysis.

9 ~~SEC. 8130. None of the funds provided in this Act~~  
10 ~~may be used to transfer to any nongovernmental entity~~  
11 ~~ammunition held by the Department of Defense that has~~  
12 ~~a center-fire cartridge and a United States military no-~~  
13 ~~menclature designation of “armor penetrator”, “armor~~  
14 ~~piercing (AP)”, “armor piercing incendiary (API)”, or~~  
15 ~~“armor-piercing incendiary-tracer (API-T)”.~~

16 ~~SEC. 8131. None of the funds made available in this~~  
17 ~~Act may be used by the Armed Forces to participate in,~~  
18 ~~or to provide support for, any airshow or trade exhibition~~  
19 ~~held outside the United States.~~

20 ~~This Act may be cited as the “Department of Defense~~  
21 ~~Appropriations Act, 2000”.~~

22 *That the following sums are appropriated, out of any*  
23 *money in the Treasury not otherwise appropriated, for the*  
24 *fiscal year ending September 30, 2000, for military func-*

1 *tions administered by the Department of Defense, and for*  
2 *other purposes, namely:*

3 *TITLE I*

4 *MILITARY PERSONNEL*

5 *MILITARY PERSONNEL, ARMY*

6 *For pay, allowances, individual clothing, subsistence,*  
7 *interest on deposits, gratuities, permanent change of sta-*  
8 *tion travel (including all expenses thereof for organiza-*  
9 *tional movements), and expenses of temporary duty travel*  
10 *between permanent duty stations, for members of the Army*  
11 *on active duty (except members of reserve components pro-*  
12 *vided for elsewhere), cadets, and aviation cadets; and for*  
13 *payments pursuant to section 156 of Public Law 97–377,*  
14 *as amended (42 U.S.C. 402 note), to section 229(b) of the*  
15 *Social Security Act (42 U.S.C. 429(b)), and to the Depart-*  
16 *ment of Defense Military Retirement Fund;*  
17 *\$22,041,094,000.*

18 *MILITARY PERSONNEL, NAVY*

19 *For pay, allowances, individual clothing, subsistence,*  
20 *interest on deposits, gratuities, permanent change of sta-*  
21 *tion travel (including all expenses thereof for organiza-*  
22 *tional movements), and expenses of temporary duty travel*  
23 *between permanent duty stations, for members of the Navy*  
24 *on active duty (except members of the Reserve provided for*  
25 *elsewhere), midshipmen, and aviation cadets; and for pay-*

1 *ments pursuant to section 156 of Public Law 97–377, as*  
2 *amended (42 U.S.C. 402 note), to section 229(b) of the So-*  
3 *cial Security Act (42 U.S.C. 429(b)), and to the Depart-*  
4 *ment of Defense Military Retirement Fund;*  
5 *\$17,236,001,000.*

6 *MILITARY PERSONNEL, MARINE CORPS*

7 *For pay, allowances, individual clothing, subsistence,*  
8 *interest on deposits, gratuities, permanent change of sta-*  
9 *tion travel (including all expenses thereof for organiza-*  
10 *tional movements), and expenses of temporary duty travel*  
11 *between permanent duty stations, for members of the Ma-*  
12 *rine Corps on active duty (except members of the Reserve*  
13 *provided for elsewhere); and for payments pursuant to sec-*  
14 *tion 156 of Public Law 97–377, as amended (42 U.S.C.*  
15 *402 note), to section 229(b) of the Social Security Act (42*  
16 *U.S.C. 429(b)), and to the Department of Defense Military*  
17 *Retirement Fund; \$6,562,336,000.*

18 *MILITARY PERSONNEL, AIR FORCE*

19 *For pay, allowances, individual clothing, subsistence,*  
20 *interest on deposits, gratuities, permanent change of sta-*  
21 *tion travel (including all expenses thereof for organiza-*  
22 *tional movements), and expenses of temporary duty travel*  
23 *between permanent duty stations, for members of the Air*  
24 *Force on active duty (except members of reserve compo-*  
25 *nents provided for elsewhere), cadets, and aviation cadets;*

1 *and for payments pursuant to section 156 of Public Law*  
2 *97-377, as amended (42 U.S.C. 402 note), to section*  
3 *229(b) of the Social Security Act (42 U.S.C. 429(b)), and*  
4 *to the Department of Defense Military Retirement Fund;*  
5 *\$17,873,759,000.*

6 *RESERVE PERSONNEL, ARMY*

7 *For pay, allowances, clothing, subsistence, gratuities,*  
8 *travel, and related expenses for personnel of the Army Re-*  
9 *serve on active duty under sections 10211, 10302, and*  
10 *3038 of title 10, United States Code, or while serving on*  
11 *active duty under section 12301(d) of title 10, United*  
12 *States Code, in connection with performing duty specified*  
13 *in section 12310(a) of title 10, United States Code, or*  
14 *while undergoing reserve training, or while performing*  
15 *drills or equivalent duty or other duty, and for members*  
16 *of the Reserve Officers' Training Corps, and expenses au-*  
17 *thorized by section 16131 of title 10, United States Code;*  
18 *and for payments to the Department of Defense Military*  
19 *Retirement Fund; \$2,278,696,000.*

20 *RESERVE PERSONNEL, NAVY*

21 *For pay, allowances, clothing, subsistence, gratuities,*  
22 *travel, and related expenses for personnel of the Navy Re-*  
23 *serve on active duty under section 10211 of title 10,*  
24 *United States Code, or while serving on active duty under*  
25 *section 12301(d) of title 10, United States Code, in connec-*

1 *tion with performing duty specified in section 12310(a) of*  
2 *title 10, United States Code, or while undergoing reserve*  
3 *training, or while performing drills or equivalent duty,*  
4 *and for members of the Reserve Officers' Training Corps,*  
5 *and expenses authorized by section 16131 of title 10,*  
6 *United States Code; and for payments to the Department*  
7 *of Defense Military Retirement Fund; \$1,450,788,000.*

8 *RESERVE PERSONNEL, MARINE CORPS*

9 *For pay, allowances, clothing, subsistence, gratuities,*  
10 *travel, and related expenses for personnel of the Marine*  
11 *Corps Reserve on active duty under section 10211 of title*  
12 *10, United States Code, or while serving on active duty*  
13 *under section 12301(d) of title 10, United States Code, in*  
14 *connection with performing duty specified in section*  
15 *12310(a) of title 10, United States Code, or while under-*  
16 *going reserve training, or while performing drills or equiv-*  
17 *alent duty, and for members of the Marine Corps platoon*  
18 *leaders class, and expenses authorized by section 16131 of*  
19 *title 10, United States Code; and for payments to the De-*  
20 *partment of Defense Military Retirement Fund;*  
21 *\$410,650,000.*

22 *RESERVE PERSONNEL, AIR FORCE*

23 *For pay, allowances, clothing, subsistence, gratuities,*  
24 *travel, and related expenses for personnel of the Air Force*  
25 *Reserve on active duty under sections 10211, 10305, and*

1 8038 of title 10, United States Code, or while serving on  
2 active duty under section 12301(d) of title 10, United  
3 States Code, in connection with performing duty specified  
4 in section 12310(a) of title 10, United States Code, or  
5 while undergoing reserve training, or while performing  
6 drills or equivalent duty or other duty, and for members  
7 of the Air Reserve Officers' Training Corps, and expenses  
8 authorized by section 16131 of title 10, United States  
9 Code; and for payments to the Department of Defense  
10 Military Retirement Fund; \$884,794,000.

11 *NATIONAL GUARD PERSONNEL, ARMY*

12 *For pay, allowances, clothing, subsistence, gratuities,*  
13 *travel, and related expenses for personnel of the Army Na-*  
14 *tional Guard while on duty under section 10211, 10302,*  
15 *or 12402 of title 10 or section 708 of title 32, United*  
16 *States Code, or while serving on duty under section*  
17 *12301(d) of title 10 or section 502(f) of title 32, United*  
18 *States Code, in connection with performing duty specified*  
19 *in section 12310(a) of title 10, United States Code, or*  
20 *while undergoing training, or while performing drills or*  
21 *equivalent duty or other duty, and expenses authorized by*  
22 *section 16131 of title 10, United States Code; and for pay-*  
23 *ments to the Department of Defense Military Retirement*  
24 *Fund; \$3,622,479,000.*



1 *in addition, \$50,000,000 shall be derived by transfer from*  
2 *the National Defense Stockpile Transaction Fund: Pro-*  
3 *vided, That of the funds appropriated in this paragraph,*  
4 *not less than \$355,000,000 shall be made available only for*  
5 *conventional ammunition care and maintenance.*

6 *OPERATION AND MAINTENANCE, NAVY*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For expenses, not otherwise provided for, necessary for*  
9 *the operation and maintenance of the Navy and the Ma-*  
10 *rine Corps, as authorized by law; and not to exceed*  
11 *\$5,155,000 can be used for emergencies and extraordinary*  
12 *expenses, to be expended on the approval or authority of*  
13 *the Secretary of the Navy, and payments may be made on*  
14 *his certificate of necessity for confidential military pur-*  
15 *poses; \$22,841,510,000 and, in addition, \$50,000,000 shall*  
16 *be derived by transfer from the National Defense Stockpile*  
17 *Transaction Fund.*

18 *OPERATION AND MAINTENANCE, MARINE CORPS*

19 *For expenses, not otherwise provided for, necessary for*  
20 *the operation and maintenance of the Marine Corps, as*  
21 *authorized by law; \$2,758,139,000.*

22 *OPERATION AND MAINTENANCE, AIR FORCE*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For expenses, not otherwise provided for, necessary for*  
25 *the operation and maintenance of the Air Force, as au-*

1 *thorized by law; and not to exceed \$7,882,000 can be used*  
2 *for emergencies and extraordinary expenses, to be expended*  
3 *on the approval or authority of the Secretary of the Air*  
4 *Force, and payments may be made on his certificate of ne-*  
5 *cessity for confidential military purposes; \$20,760,429,000*  
6 *and, in addition, \$50,000,000 shall be derived by transfer*  
7 *from the National Defense Stockpile Transaction Fund.*

8 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

9 *For expenses, not otherwise provided for, necessary for*  
10 *the operation and maintenance of activities and agencies*  
11 *of the Department of Defense (other than the military de-*  
12 *partments), as authorized by law; \$11,537,333,000, of*  
13 *which not to exceed \$25,000,000 may be available for the*  
14 *CINC initiative fund account; and of which not to exceed*  
15 *\$32,300,000 can be used for emergencies and extraordinary*  
16 *expenses, to be expended on the approval or authority of*  
17 *the Secretary of Defense, and payments may be made on*  
18 *his certificate of necessity for confidential military pur-*  
19 *poses.*

20 *OPERATION AND MAINTENANCE, ARMY RESERVE*

21 *For expenses, not otherwise provided for, necessary for*  
22 *the operation and maintenance, including training, orga-*  
23 *nization, and administration, of the Army Reserve; repair*  
24 *of facilities and equipment; hire of passenger motor vehi-*  
25 *cles; travel and transportation; care of the dead; recruit-*

1 *ing; procurement of services, supplies, and equipment; and*  
2 *communications; \$1,438,776,000.*

3 *OPERATION AND MAINTENANCE, NAVY RESERVE*

4 *For expenses, not otherwise provided for, necessary for*  
5 *the operation and maintenance, including training, orga-*  
6 *nization, and administration, of the Navy Reserve; repair*  
7 *of facilities and equipment; hire of passenger motor vehi-*  
8 *cles; travel and transportation; care of the dead; recruit-*  
9 *ing; procurement of services, supplies, and equipment; and*  
10 *communications; \$946,478,000.*

11 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

12 *For expenses, not otherwise provided for, necessary for*  
13 *the operation and maintenance, including training, orga-*  
14 *nization, and administration, of the Marine Corps Re-*  
15 *serve; repair of facilities and equipment; hire of passenger*  
16 *motor vehicles; travel and transportation; care of the dead;*  
17 *recruiting; procurement of services, supplies, and equip-*  
18 *ment; and communications; \$126,711,000.*

19 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

20 *For expenses, not otherwise provided for, necessary for*  
21 *the operation and maintenance, including training, orga-*  
22 *nization, and administration, of the Air Force Reserve; re-*  
23 *pair of facilities and equipment; hire of passenger motor*  
24 *vehicles; travel and transportation; care of the dead; re-*

1 *cruting; procurement of services, supplies, and equipment;*  
2 *and communications; \$1,760,591,000.*

3 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

4 *For expenses of training, organizing, and admin-*  
5 *istering the Army National Guard, including medical and*  
6 *hospital treatment and related expenses in non-Federal*  
7 *hospitals; maintenance, operation, and repairs to struc-*  
8 *tures and facilities; hire of passenger motor vehicles; per-*  
9 *sonnel services in the National Guard Bureau; travel ex-*  
10 *penses (other than mileage), as authorized by law for*  
11 *Army personnel on active duty, for Army National Guard*  
12 *division, regimental, and battalion commanders while in-*  
13 *specting units in compliance with National Guard Bureau*  
14 *regulations when specifically authorized by the Chief, Na-*  
15 *tional Guard Bureau; supplying and equipping the Army*  
16 *National Guard as authorized by law; and expenses of re-*  
17 *pair, modification, maintenance, and issue of supplies and*  
18 *equipment (including aircraft); \$3,156,378,000.*

19 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

20 *For operation and maintenance of the Air National*  
21 *Guard, including medical and hospital treatment and re-*  
22 *lated expenses in non-Federal hospitals; maintenance, op-*  
23 *eration, repair, and other necessary expenses of facilities*  
24 *for the training and administration of the Air National*  
25 *Guard, including repair of facilities, maintenance, oper-*

1 ation, and modification of aircraft; transportation of  
2 things, hire of passenger motor vehicles; supplies, mate-  
3 rials, and equipment, as authorized by law for the Air Na-  
4 tional Guard; and expenses incident to the maintenance  
5 and use of supplies, materials, and equipment, including  
6 such as may be furnished from stocks under the control of  
7 agencies of the Department of Defense; travel expenses  
8 (other than mileage) on the same basis as authorized by  
9 law for Air National Guard personnel on active Federal  
10 duty, for Air National Guard commanders while inspect-  
11 ing units in compliance with National Guard Bureau reg-  
12 ulations when specifically authorized by the Chief, Na-  
13 tional Guard Bureau; \$3,229,638,000.

14 *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For expenses directly relating to Overseas Contin-*  
17 *gency Operations by United States military forces;*  
18 *\$2,087,600,000, to remain available until expended: Pro-*  
19 *vided, That the Secretary of Defense may transfer these*  
20 *funds only to operation and maintenance accounts, within*  
21 *this title, the Defense Health Program appropriation, and*  
22 *to working capital funds: Provided further, That the funds*  
23 *transferred shall be merged with and shall be available for*  
24 *the same purposes and for the same time period, as the ap-*  
25 *propriation to which transferred: Provided further, That*

1 upon a determination that all or part of the funds trans-  
2 ferred from this appropriation are not necessary for the  
3 purposes provided herein, such amounts may be trans-  
4 ferred back to this appropriation: Provided further, That  
5 the transfer authority provided in this paragraph is in ad-  
6 dition to any other transfer authority contained elsewhere  
7 in this Act.

8 *UNITED STATES COURT OF APPEALS FOR THE ARMED*  
9 *FORCES*

10 *For salaries and expenses necessary for the United*  
11 *States Court of Appeals for the Armed Forces; \$7,621,000,*  
12 *of which not to exceed \$2,500 can be used for official rep-*  
13 *resentation purposes.*

14 *ENVIRONMENTAL RESTORATION, ARMY*  
15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the Department of the Army, \$378,170,000, to re-*  
17 *main available until transferred: Provided, That the Sec-*  
18 *retary of the Army shall, upon determining that such*  
19 *funds are required for environmental restoration, reduction*  
20 *and recycling of hazardous waste, removal of unsafe build-*  
21 *ings and debris of the Department of the Army, or for*  
22 *similar purposes, transfer the funds made available by this*  
23 *appropriation to other appropriations made available to*  
24 *the Department of the Army, to be merged with and to be*  
25 *available for the same purposes and for the same time pe-*

1 riod as the appropriations to which transferred: Provided  
2 further, That upon a determination that all or part of the  
3 funds transferred from this appropriation are not nec-  
4 essary for the purposes provided herein, such amounts may  
5 be transferred back to this appropriation.

6 ENVIRONMENTAL RESTORATION, NAVY

7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of the Navy, \$284,000,000, to re-  
9 main available until transferred: Provided, That the Sec-  
10 retary of the Navy shall, upon determining that such funds  
11 are required for environmental restoration, reduction and  
12 recycling of hazardous waste, removal of unsafe buildings  
13 and debris of the Department of the Navy, or for similar  
14 purposes, transfer the funds made available by this appro-  
15 priation to other appropriations made available to the De-  
16 partment of the Navy, to be merged with and to be avail-  
17 able for the same purposes and for the same time period  
18 as the appropriations to which transferred: Provided fur-  
19 ther, That upon a determination that all or part of the  
20 funds transferred from this appropriation are not nec-  
21 essary for the purposes provided herein, such amounts may  
22 be transferred back to this appropriation.

1           *ENVIRONMENTAL RESTORATION, AIR FORCE*2                           *(INCLUDING TRANSFER OF FUNDS)*

3           *For the Department of the Air Force, \$376,800,000,*  
4 *to remain available until transferred: Provided, That the*  
5 *Secretary of the Air Force shall, upon determining that*  
6 *such funds are required for environmental restoration, re-*  
7 *duction and recycling of hazardous waste, removal of un-*  
8 *safe buildings and debris of the Department of the Air*  
9 *Force, or for similar purposes, transfer the funds made*  
10 *available by this appropriation to other appropriations*  
11 *made available to the Department of the Air Force, to be*  
12 *merged with and to be available for the same purposes and*  
13 *for the same time period as the appropriations to which*  
14 *transferred: Provided further, That upon a determination*  
15 *that all or part of the funds transferred from this appro-*  
16 *priation are not necessary for the purposes provided here-*  
17 *in, such amounts may be transferred back to this appro-*  
18 *priation.*

19           *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*20                           *(INCLUDING TRANSFER OF FUNDS)*

21           *For the Department of Defense, \$25,370,000, to re-*  
22 *main available until transferred: Provided, That the Sec-*  
23 *retary of Defense shall, upon determining that such funds*  
24 *are required for environmental restoration, reduction and*  
25 *recycling of hazardous waste, removal of unsafe buildings*

1 *and debris of the Department of Defense, or for similar*  
2 *purposes, transfer the funds made available by this appro-*  
3 *priation to other appropriations made available to the De-*  
4 *partment of Defense, to be merged with and to be available*  
5 *for the same purposes and for the same time period as the*  
6 *appropriations to which transferred: Provided further,*  
7 *That upon a determination that all or part of the funds*  
8 *transferred from this appropriation are not necessary for*  
9 *the purposes provided herein, such amounts may be trans-*  
10 *ferred back to this appropriation.*

11 *ENVIRONMENTAL RESTORATION, FORMERLY USED*

12 *DEFENSE SITES*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For the Department of the Army, \$239,214,000, to re-*  
15 *main available until transferred: Provided, That the Sec-*  
16 *retary of the Army shall, upon determining that such*  
17 *funds are required for environmental restoration, reduction*  
18 *and recycling of hazardous waste, removal of unsafe build-*  
19 *ings and debris at sites formerly used by the Department*  
20 *of Defense, transfer the funds made available by this ap-*  
21 *propriation to other appropriations made available to the*  
22 *Department of the Army, to be merged with and to be*  
23 *available for the same purposes and for the same time pe-*  
24 *riod as the appropriations to which transferred: Provided*  
25 *further, That upon a determination that all or part of the*

1 *funds transferred from this appropriation are not nec-*  
2 *essary for the purposes provided herein, such amounts may*  
3 *be transferred back to this appropriation.*

4 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

5 *For expenses relating to the Overseas Humanitarian,*  
6 *Disaster, and Civic Aid programs of the Department of*  
7 *Defense (consisting of the programs provided under sec-*  
8 *tions 401, 402, 404, 2547, and 2551 of title 10, United*  
9 *States Code); \$55,800,000, to remain available until Sep-*  
10 *tember 30, 2001.*

11 *FORMER SOVIET UNION THREAT REDUCTION*

12 *For assistance to the republics of the former Soviet*  
13 *Union, including assistance provided by contract or by*  
14 *grants, for facilitating the elimination and the safe and se-*  
15  *cure transportation and storage of nuclear, chemical and*  
16 *other weapons; for establishing programs to prevent the*  
17 *proliferation of weapons, weapons components, and weap-*  
18 *on-related technology and expertise; for programs relating*  
19 *to the training and support of defense and military per-*  
20 *sonnel for demilitarization and protection of weapons,*  
21 *weapons components and weapons technology and exper-*  
22 *tise; \$475,500,000, to remain available until September 30,*  
23 *2002: Provided, That of the amounts provided under this*  
24 *heading, \$25,000,000 shall be available only to support the*

1 *dismantling and disposal of nuclear submarines and sub-*  
2 *marine reactor components in the Russian Far East.*

3 *PENTAGON RENOVATION TRANSFER FUND*

4 *For expenses, not otherwise provided for, resulting*  
5 *from the Department of Defense renovation of the Pentagon*  
6 *Reservation; \$246,439,000, for the renovation of the Pen-*  
7 *tagon Reservation, which shall remain available for obliga-*  
8 *tion until September 30, 2001.*

9 *TITLE III*

10 *PROCUREMENT*

11 *AIRCRAFT PROCUREMENT, ARMY*

12 *For construction, procurement, production, modifica-*  
13 *tion, and modernization of aircraft, equipment, including*  
14 *ordnance, ground handling equipment, spare parts, and ac-*  
15 *cessories therefor; specialized equipment and training de-*  
16 *vices; expansion of public and private plants, including the*  
17 *land necessary therefor, for the foregoing purposes, and such*  
18 *lands and interests therein, may be acquired, and construc-*  
19 *tion prosecuted thereon prior to approval of title; and pro-*  
20 *curement and installation of equipment, appliances, and*  
21 *machine tools in public and private plants; reserve plant*  
22 *and Government and contractor-owned equipment layaway;*  
23 *and other expenses necessary for the foregoing purposes;*  
24 *\$1,440,788,000, to remain available for obligation until*  
25 *September 30, 2002.*



1 *and installation of equipment, appliances, and machine*  
2 *tools in public and private plants; reserve plant and Gov-*  
3 *ernment and contractor-owned equipment layaway; and*  
4 *other expenses necessary for the foregoing purposes;*  
5 *\$1,526,265,000, to remain available for obligation until*  
6 *September 30, 2002.*

7 *PROCUREMENT OF AMMUNITION, ARMY*

8 *For construction, procurement, production, and modi-*  
9 *fication of ammunition, and accessories therefor; specialized*  
10 *equipment and training devices; expansion of public and*  
11 *private plants, including ammunition facilities authorized*  
12 *by section 2854 of title 10, United States Code, and the*  
13 *land necessary therefor, for the foregoing purposes, and such*  
14 *lands and interests therein, may be acquired, and construc-*  
15 *tion prosecuted thereon prior to approval of title; and pro-*  
16 *curement and installation of equipment, appliances, and*  
17 *machine tools in public and private plants; reserve plant*  
18 *and Government and contractor-owned equipment layaway;*  
19 *and other expenses necessary for the foregoing purposes;*  
20 *\$1,145,566,000, to remain available for obligation until*  
21 *September 30, 2002.*

22 *OTHER PROCUREMENT, ARMY*

23 *For construction, procurement, production, and modi-*  
24 *fication of vehicles, including tactical, support, and non-*  
25 *tracked combat vehicles; the purchase of not to exceed 36*

1 *passenger motor vehicles for replacement only; and the pur-*  
2 *chase of 3 vehicles required for physical security of per-*  
3 *sonnel, notwithstanding price limitations applicable to pas-*  
4 *senger vehicles but not to exceed \$200,000 per vehicle; com-*  
5 *munications and electronic equipment; other support equip-*  
6 *ment; spare parts, ordnance, and accessories therefor; spe-*  
7 *cialized equipment and training devices; expansion of pub-*  
8 *lic and private plants, including the land necessary there-*  
9 *for, for the foregoing purposes, and such lands and interests*  
10 *therein, may be acquired, and construction prosecuted*  
11 *thereon prior to approval of title; and procurement and in-*  
12 *stallation of equipment, appliances, and machine tools in*  
13 *public and private plants; reserve plant and Government*  
14 *and contractor-owned equipment layaway; and other ex-*  
15 *penses necessary for the foregoing purposes; \$3,658,070,000,*  
16 *to remain available for obligation until September 30,*  
17 *2002.*

18 *AIRCRAFT PROCUREMENT, NAVY*

19 *For construction, procurement, production, modifica-*  
20 *tion, and modernization of aircraft, equipment, including*  
21 *ordnance, spare parts, and accessories therefor; specialized*  
22 *equipment; expansion of public and private plants, includ-*  
23 *ing the land necessary therefor, and such lands and inter-*  
24 *ests therein, may be acquired, and construction prosecuted*  
25 *thereon prior to approval of title; and procurement and in-*

1 *stallation of equipment, appliances, and machine tools in*  
2 *public and private plants; reserve plant and Government*  
3 *and contractor-owned equipment layaway; \$8,608,684,000,*  
4 *to remain available for obligation until September 30,*  
5 *2002.*

6 *WEAPONS PROCUREMENT, NAVY*

7 *For construction, procurement, production, modifica-*  
8 *tion, and modernization of missiles, torpedoes, other weap-*  
9 *ons, and related support equipment including spare parts,*  
10 *and accessories therefor; expansion of public and private*  
11 *plants, including the land necessary therefor, and such*  
12 *lands and interests therein, may be acquired, and construc-*  
13 *tion prosecuted thereon prior to approval of title; and pro-*  
14 *curement and installation of equipment, appliances, and*  
15 *machine tools in public and private plants; reserve plant*  
16 *and Government and contractor-owned equipment layaway;*  
17 *\$1,423,713,000, to remain available for obligation until*  
18 *September 30, 2002.*

19 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

20 *CORPS*

21 *For construction, procurement, production, and modi-*  
22 *fication of ammunition, and accessories therefor; specialized*  
23 *equipment and training devices; expansion of public and*  
24 *private plants, including ammunition facilities authorized*  
25 *by section 2854 of title 10, United States Code, and the*

1 *land necessary therefor, for the foregoing purposes, and such*  
2 *lands and interests therein, may be acquired, and construc-*  
3 *tion prosecuted thereon prior to approval of title; and pro-*  
4 *curement and installation of equipment, appliances, and*  
5 *machine tools in public and private plants; reserve plant*  
6 *and Government and contractor-owned equipment layaway;*  
7 *and other expenses necessary for the foregoing purposes;*  
8 *\$510,300,000, to remain available for obligation until Sep-*  
9 *tember 30, 2002.*

10 *SHIPBUILDING AND CONVERSION, NAVY*

11 *For expenses necessary for the construction, acquisi-*  
12 *tion, or conversion of vessels as authorized by law, includ-*  
13 *ing armor and armament thereof, plant equipment, appli-*  
14 *ances, and machine tools and installation thereof in public*  
15 *and private plants; reserve plant and Government and con-*  
16 *tractor-owned equipment layaway; procurement of critical,*  
17 *long leadtime components and designs for vessels to be con-*  
18 *structed or converted in the future; and expansion of public*  
19 *and private plants, including land necessary therefor, and*  
20 *such lands and interests therein, may be acquired, and con-*  
21 *struction prosecuted thereon prior to approval of title, as*  
22 *follows:*

23 *NSSN (AP), \$748,497,000;*

24 *CVN-77 (AP), \$751,540,000;*

25 *CVN Refuelings (AP), \$345,565,000;*

1           *DDG-51 destroyer program, \$2,681,653,000;*  
2           *LPD-17 amphibious transport dock ship,*  
3           *\$1,508,338,000;*  
4           *LHD-8 (AP), \$500,000,000;*  
5           *ADC(X), \$439,966,000;*  
6           *LCAC landing craft air cushion program,*  
7           *\$31,776,000; and*

8           *For craft, outfitting, post delivery, conversions,*  
9           *and first destination transportation, \$171,119,000;*

10          *In all: \$7,178,454,000, to remain available for obliga-*  
11          *tion until September 30, 2006: Provided, That additional*  
12          *obligations may be incurred after September 30, 2006, for*  
13          *engineering services, tests, evaluations, and other such budg-*  
14          *eted work that must be performed in the final stage of ship*  
15          *construction: Provided further, That none of the funds pro-*  
16          *vided under this heading for the construction or conversion*  
17          *of any naval vessel to be constructed in shipyards in the*  
18          *United States shall be expended in foreign facilities for the*  
19          *construction of major components of such vessel: Provided*  
20          *further, That none of the funds provided under this heading*  
21          *shall be used for the construction of any naval vessel in*  
22          *foreign shipyards: Provided further, That the Secretary of*  
23          *the Navy is hereby granted the authority to enter into a*  
24          *contract for an LHD-1 Amphibious Assault Ship which*  
25          *shall be funded on an incremental basis.*

1                    *OTHER PROCUREMENT, NAVY*

2            *For procurement, production, and modernization of*  
3 *support equipment and materials not otherwise provided*  
4 *for, Navy ordnance (except ordnance for new aircraft, new*  
5 *ships, and ships authorized for conversion); the purchase*  
6 *of not to exceed 25 passenger motor vehicles for replacement*  
7 *only; expansion of public and private plants, including the*  
8 *land necessary therefor, and such lands and interests there-*  
9 *in, may be acquired, and construction prosecuted thereon*  
10 *prior to approval of title; and procurement and installation*  
11 *of equipment, appliances, and machine tools in public and*  
12 *private plants; reserve plant and Government and con-*  
13 *tractor-owned equipment layaway; \$4,184,891,000, to re-*  
14 *main available for obligation until September 30, 2002.*

15                    *PROCUREMENT, MARINE CORPS*

16            *For expenses necessary for the procurement, manufac-*  
17 *ture, and modification of missiles, armament, military*  
18 *equipment, spare parts, and accessories therefor; plant*  
19 *equipment, appliances, and machine tools, and installation*  
20 *thereof in public and private plants; reserve plant and Gov-*  
21 *ernment and contractor-owned equipment layaway; vehicles*  
22 *for the Marine Corps, including the purchase of not to ex-*  
23 *ceed 43 passenger motor vehicles for replacement only; and*  
24 *expansion of public and private plants, including land nec-*  
25 *essary therefor, and such lands and interests therein, may*

1 *be acquired, and construction prosecuted thereon prior to*  
2 *approval of title; \$1,236,620,000, to remain available for*  
3 *obligation until September 30, 2002.*

4 *AIRCRAFT PROCUREMENT, AIR FORCE*

5 *For construction, procurement, lease, and modification*  
6 *of aircraft and equipment, including armor and armament,*  
7 *specialized ground handling equipment, and training de-*  
8 *vices, spare parts, and accessories therefor; specialized*  
9 *equipment; expansion of public and private plants, Govern-*  
10 *ment-owned equipment and installation thereof in such*  
11 *plants, erection of structures, and acquisition of land, for*  
12 *the foregoing purposes, and such lands and interests therein,*  
13 *may be acquired, and construction prosecuted thereon prior*  
14 *to approval of title; reserve plant and Government and con-*  
15 *tractor-owned equipment layaway; and other expenses nec-*  
16 *essary for the foregoing purposes including rents and trans-*  
17 *portation of things; \$9,758,333,000, to remain available for*  
18 *obligation until September 30, 2002.*

19 *MISSILE PROCUREMENT, AIR FORCE*

20 *For construction, procurement, and modification of*  
21 *missiles, spacecraft, rockets, and related equipment, includ-*  
22 *ing spare parts and accessories therefor, ground handling*  
23 *equipment, and training devices; expansion of public and*  
24 *private plants, Government-owned equipment and installa-*  
25 *tion thereof in such plants, erection of structures, and ac-*

1 *quisition of land, for the foregoing purposes, and such lands*  
2 *and interests therein, may be acquired, and construction*  
3 *prosecuted thereon prior to approval of title; reserve plant*  
4 *and Government and contractor-owned equipment layaway;*  
5 *and other expenses necessary for the foregoing purposes in-*  
6 *cluding rents and transportation of things; \$2,338,505,000,*  
7 *to remain available for obligation until September 30,*  
8 *2002.*

9 *PROCUREMENT OF AMMUNITION, AIR FORCE*

10 *For construction, procurement, production, and modi-*  
11 *fication of ammunition, and accessories therefor; specialized*  
12 *equipment and training devices; expansion of public and*  
13 *private plants, including ammunition facilities authorized*  
14 *by section 2854 of title 10, United States Code, and the*  
15 *land necessary therefor, for the foregoing purposes, and such*  
16 *lands and interests therein, may be acquired, and construc-*  
17 *tion prosecuted thereon prior to approval of title; and pro-*  
18 *curement and installation of equipment, appliances, and*  
19 *machine tools in public and private plants; reserve plant*  
20 *and Government and contractor-owned equipment layaway;*  
21 *and other expenses necessary for the foregoing purposes;*  
22 *\$427,537,000, to remain available for obligation until Sep-*  
23 *tember 30, 2002.*

1                    *OTHER PROCUREMENT, AIR FORCE*

2            *For procurement and modification of equipment (in-*  
3 *cluding ground guidance and electronic control equipment,*  
4 *and ground electronic and communication equipment), and*  
5 *supplies, materials, and spare parts therefor, not otherwise*  
6 *provided for; the purchase of not to exceed 53 passenger*  
7 *motor vehicles for replacement only; lease of passenger*  
8 *motor vehicles; and expansion of public and private plants,*  
9 *Government-owned equipment and installation thereof in*  
10 *such plants, erection of structures, and acquisition of land,*  
11 *for the foregoing purposes, and such lands and interests*  
12 *therein, may be acquired, and construction prosecuted*  
13 *thereon, prior to approval of title; reserve plant and Gov-*  
14 *ernment and contractor-owned equipment layaway;*  
15 *\$7,198,627,000, to remain available for obligation until*  
16 *September 30, 2002.*

17                    *PROCUREMENT, DEFENSE-WIDE*

18            *For expenses of activities and agencies of the Depart-*  
19 *ment of Defense (other than the military departments) nec-*  
20 *essary for procurement, production, and modification of*  
21 *equipment, supplies, materials, and spare parts therefor,*  
22 *not otherwise provided for; the purchase of not to exceed*  
23 *103 passenger motor vehicles for replacement only; the pur-*  
24 *chase of 7 vehicles required for physical security of per-*  
25 *sonnel, notwithstanding price limitations applicable to pas-*

1 *senger vehicles but not to exceed \$200,000 per vehicle; ex-*  
2 *pansion of public and private plants, equipment, and in-*  
3 *stallation thereof in such plants, erection of structures, and*  
4 *acquisition of land for the foregoing purposes, and such*  
5 *lands and interests therein, may be acquired, and construc-*  
6 *tion prosecuted thereon prior to approval of title; reserve*  
7 *plant and Government and contractor-owned equipment*  
8 *layaway; \$2,327,965,000, to remain available for obligation*  
9 *until September 30, 2002.*

10 *NATIONAL GUARD AND RESERVE EQUIPMENT*

11 *For procurement of aircraft, missiles, tracked combat*  
12 *vehicles, ammunition, other weapons, and other procure-*  
13 *ment for the reserve components of the Armed Forces;*  
14 *\$300,000,000, to remain available for obligation until Sep-*  
15 *tember 30, 2002: Provided, That the Chiefs of the Reserve*  
16 *and National Guard components shall, not later than 30*  
17 *days after the enactment of this Act, individually submit*  
18 *to the congressional defense committees the modernization*  
19 *priority assessment for their respective Reserve or National*  
20 *Guard component.*

1                                    *TITLE IV*  
2                                    *RESEARCH, DEVELOPMENT, TEST, AND*  
3                                    *EVALUATION*

4                    *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,*  
5                                    *ARMY*

6            *For expenses necessary for basic and applied sci-*  
7 *entific research, development, test and evaluation, includ-*  
8 *ing maintenance, rehabilitation, lease, and operation of fa-*  
9 *cilities and equipment; \$4,905,294,000, to remain avail-*  
10 *able for obligation until September 30, 2001.*

11 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY*

12            *For expenses necessary for basic and applied sci-*  
13 *entific research, development, test and evaluation, includ-*  
14 *ing maintenance, rehabilitation, lease, and operation of fa-*  
15 *cilities and equipment; \$8,448,816,000, to remain avail-*  
16 *able for obligation until September 30, 2001.*

17 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR*  
18                                    *FORCE*

19            *For expenses necessary for basic and applied sci-*  
20 *entific research, development, test and evaluation, includ-*  
21 *ing maintenance, rehabilitation, lease, and operation of fa-*  
22 *cilities and equipment; \$13,489,909,000, to remain avail-*  
23 *able for obligation until September 30, 2001.*

1     *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,*  
2                                     *DEFENSE-WIDE*

3         *For expenses of activities and agencies of the Depart-*  
4 *ment of Defense (other than the military departments),*  
5 *necessary for basic and applied scientific research, develop-*  
6 *ment, test and evaluation; advanced research projects as*  
7 *may be designated and determined by the Secretary of De-*  
8 *fense, pursuant to law; maintenance, rehabilitation, lease,*  
9 *and operation of facilities and equipment; \$9,325,315,000,*  
10 *to remain available for obligation until September 30,*  
11 *2001.*

12     *DEVELOPMENTAL TEST AND EVALUATION, DEFENSE*

13         *For expenses, not otherwise provided for, of inde-*  
14 *pendent activities of the Director, Test and Evaluation in*  
15 *the direction and supervision of developmental test and*  
16 *evaluation, including performance and joint developmental*  
17 *testing and evaluation; and administrative expenses in*  
18 *connection therewith; \$251,957,000, to remain available*  
19 *for obligation until September 30, 2001.*

20     *OPERATIONAL TEST AND EVALUATION, DEFENSE*

21         *For expenses, not otherwise provided for, necessary for*  
22 *the independent activities of the Director, Operational Test*  
23 *and Evaluation in the direction and supervision of oper-*  
24 *ational test and evaluation, including initial operational*  
25 *test and evaluation which is conducted prior to, and in*

1 *support of, production decisions; joint operational testing*  
2 *and evaluation; and administrative expenses in connection*  
3 *therewith; \$34,434,000, to remain available for obligation*  
4 *until September 30, 2001.*

5 *TITLE V*

6 *REVOLVING AND MANAGEMENT FUNDS*

7 *DEFENSE WORKING CAPITAL FUNDS*

8 *For the Defense Working Capital Funds; \$90,344,000.*

9 *NATIONAL DEFENSE SEALIFT FUND*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For National Defense Sealift Fund programs,*  
12 *projects, and activities, and for expenses of the National*  
13 *Defense Reserve Fleet, as established by section 11 of the*  
14 *Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744);*  
15 *\$354,700,000, to remain available until expended: Pro-*  
16 *vided, That none of the funds provided in this paragraph*  
17 *shall be used to award a new contract that provides for the*  
18 *acquisition of any of the following major components un-*  
19 *less such components are manufactured in the United*  
20 *States: auxiliary equipment, including pumps, for all*  
21 *shipboard services; propulsion system components (that is;*  
22 *engines, reduction gears, and propellers); shipboard cranes;*  
23 *and spreaders for shipboard cranes: Provided further, That*  
24 *the exercise of an option in a contract awarded through*  
25 *the obligation of previously appropriated funds shall not*

1 *be considered to be the award of a new contract: Provided*  
2 *further, That the Secretary of the military department re-*  
3 *sponsible for such procurement may waive the restrictions*  
4 *in the first proviso on a case-by-case basis by certifying in*  
5 *writing to the Committees on Appropriations of the House*  
6 *of Representatives and the Senate that adequate domestic*  
7 *supplies are not available to meet Department of Defense*  
8 *requirements on a timely basis and that such an acquisi-*  
9 *tion must be made in order to acquire capability for na-*  
10 *tional security purposes.*

11

*TITLE VI*12 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

13

*DEFENSE HEALTH PROGRAM*

14 *For expenses, not otherwise provided for, for medical*  
15 *and health care programs of the Department of Defense, as*  
16 *authorized by law; \$11,184,857,000, of which*  
17 *\$10,527,887,000 shall be for Operation and maintenance,*  
18 *of which not to exceed 2 per centum shall remain available*  
19 *until September 30, 2001, of which \$356,970,000, to re-*  
20 *main available for obligation until September 30, 2002,*  
21 *shall be for Procurement: and of which \$300,000,000, to re-*  
22 *main available for obligation until September 30, 2001,*  
23 *shall be for Research, development, test and evaluation.*

1                    *ARMED FORCES RETIREMENT HOME*

2                    *For expenses necessary for the Armed Forces Retire-*  
3 *ment Home to operate and maintain the United States Sol-*  
4 *diers' and Airmen's Home and the United States Naval*  
5 *Home, to be paid from funds available in the Armed Forces*  
6 *Retirement Home Trust Fund, \$68,295,000, of which*  
7 *\$12,696,000 shall remain available until expended for con-*  
8 *struction and renovation of the physical plants at the*  
9 *United States Soldiers' and Airmen's Home and the United*  
10 *States Naval Home: Provided, That, notwithstanding any*  
11 *other provision of law, a single contract or related contracts*  
12 *for the development and construction, to include construc-*  
13 *tion of a long-term care facility at the United States Naval*  
14 *Home, may be employed which collectively include the full*  
15 *scope of the project: Provided further, That the solicitation*  
16 *and contract shall contain the clause "availability of funds"*  
17 *found at 48 CFR 52.232-18 and 252.232-7007, Limitation*  
18 *of Government Obligations.*

19                    *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY*

20                    *For expenses, not otherwise provided for, necessary for*  
21 *the destruction of the United States stockpile of lethal*  
22 *chemical agents and munitions in accordance with the*  
23 *provisions of section 1412 of the Department of Defense*  
24 *Authorization Act, 1986 (50 U.S.C. 1521), and for the de-*  
25 *struction of other chemical warfare materials that are not*

1 *in the chemical weapon stockpile, \$1,029,000,000, of which*  
2 *\$543,500,000 shall be for Operation and maintenance to*  
3 *remain available until September 30, 2001, \$191,500,000*  
4 *shall be for Procurement to remain available until Sep-*  
5 *tember 30, 2002, and \$294,000,000 shall be for Research,*  
6 *development, test and evaluation to remain available until*  
7 *September 30, 2001: Provided, That of the funds available*  
8 *under this heading, \$1,000,000 shall be available until ex-*  
9 *pendent each year only for a Johnston Atoll off-island leave*  
10 *program: Provided further, That the Secretaries concerned*  
11 *shall, pursuant to uniform regulations, prescribe travel*  
12 *and transportation allowances for travel by participants*  
13 *in the off-island leave program.*

14 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*

15 *DEFENSE*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For drug interdiction and counter-drug activities of*  
18 *the Department of Defense, for transfer to appropriations*  
19 *available to the Department of Defense for military per-*  
20 *sonnel of the reserve components serving under the provi-*  
21 *sions of title 10 and title 32, United States Code; for Oper-*  
22 *ation and maintenance; for Procurement; and for Re-*  
23 *search, development, test and evaluation; \$842,300,000:*  
24 *Provided, That the funds appropriated under this heading*  
25 *shall be available for obligation for the same time period*

1 *and for the same purpose as the appropriation to which*  
2 *transferred: Provided further, That the transfer authority*  
3 *provided in this paragraph is in addition to any transfer*  
4 *authority contained elsewhere in this Act.*

5 *OFFICE OF THE INSPECTOR GENERAL*

6 *For expenses and activities of the Office of the Inspec-*  
7 *tor General in carrying out the provisions of the Inspector*  
8 *General Act of 1978, as amended; \$137,544,000, of which*  
9 *\$136,244,000 shall be for Operation and maintenance, of*  
10 *which not to exceed \$500,000 is available for emergencies*  
11 *and extraordinary expenses to be expended on the approval*  
12 *or authority of the Inspector General, and payments may*  
13 *be made on his certificate of necessity for confidential*  
14 *military purposes; and of which \$1,300,000 to remain*  
15 *available until September 30, 2002, shall be for Procure-*  
16 *ment.*

17 *TITLE VII*

18 *RELATED AGENCIES*

19 *CENTRAL INTELLIGENCE AGENCY*

20 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

21 *DISABILITY SYSTEM FUND*

22 *For payment to the Central Intelligence Agency Re-*  
23 *tirement and Disability System Fund, to maintain proper*  
24 *funding level for continuing the operation of the Central*

1 *Intelligence Agency Retirement and Disability System;*  
2 *\$209,100,000.*

3 *INTELLIGENCE COMMUNITY MANAGEMENT*

4 *ACCOUNT*

5 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of the Intelligence Community*  
8 *Management Account; \$149,415,000, of which \$34,923,000*  
9 *for the Advanced Research and Development Committee*  
10 *shall remain available until September 30, 2001: Provided,*  
11 *That of the funds appropriated under this heading,*  
12 *\$27,000,000 shall be transferred to the Department of Jus-*  
13 *tice for the National Drug Intelligence Center to support*  
14 *the Department of Defense's counter-drug intelligence re-*  
15 *sponsibilities, and of the said amount, \$1,500,000 for Pro-*  
16 *curement shall remain available until September 30, 2002,*  
17 *and \$1,000,000 for Research, development, test and evalua-*  
18 *tion shall remain available until September 30, 2001.*

19 *PAYMENT TO KAHO'OLAWA ISLAND CONVEYANCE,*  
20 *REMEDICATION, AND ENVIRONMENTAL RESTORATION FUND*

21 *For payment to Kaho'olawe Island Conveyance, Re-*  
22 *mediation, and Environmental Restoration Fund, as au-*  
23 *thorized by law; \$35,000,000, to remain available until ex-*  
24 *pended.*





1 *tion or fund to which transferred: Provided, That such au-*  
2 *thority to transfer may not be used unless for higher pri-*  
3 *ority items, based on unforeseen military requirements,*  
4 *than those for which originally appropriated and in no case*  
5 *where the item for which funds are requested has been de-*  
6 *nied by Congress: Provided further, That the Secretary of*  
7 *Defense shall notify the Congress promptly of all transfers*  
8 *made pursuant to this authority or any other authority in*  
9 *this Act: Provided further, That no part of the funds in*  
10 *this Act shall be available to prepare or present a request*  
11 *to the Committees on Appropriations for reprogramming*  
12 *of funds, unless for higher priority items, based on unfore-*  
13 *seen military requirements, than those for which originally*  
14 *appropriated and in no case where the item for which re-*  
15 *programming is requested has been denied by the Congress.*

16 *(TRANSFER OF FUNDS)*

17 *SEC. 8006. During the current fiscal year, cash bal-*  
18 *ances in working capital funds of the Department of De-*  
19 *fense established pursuant to section 2208 of title 10, United*  
20 *States Code, may be maintained in only such amounts as*  
21 *are necessary at any time for cash disbursements to be made*  
22 *from such funds: Provided, That transfers may be made be-*  
23 *tween such funds: Provided further, That transfers may be*  
24 *made between working capital funds and the “Foreign Cur-*  
25 *rency Fluctuations, Defense” appropriation and the “Oper-*  
26 *ation and Maintenance” appropriation accounts in such*

1 amounts as may be determined by the Secretary of Defense,  
2 with the approval of the Office of Management and Budget,  
3 except that such transfers may not be made unless the Sec-  
4 retary of Defense has notified the Congress of the proposed  
5 transfer. Except in amounts equal to the amounts appro-  
6 priated to working capital funds in this Act, no obligations  
7 may be made against a working capital fund to procure  
8 or increase the value of war reserve material inventory, un-  
9 less the Secretary of Defense has notified the Congress prior  
10 to any such obligation.

11       *SEC. 8007. Funds appropriated by this Act may not*  
12 *be used to initiate a special access program without prior*  
13 *notification 30 calendar days in session in advance to the*  
14 *congressional defense committees.*

15       *SEC. 8008. None of the funds provided in this Act shall*  
16 *be available to initiate: (1) a multiyear contract that em-*  
17 *loys economic order quantity procurement in excess of*  
18 *\$20,000,000 in any 1 year of the contract or that includes*  
19 *an unfunded contingent liability in excess of \$20,000,000;*  
20 *or (2) a contract for advance procurement leading to a*  
21 *multiyear contract that employs economic order quantity*  
22 *procurement in excess of \$20,000,000 in any 1 year, unless*  
23 *the congressional defense committees have been notified at*  
24 *least 30 days in advance of the proposed contract award:*  
25 *Provided, That no part of any appropriation contained in*

1 *this Act shall be available to initiate a multiyear contract*  
2 *for which the economic order quantity advance procurement*  
3 *is not funded at least to the limits of the Government's li-*  
4 *ability: Provided further, That no part of any appropria-*  
5 *tion contained in this Act shall be available to initiate*  
6 *multiyear procurement contracts for any systems or compo-*  
7 *nent thereof if the value of the multiyear contract would*  
8 *exceed \$500,000,000 unless specifically provided in this Act:*  
9 *Provided further, That no multiyear procurement contract*  
10 *can be terminated without 10-day prior notification to the*  
11 *congressional defense committees: Provided further, That the*  
12 *execution of multiyear authority shall require the use of a*  
13 *present value analysis to determine lowest cost compared*  
14 *to an annual procurement.*

15 *Funds appropriated in title III of this Act may be*  
16 *used for multiyear procurement contracts as follows:*

17 *Longbow Apache Helicopter; MLRS Rocket*  
18 *Launcher; Abrams M1A2 Upgrade; Bradley M2A3*  
19 *Vehicle; F/A-18E/F aircraft; C-17 aircraft; and F-16*  
20 *aircraft.*

21 *SEC. 8009. Within the funds appropriated for the oper-*  
22 *ation and maintenance of the Armed Forces, funds are here-*  
23 *by appropriated pursuant to section 401 of title 10, United*  
24 *States Code, for humanitarian and civic assistance costs*  
25 *under chapter 20 of title 10, United States Code. Such funds*

1 *may also be obligated for humanitarian and civic assist-*  
2 *ance costs incidental to authorized operations and pursuant*  
3 *to authority granted in section 401 of chapter 20 of title*  
4 *10, United States Code, and these obligations shall be re-*  
5 *ported to Congress on September 30 of each year: Provided,*  
6 *That funds available for operation and maintenance shall*  
7 *be available for providing humanitarian and similar assist-*  
8 *ance by using Civic Action Teams in the Trust Territories*  
9 *of the Pacific Islands and freely associated states of Micro-*  
10 *nesia, pursuant to the Compact of Free Association as au-*  
11 *thorized by Public Law 99–239: Provided further, That*  
12 *upon a determination by the Secretary of the Army that*  
13 *such action is beneficial for graduate medical education*  
14 *programs conducted at Army medical facilities located in*  
15 *Hawaii, the Secretary of the Army may authorize the pro-*  
16 *vision of medical services at such facilities and transpor-*  
17 *tation to such facilities, on a nonreimbursable basis, for ci-*  
18 *vilian patients from American Samoa, the Commonwealth*  
19 *of the Northern Mariana Islands, the Marshall Islands, the*  
20 *Federated States of Micronesia, Palau, and Guam.*

21 *SEC. 8010. (a) During fiscal year 2000, the civilian*  
22 *personnel of the Department of Defense may not be man-*  
23 *aged on the basis of any end-strength, and the management*  
24 *of such personnel during that fiscal year shall not be subject*  
25 *to any constraint or limitation (known as an end-strength)*

1 *on the number of such personnel who may be employed on*  
2 *the last day of such fiscal year.*

3 *(b) The fiscal year 2001 budget request for the Depart-*  
4 *ment of Defense as well as all justification material and*  
5 *other documentation supporting the fiscal year 2001 De-*  
6 *partment of Defense budget request shall be prepared and*  
7 *submitted to the Congress as if subsections (a) and (b) of*  
8 *this provision were effective with regard to fiscal year 2001.*

9 *(c) Nothing in this section shall be construed to apply*  
10 *to military (civilian) technicians.*

11 *SEC. 8011. Notwithstanding any other provision of*  
12 *law, none of the funds made available by this Act shall be*  
13 *used by the Department of Defense to exceed, outside the*  
14 *50 United States, its territories, and the District of Colum-*  
15 *bia, 125,000 civilian workyears: Provided, That workyears*  
16 *shall be applied as defined in the Federal Personnel Man-*  
17 *ual: Provided further, That workyears expended in depend-*  
18 *ent student hiring programs for disadvantaged youths shall*  
19 *not be included in this workyear limitation.*

20 *SEC. 8012. None of the funds made available by this*  
21 *Act shall be used in any way, directly or indirectly, to in-*  
22 *fluence congressional action on any legislation or appro-*  
23 *priation matters pending before the Congress.*

24 *SEC. 8013. (a) None of the funds appropriated by this*  
25 *Act shall be used to make contributions to the Department*

1 of Defense Education Benefits Fund pursuant to section  
2 2006(g) of title 10, United States Code, representing the  
3 normal cost for future benefits under section 3015(c) of title  
4 38, United States Code, for any member of the armed serv-  
5 ices who, on or after the date of the enactment of this Act,  
6 enlists in the armed services for a period of active duty of  
7 less than three years, nor shall any amounts representing  
8 the normal cost of such future benefits be transferred from  
9 the Fund by the Secretary of the Treasury to the Secretary  
10 of Veterans Affairs pursuant to section 2006(d) of title 10,  
11 United States Code; nor shall the Secretary of Veterans Af-  
12 fairs pay such benefits to any such member: Provided, That  
13 this limitation shall not apply to members in combat arms  
14 skills or to members who enlist in the armed services on  
15 or after July 1, 1989, under a program continued or estab-  
16 lished by the Secretary of Defense in fiscal year 1991 to  
17 test the cost-effective use of special recruiting incentives in-  
18 volving not more than nineteen noncombat arms skills ap-  
19 proved in advance by the Secretary of Defense: Provided  
20 further, That this subsection applies only to active compo-  
21 nents of the Army.

22 (b) None of the funds appropriated by this Act shall  
23 be available for the basic pay and allowances of any mem-  
24 ber of the Army participating as a full-time student and  
25 receiving benefits paid by the Secretary of Veterans Affairs

1 *from the Department of Defense Education Benefits Fund*  
2 *when time spent as a full-time student is credited toward*  
3 *completion of a service commitment: Provided, That this*  
4 *subsection shall not apply to those members who have reen-*  
5 *listed with this option prior to October 1, 1987: Provided*  
6 *further, That this subsection applies only to active compo-*  
7 *nents of the Army.*

8       *SEC. 8014. None of the funds appropriated by this Act*  
9 *shall be available to convert to contractor performance an*  
10 *activity or function of the Department of Defense that, on*  
11 *or after the date of the enactment of this Act, is performed*  
12 *by more than ten Department of Defense civilian employees*  
13 *until a most efficient and cost-effective organization anal-*  
14 *ysis is completed on such activity or function and certifi-*  
15 *cation of the analysis is made to the Committees on Appro-*  
16 *priations of the House of Representatives and the Senate:*  
17 *Provided, That this section and subsections (a), (b), and*  
18 *(c) of 10 U.S.C. 2461 shall not apply to a commercial or*  
19 *industrial type function of the Department of Defense that:*  
20 *(1) is included on the procurement list established pursuant*  
21 *to section 2 of the Act of June 25, 1938 (41 U.S.C. 47),*  
22 *popularly referred to as the Javits-Wagner-O'Day Act; (2)*  
23 *is planned to be converted to performance by a qualified*  
24 *nonprofit agency for the blind or by a qualified nonprofit*  
25 *agency for other severely handicapped individuals in ac-*

1 *cordance with that Act; or (3) is planned to be converted*  
2 *to performance by a qualified firm under 51 per centum*  
3 *Native American ownership.*

4 *(TRANSFER OF FUNDS)*

5 *SEC. 8015. Funds appropriated in title III of this Act*  
6 *for the Department of Defense Pilot Mentor-Protege Pro-*  
7 *gram may be transferred to any other appropriation con-*  
8 *tained in this Act solely for the purpose of implementing*  
9 *a Mentor-Protege Program developmental assistance agree-*  
10 *ment pursuant to section 831 of the National Defense Au-*  
11 *thorization Act for Fiscal Year 1991 (Public Law 101-510;*  
12 *10 U.S.C. 2301 note), as amended, under the authority of*  
13 *this provision or any other transfer authority contained in*  
14 *this Act.*

15 *SEC. 8016. None of the funds in this Act may be avail-*  
16 *able for the purchase by the Department of Defense (and*  
17 *its departments and agencies) of welded shipboard anchor*  
18 *and mooring chain 4 inches in diameter and under unless*  
19 *the anchor and mooring chain are manufactured in the*  
20 *United States from components which are substantially*  
21 *manufactured in the United States: Provided, That for the*  
22 *purpose of this section manufactured will include cutting,*  
23 *heat treating, quality control, testing of chain and welding*  
24 *(including the forging and shot blasting process): Provided*  
25 *further, That for the purpose of this section substantially*  
26 *all of the components of anchor and mooring chain shall*

1 *be considered to be produced or manufactured in the United*  
2 *States if the aggregate cost of the components produced or*  
3 *manufactured in the United States exceeds the aggregate*  
4 *cost of the components produced or manufactured outside*  
5 *the United States: Provided further, That when adequate*  
6 *domestic supplies are not available to meet Department of*  
7 *Defense requirements on a timely basis, the Secretary of the*  
8 *service responsible for the procurement may waive this re-*  
9 *striction on a case-by-case basis by certifying in writing*  
10 *to the Committees on Appropriations that such an acquisi-*  
11 *tion must be made in order to acquire capability for na-*  
12 *tional security purposes.*

13       *SEC. 8017. None of the funds appropriated by this Act*  
14 *available for the Civilian Health and Medical Program of*  
15 *the Uniformed Services (CHAMPUS) shall be available for*  
16 *the reimbursement of any health care provider for inpatient*  
17 *mental health service for care received when a patient is*  
18 *referred to a provider of inpatient mental health care or*  
19 *residential treatment care by a medical or health care pro-*  
20 *fessional having an economic interest in the facility to*  
21 *which the patient is referred: Provided, That this limitation*  
22 *does not apply in the case of inpatient mental health serv-*  
23 *ices provided under the program for the handicapped under*  
24 *subsection (d) of section 1079 of title 10, United States*  
25 *Code, provided as partial hospital care, or provided pursu-*

1 ant to a waiver authorized by the Secretary of Defense be-  
2 cause of medical or psychological circumstances of the pa-  
3 tient that are confirmed by a health professional who is not  
4 a Federal employee after a review, pursuant to rules pre-  
5 scribed by the Secretary, which takes into account the ap-  
6 propriate level of care for the patient, the intensity of serv-  
7 ices required by the patient, and the availability of that  
8 care.

9       SEC. 8018. Funds available in this Act may be used  
10 to provide transportation for the next-of-kin of individuals  
11 who have been prisoners of war or missing in action from  
12 the Vietnam era to an annual meeting in the United States,  
13 under such regulations as the Secretary of Defense may pre-  
14 scribe.

15       SEC. 8019. Notwithstanding any other provision of  
16 law, during the current fiscal year, the Secretary of Defense  
17 may, by executive agreement, establish with host nation  
18 governments in NATO member states a separate account  
19 into which such residual value amounts negotiated in the  
20 return of United States military installations in NATO  
21 member states may be deposited, in the currency of the host  
22 nation, in lieu of direct monetary transfers to the United  
23 States Treasury: Provided, That such credits may be uti-  
24 lized only for the construction of facilities to support United  
25 States military forces in that host nation, or such real prop-

1 *erty maintenance and base operating costs that are cur-*  
2 *rently executed through monetary transfers to such host na-*  
3 *tions: Provided further, That the Department of Defense's*  
4 *budget submission for fiscal year 2001 shall identify such*  
5 *sums anticipated in residual value settlements, and identify*  
6 *such construction, real property maintenance or base oper-*  
7 *ating costs that shall be funded by the host nation through*  
8 *such credits: Provided further, That all military construc-*  
9 *tion projects to be executed from such accounts must be pre-*  
10 *viously approved in a prior Act of Congress: Provided fur-*  
11 *ther, That each such executive agreement with a NATO*  
12 *member host nation shall be reported to the congressional*  
13 *defense committees, the Committee on International Rela-*  
14 *tions of the House of Representatives and the Committee*  
15 *on Foreign Relations of the Senate 30 days prior to the*  
16 *conclusion and endorsement of any such agreement estab-*  
17 *lished under this provision.*

18       *SEC. 8020. None of the funds available to the Depart-*  
19 *ment of Defense may be used to demilitarize or dispose of*  
20 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*  
21 *rifles, .30 caliber rifles, or M-1911 pistols.*

22       *SEC. 8021. Notwithstanding any other provision of*  
23 *law, none of the funds appropriated by this Act shall be*  
24 *available to pay more than 50 per centum of an amount*

1 *paid to any person under section 308 of title 37, United*  
2 *States Code, in a lump sum.*

3       *SEC. 8022. No more than \$500,000 of the funds appro-*  
4 *priated or made available in this Act shall be used during*  
5 *a single fiscal year for any single relocation of an organiza-*  
6 *tion, unit, activity or function of the Department of Defense*  
7 *into or within the National Capital Region: Provided, That*  
8 *the Secretary of Defense may waive this restriction on a*  
9 *case-by-case basis by certifying in writing to the congres-*  
10 *sional defense committees that such a relocation is required*  
11 *in the best interest of the Government.*

12       *SEC. 8023. A member of a reserve component whose*  
13 *unit or whose residence is located in a State which is not*  
14 *contiguous with another State is authorized to travel in a*  
15 *space required status on aircraft of the Armed Forces be-*  
16 *tween home and place of inactive duty training, or place*  
17 *of duty in lieu of unit training assembly, when there is*  
18 *no road or railroad transportation (or combination of road*  
19 *and railroad transportation between those locations): Pro-*  
20 *vided, That a member traveling in that status on a military*  
21 *aircraft pursuant to the authority provided in this section*  
22 *is not authorized to receive travel, transportation, or per*  
23 *diem allowances in connection with that travel.*

24       *SEC. 8024. In addition to the funds provided elsewhere*  
25 *in this Act, \$8,000,000 is appropriated only for incentive*

1 *payments authorized by section 504 of the Indian Financ-*  
2 *ing Act of 1974 (25 U.S.C. 1544): Provided, That contrac-*  
3 *tors participating in the test program established by section*  
4 *854 of Public Law 101–189 (15 U.S.C. 637 note) shall be*  
5 *eligible for the program established by section 504 of the*  
6 *Indian Financing Act of 1974 (25 U.S.C. 1544).*

7       *SEC. 8025. During the current fiscal year, funds ap-*  
8 *propriated or otherwise available for any Federal agency,*  
9 *the Congress, the judicial branch, or the District of Colum-*  
10 *bia may be used for the pay, allowances, and benefits of*  
11 *an employee as defined by section 2105 of title 5, United*  
12 *States Code, or an individual employed by the government*  
13 *of the District of Columbia, permanent or temporary indefi-*  
14 *nite, who—*

15           *(1) is a member of a Reserve component of the*  
16 *Armed Forces, as described in section 10101 of title*  
17 *10, United States Code, or the National Guard, as de-*  
18 *scribed in section 101 of title 32, United States Code;*

19           *(2) performs, for the purpose of providing mili-*  
20 *tary aid to enforce the law or providing assistance to*  
21 *civil authorities in the protection or saving of life or*  
22 *property or prevention of injury—*

23           *(A) Federal service under sections 331, 332,*  
24 *333, or 12406 of title 10, or other provision of*  
25 *law, as applicable; or*

1           (B) full-time military service for his or her  
2           State, the District of Columbia, the Common-  
3           wealth of Puerto Rico, or a territory of the  
4           United States; and

5           (3) requests and is granted—

6           (A) leave under the authority of this section;

7           or

8           (B) annual leave, which may be granted  
9           without regard to the provisions of sections 5519  
10          and 6323(b) of title 5, if such employee is other-  
11          wise entitled to such annual leave:

12       *Provided, That any employee who requests leave under sub-*  
13       *section (3)(A) for service described in subsection (2) of this*  
14       *section is entitled to such leave, subject to the provisions*  
15       *of this section and of the last sentence of section 6323(b)*  
16       *of title 5, and such leave shall be considered leave under*  
17       *section 6323(b) of title 5, United States Code.*

18       SEC. 8026. *None of the funds appropriated by this Act*  
19       *shall be available to perform any cost study pursuant to*  
20       *the provisions of OMB Circular A-76 if the study being*  
21       *performed exceeds a period of 24 months after initiation*  
22       *of such study with respect to a single function activity or*  
23       *48 months after initiation of such study for a multi-func-*  
24       *tion activity.*

1       *SEC. 8027. Funds appropriated by this Act for the*  
2 *American Forces Information Service shall not be used for*  
3 *any national or international political or psychological ac-*  
4 *tivities.*

5       *SEC. 8028. Notwithstanding any other provision of*  
6 *law or regulation, the Secretary of Defense may adjust wage*  
7 *rates for civilian employees hired for certain health care*  
8 *occupations as authorized for the Secretary of Veterans Af-*  
9 *fairs by section 7455 of title 38, United States Code.*

10       *SEC. 8029. None of the funds appropriated or made*  
11 *available in this Act shall be used to reduce or disestablish*  
12 *the operation of the 53rd Weather Reconnaissance Squad-*  
13 *ron of the Air Force Reserve, if such action would reduce*  
14 *the WC-130 Weather Reconnaissance mission below the lev-*  
15 *els funded in this Act.*

16       *SEC. 8030. (a) Of the funds for the procurement of sup-*  
17 *plies or services appropriated by this Act, qualified non-*  
18 *profit agencies for the blind or other severely handicapped*  
19 *shall be afforded the maximum practicable opportunity to*  
20 *participate as subcontractors and suppliers in the perform-*  
21 *ance of contracts let by the Department of Defense.*

22       *(b) During the current fiscal year, a business concern*  
23 *which has negotiated with a military service or defense*  
24 *agency a subcontracting plan for the participation by small*  
25 *business concerns pursuant to section 8(d) of the Small*

1 *Business Act (15 U.S.C. 637(d)) shall be given credit to-*  
2 *ward meeting that subcontracting goal for any purchases*  
3 *made from qualified nonprofit agencies for the blind or*  
4 *other severely handicapped.*

5       *(c) For the purpose of this section, the phrase “quali-*  
6 *fied nonprofit agency for the blind or other severely handi-*  
7 *capped” means a nonprofit agency for the blind or other*  
8 *severely handicapped that has been approved by the Com-*  
9 *mittee for the Purchase from the Blind and Other Severely*  
10 *Handicapped under the Javits-Wagner-O’Day Act (41*  
11 *U.S.C. 46–48).*

12       *SEC. 8031. During the current fiscal year, net receipts*  
13 *pursuant to collections from third party payers pursuant*  
14 *to section 1095 of title 10, United States Code, shall be*  
15 *made available to the local facility of the uniformed services*  
16 *responsible for the collections and shall be over and above*  
17 *the facility’s direct budget amount.*

18       *SEC. 8032. During the current fiscal year, the Depart-*  
19 *ment of Defense is authorized to incur obligations of not*  
20 *to exceed \$350,000,000 for purposes specified in section*  
21 *2350j(c) of title 10, United States Code, in anticipation of*  
22 *receipt of contributions, only from the Government of Ku-*  
23 *wait, under that section: Provided, That upon receipt, such*  
24 *contributions from the Government of Kuwait shall be cred-*

1 ited to the appropriations or fund which incurred such obli-  
2 gations.

3       *SEC. 8033. Of the funds made available in this Act,*  
4 *not less than \$26,470,000 shall be available for the Civil*  
5 *Air Patrol Corporation, of which \$18,000,000 shall be*  
6 *available for Civil Air Patrol Corporation operation and*  
7 *maintenance to support readiness activities which includes*  
8 *\$2,000,000 for the Civil Air Patrol counterdrug program:*  
9 *Provided, That funds identified for “Civil Air Patrol”*  
10 *under this section are intended for and shall be for the ex-*  
11 *clusive use of the Civil Air Patrol Corporation and not for*  
12 *the Air Force or any unit thereof.*

13       *SEC. 8034. (a) None of the funds appropriated in this*  
14 *Act are available to establish a new Department of Defense*  
15 *(department) federally funded research and development*  
16 *center (FFRDC), either as a new entity, or as a separate*  
17 *entity administrated by an organization managing another*  
18 *FFRDC, or as a nonprofit membership corporation con-*  
19 *sisting of a consortium of other FFRDCs and other non-*  
20 *profit entities.*

21       ***(b) LIMITATION ON COMPENSATION—FEDERALLY***  
22 ***FUNDED RESEARCH AND DEVELOPMENT CENTER***  
23 ***(FFRDC).—No member of a Board of Directors, Trustees,***  
24 ***Overseers, Advisory Group, Special Issues Panel, Visiting***  
25 ***Committee, or any similar entity of a defense FFRDC, and***

1 *no paid consultant to any defense FFRDC, except when act-*  
2 *ing in a technical advisory capacity, may be compensated*  
3 *for his or her services as a member of such entity, or as*  
4 *a paid consultant by more than one FFRDC in a fiscal*  
5 *year: Provided, That a member of any such entity referred*  
6 *to previously in this subsection shall be allowed travel ex-*  
7 *penses and per diem as authorized under the Federal Joint*  
8 *Travel Regulations, when engaged in the performance of*  
9 *membership duties.*

10 *(c) Notwithstanding any other provision of law, none*  
11 *of the funds available to the department from any source*  
12 *during fiscal 2000 may be used by a defense FFRDC,*  
13 *through a fee or other payment mechanism, for construction*  
14 *of new buildings, for payment of cost sharing for projects*  
15 *funded by government grants, for absorption of contract*  
16 *overruns, or for certain charitable contributions, not to in-*  
17 *clude employee participation in community service and/or*  
18 *development.*

19 *(d) Notwithstanding any other provision of law, of the*  
20 *funds available to the department during fiscal year 2000,*  
21 *not more than 6,100 staff years of technical effort (staff*  
22 *years) may be funded for defense FFRDCs: Provided, That*  
23 *of the specific amount referred to previously in this sub-*  
24 *section, not more than 1,000 staff years may be funded for*  
25 *the defense studies and analysis FFRDCs.*

1           (e) *The Secretary of Defense shall, with the submission*  
2 *of the department's fiscal year 2001 budget request, submit*  
3 *a report presenting the specific amounts of staff years of*  
4 *technical effort to be allocated for each defense FFRDC dur-*  
5 *ing that fiscal year.*

6           SEC. 8035. *None of the funds appropriated or made*  
7 *available in this Act shall be used to procure carbon, alloy*  
8 *or armor steel plate for use in any Government-owned facil-*  
9 *ity or property under the control of the Department of De-*  
10 *fense which were not melted and rolled in the United States*  
11 *or Canada: Provided, That these procurement restrictions*  
12 *shall apply to any and all Federal Supply Class 9515,*  
13 *American Society of Testing and Materials (ASTM) or*  
14 *American Iron and Steel Institute (AISI) specifications of*  
15 *carbon, alloy or armor steel plate: Provided further, That*  
16 *the Secretary of the military department responsible for the*  
17 *procurement may waive this restriction on a case-by-case*  
18 *basis by certifying in writing to the Committees on Appro-*  
19 *priations of the House of Representatives and the Senate*  
20 *that adequate domestic supplies are not available to meet*  
21 *Department of Defense requirements on a timely basis and*  
22 *that such an acquisition must be made in order to acquire*  
23 *capability for national security purposes: Provided further,*  
24 *That these restrictions shall not apply to contracts which*  
25 *are in being as of the date of the enactment of this Act.*

1        *SEC. 8036. For the purposes of this Act, the term “con-*  
2 *gressional defense committees” means the Armed Services*  
3 *Committee of the House of Representatives, the Armed Serv-*  
4 *ices Committee of the Senate, the Subcommittee on Defense*  
5 *of the Committee on Appropriations of the Senate, and the*  
6 *Subcommittee on Defense of the Committee on Appropria-*  
7 *tions of the House of Representatives.*

8        *SEC. 8037. During the current fiscal year, the Depart-*  
9 *ment of Defense may acquire the modification, depot main-*  
10 *tenance and repair of aircraft, vehicles and vessels as well*  
11 *as the production of components and other Defense-related*  
12 *articles, through competition between Department of De-*  
13 *fense depot maintenance activities and private firms: Pro-*  
14 *vided, That the Senior Acquisition Executive of the military*  
15 *department or defense agency concerned, with power of dele-*  
16 *gation, shall certify that successful bids include comparable*  
17 *estimates of all direct and indirect costs for both public and*  
18 *private bids: Provided further, That Office of Management*  
19 *and Budget Circular A-76 shall not apply to competitions*  
20 *conducted under this section.*

21        *SEC. 8038. (a)(1) If the Secretary of Defense, after con-*  
22 *sultation with the United States Trade Representative, de-*  
23 *termines that a foreign country which is party to an agree-*  
24 *ment described in paragraph (2) has violated the terms of*  
25 *the agreement by discriminating against certain types of*

1 *products produced in the United States that are covered by*  
2 *the agreement, the Secretary of Defense shall rescind the*  
3 *Secretary's blanket waiver of the Buy American Act with*  
4 *respect to such types of products produced in that foreign*  
5 *country.*

6       (2) *An agreement referred to in paragraph (1) is any*  
7 *reciprocal defense procurement memorandum of under-*  
8 *standing, between the United States and a foreign country*  
9 *pursuant to which the Secretary of Defense has prospec-*  
10 *tively waived the Buy American Act for certain products*  
11 *in that country.*

12       (b) *The Secretary of Defense shall submit to Congress*  
13 *a report on the amount of Department of Defense purchases*  
14 *from foreign entities in fiscal year 2000. Such report shall*  
15 *separately indicate the dollar value of items for which the*  
16 *Buy American Act was waived pursuant to any agreement*  
17 *described in subsection (a)(2), the Trade Agreement Act of*  
18 *1979 (19 U.S.C. 2501 et seq.), or any international agree-*  
19 *ment to which the United States is a party.*

20       (c) *For purposes of this section, the term "Buy Amer-*  
21 *ican Act" means title III of the Act entitled "An Act mak-*  
22 *ing appropriations for the Treasury and Post Office De-*  
23 *partments for the fiscal year ending June 30, 1934, and*  
24 *for other purposes", approved March 3, 1933 (41 U.S.C.*  
25 *10a et seq.).*



1 *are unavailable as if the member was entitled to such allow-*  
2 *ances under subsection (a) of section 404 of title 37, United*  
3 *States Code: Provided further, That if lodging in kind is*  
4 *provided, any authorized service charge or cost of such lodg-*  
5 *ing may be paid directly from funds appropriated for oper-*  
6 *ation and maintenance of the reserve component of the*  
7 *member concerned.*

8       *SEC. 8042. The President shall include with each budg-*  
9 *et for a fiscal year submitted to the Congress under section*  
10 *1105 of title 31, United States Code, materials that shall*  
11 *identify clearly and separately the amounts requested in the*  
12 *budget for appropriation for that fiscal year for salaries*  
13 *and expenses related to administrative activities of the De-*  
14 *partment of Defense, the military departments, and the De-*  
15 *fense agencies.*

16       *SEC. 8043. Notwithstanding any other provision of*  
17 *law, funds available for “Drug Interdiction and Counter-*  
18 *Drug Activities, Defense” may be obligated for the Young*  
19 *Marines program.*

20       *SEC. 8044. During the current fiscal year, amounts*  
21 *contained in the Department of Defense Overseas Military*  
22 *Facility Investment Recovery Account established by section*  
23 *2921(c)(1) of the National Defense Authorization Act of*  
24 *1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be*  
25 *available until expended for the payments specified by sec-*

1 *tion 2921(c)(2) of that Act: Provided, That none of the*  
2 *funds made available for expenditure under this section*  
3 *may be transferred or obligated until thirty days after the*  
4 *Secretary of Defense submits a report which details the bal-*  
5 *ance available in the Overseas Military Facility Investment*  
6 *Recovery Account, all projected income into the account*  
7 *during fiscal years 2000 and 2001, and the specific expend-*  
8 *itures to be made using funds transferred from this account*  
9 *during fiscal year 2000.*

10 *SEC. 8045. Of the funds appropriated or otherwise*  
11 *made available by this Act, not more than \$119,200,000*  
12 *shall be available for payment of the operating costs of*  
13 *NATO Headquarters: Provided, That the Secretary of De-*  
14 *fense may waive this section for Department of Defense sup-*  
15 *port provided to NATO forces in and around the former*  
16 *Yugoslavia.*

17 *SEC. 8046. During the current fiscal year, appropria-*  
18 *tions which are available to the Department of Defense for*  
19 *operation and maintenance may be used to purchase items*  
20 *having an investment item unit cost of not more than*  
21 *\$100,000.*

22 *SEC. 8047. (a) During the current fiscal year, none*  
23 *of the appropriations or funds available to the Department*  
24 *of Defense Working Capital Funds shall be used for the pur-*  
25 *chase of an investment item for the purpose of acquiring*

1 *a new inventory item for sale or anticipated sale during*  
2 *the current fiscal year or a subsequent fiscal year to cus-*  
3 *tomers of the Department of Defense Working Capital*  
4 *Funds if such an item would not have been chargeable to*  
5 *the Department of Defense Business Operations Fund dur-*  
6 *ing fiscal year 1994 and if the purchase of such an invest-*  
7 *ment item would be chargeable during the current fiscal*  
8 *year to appropriations made to the Department of Defense*  
9 *for procurement.*

10 *(b) The fiscal year 2001 budget request for the Depart-*  
11 *ment of Defense as well as all justification material and*  
12 *other documentation supporting the fiscal year 2001 De-*  
13 *partment of Defense budget shall be prepared and submitted*  
14 *to the Congress on the basis that any equipment which was*  
15 *classified as an end item and funded in a procurement ap-*  
16 *propriation contained in this Act shall be budgeted for in*  
17 *a proposed fiscal year 2001 procurement appropriation and*  
18 *not in the supply management business area or any other*  
19 *area or category of the Department of Defense Working*  
20 *Capital Funds.*

21 *SEC. 8048. None of the funds appropriated by this Act*  
22 *for programs of the Central Intelligence Agency shall re-*  
23 *main available for obligation beyond the current fiscal year,*  
24 *except for funds appropriated for the Reserve for Contin-*  
25 *gencies, which shall remain available until September 30,*

1 2001: Provided, That funds appropriated, transferred, or  
2 otherwise credited to the Central Intelligence Agency Cen-  
3 tral Services Working Capital Fund during this or any  
4 prior or subsequent fiscal year shall remain available until  
5 expended.

6       SEC. 8049. Notwithstanding any other provision of  
7 law, funds made available in this Act for the Defense Intel-  
8 ligence Agency may be used for the design, development, and  
9 deployment of General Defense Intelligence Program intel-  
10 ligence communications and intelligence information sys-  
11 tems for the Services, the Unified and Specified Commands,  
12 and the component commands.

13       SEC. 8050. Of the funds appropriated by the Depart-  
14 ment of Defense under the heading “Operation and Mainte-  
15 nance, Defense-Wide”, not less than \$8,000,000 shall be  
16 made available only for the mitigation of environmental  
17 impacts, including training and technical assistance to  
18 tribes, related administrative support, the gathering of in-  
19 formation, documenting of environmental damage, and de-  
20 veloping a system for prioritization of mitigation and cost  
21 to complete estimates for mitigation, on Indian lands re-  
22 sulting from Department of Defense activities.

23       SEC. 8051. Amounts collected for the use of the facili-  
24 ties of the National Science Center for Communications and  
25 Electronics during the current fiscal year pursuant to sec-

1 *tion 1459(g) of the Department of Defense Authorization*  
2 *Act, 1986, and deposited to the special account established*  
3 *under subsection 1459(g)(2) of that Act are appropriated*  
4 *and shall be available until expended for the operation and*  
5 *maintenance of the Center as provided for in subsection*  
6 *1459(g)(2).*

7       *SEC. 8052. None of the funds appropriated in this Act*  
8 *may be used to fill the commander's position at any mili-*  
9 *tary medical facility with a health care professional unless*  
10 *the prospective candidate can demonstrate professional ad-*  
11 *ministrative skills.*

12       *SEC. 8053. (a) None of the funds appropriated in this*  
13 *Act may be expended by an entity of the Department of*  
14 *Defense unless the entity, in expending the funds, complies*  
15 *with the Buy American Act. For purposes of this subsection,*  
16 *the term "Buy American Act" means title III of the Act*  
17 *entitled "An Act making appropriations for the Treasury*  
18 *and Post Office Departments for the fiscal year ending June*  
19 *30, 1934, and for other purposes", approved March 3, 1933*  
20 *(41 U.S.C. 10a et seq.).*

21       *(b) If the Secretary of Defense determines that a person*  
22 *has been convicted of intentionally affixing a label bearing*  
23 *a "Made in America" inscription to any product sold in*  
24 *or shipped to the United States that is not made in Amer-*  
25 *ica, the Secretary shall determine, in accordance with sec-*

1 *tion 2410f of title 10, United States Code, whether the per-*  
2 *son should be debarred from contracting with the Depart-*  
3 *ment of Defense.*

4 *(c) In the case of any equipment or products purchased*  
5 *with appropriations provided under this Act, it is the sense*  
6 *of the Congress that any entity of the Department of De-*  
7 *fense, in expending the appropriation, purchase only Amer-*  
8 *ican-made equipment and products, provided that Amer-*  
9 *ican-made equipment and products are cost-competitive,*  
10 *quality-competitive, and available in a timely fashion.*

11 *SEC. 8054. None of the funds appropriated by this Act*  
12 *shall be available for a contract for studies, analysis, or*  
13 *consulting services entered into without competition on the*  
14 *basis of an unsolicited proposal unless the head of the activ-*  
15 *ity responsible for the procurement determines—*

16 *(1) as a result of thorough technical evaluation,*  
17 *only one source is found fully qualified to perform the*  
18 *proposed work;*

19 *(2) the purpose of the contract is to explore an*  
20 *unsolicited proposal which offers significant scientific*  
21 *or technological promise, represents the product of*  
22 *original thinking, and was submitted in confidence*  
23 *by one source; or*

24 *(3) the purpose of the contract is to take advan-*  
25 *tage of unique and significant industrial accomplish-*

1        *ment by a specific concern, or to insure that a new*  
2        *product or idea of a specific concern is given finan-*  
3        *cial support:*

4        *Provided, That this limitation shall not apply to contracts*  
5        *in an amount of less than \$25,000, contracts related to im-*  
6        *provements of equipment that is in development or produc-*  
7        *tion, or contracts as to which a civilian official of the De-*  
8        *partment of Defense, who has been confirmed by the Senate,*  
9        *determines that the award of such contract is in the interest*  
10       *of the national defense.*

11       *SEC. 8055. (a) Except as provided in subsections (b)*  
12       *and (c), none of the funds made available by this Act may*  
13       *be used—*

14                *(1) to establish a field operating agency; or*  
15                *(2) to pay the basic pay of a member of the*  
16        *Armed Forces or civilian employee of the department*  
17        *who is transferred or reassigned from a headquarters*  
18        *activity if the member or employee's place of duty re-*  
19        *mains at the location of that headquarters.*

20        *(b) The Secretary of Defense or Secretary of a military*  
21        *department may waive the limitations in subsection (a),*  
22        *on a case-by-case basis, if the Secretary determines, and cer-*  
23        *tifies to the Committees on Appropriations of the House of*  
24        *Representatives and Senate that the granting of the waiver*

1 *will reduce the personnel requirements or the financial re-*  
2 *quirements of the department.*

3 *(c) This section does not apply to field operating agen-*  
4 *cies funded within the National Foreign Intelligence Pro-*  
5 *gram.*

6 *SEC. 8056. Funds appropriated by this Act for intel-*  
7 *ligence activities are deemed to be specifically authorized*  
8 *by the Congress for purposes of section 504 of the National*  
9 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*  
10 *2000 until the enactment of the Intelligence Authorization*  
11 *Act for Fiscal Year 2000.*

12 *SEC. 8057. Notwithstanding section 303 of Public Law*  
13 *96-487 or any other provision of law, the Secretary of the*  
14 *Navy is authorized to lease real and personal property at*  
15 *Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C.*  
16 *2667(f), for commercial, industrial or other purposes: Pro-*  
17 *vided, That notwithstanding any other provision of law, the*  
18 *Secretary of the Navy may remove hazardous materials*  
19 *from facilities, buildings, and structures at Adak, Alaska,*  
20 *and may demolish or otherwise dispose of such facilities,*  
21 *buildings, and structures.*

22 *(RESCISSIONS)*

23 *SEC. 8058. Of the funds provided in Department of*  
24 *Defense Appropriations Acts, the following funds are hereby*  
25 *rescinded as of the date of the enactment of this Act from*

1 *the following accounts and programs in the specified*  
2 *amounts:*

3 *Under the heading, “Other Procurement, Air*  
4 *Force, 1999/2001”, \$5,405,000;*

5 *Under the heading, “Missile Procurement, Air*  
6 *Force, 1999/2001”, \$8,000,000 ; and*

7 *Under the heading, “Research, Development, Test*  
8 *and Evaluation, Air Force, 1999/2000”, \$40,000,000.*

9 *SEC. 8059. None of the funds available in this Act may*  
10 *be used to reduce the authorized positions for military (ci-*  
11 *vilian) technicians of the Army National Guard, the Air*  
12 *National Guard, Army Reserve and Air Force Reserve for*  
13 *the purpose of applying any administratively imposed ci-*  
14 *vilian personnel ceiling, freeze, or reduction on military (ci-*  
15 *vilian) technicians, unless such reductions are a direct re-*  
16 *sult of a reduction in military force structure.*

17 *SEC. 8060. None of the funds appropriated or other-*  
18 *wise made available in this Act may be obligated or ex-*  
19 *pended for assistance to the Democratic People’s Republic*  
20 *of North Korea unless specifically appropriated for that*  
21 *purpose.*

22 *SEC. 8061. During the current fiscal year, funds ap-*  
23 *propriated in this Act are available to compensate members*  
24 *of the National Guard for duty performed pursuant to a*  
25 *plan submitted by a Governor of a State and approved by*

1 *the Secretary of Defense under section 112 of title 32,*  
2 *United States Code: Provided, That during the performance*  
3 *of such duty, the members of the National Guard shall be*  
4 *under State command and control: Provided further, That*  
5 *such duty shall be treated as full-time National Guard duty*  
6 *for purposes of sections 12602(a)(2) and (b)(2) of title 10,*  
7 *United States Code.*

8       *SEC. 8062. Funds appropriated in this Act for oper-*  
9 *ation and maintenance of the Military Departments, Uni-*  
10 *fied and Specified Commands and Defense Agencies shall*  
11 *be available for reimbursement of pay, allowances and other*  
12 *expenses which would otherwise be incurred against appro-*  
13 *priations for the National Guard and Reserve when mem-*  
14 *bers of the National Guard and Reserve provide intelligence*  
15 *or counterintelligence support to Unified Commands, De-*  
16 *fense Agencies and Joint Intelligence Activities, including*  
17 *the activities and programs included within the National*  
18 *Foreign Intelligence Program (NFIP), the Joint Military*  
19 *Intelligence Program (JMIP), and the Tactical Intelligence*  
20 *and Related Activities (TIARA) aggregate: Provided, That*  
21 *nothing in this section authorizes deviation from established*  
22 *Reserve and National Guard personnel and training proce-*  
23 *dures.*

24       *SEC. 8063. During the current fiscal year, none of the*  
25 *funds appropriated in this Act may be used to reduce the*

1 *civilian medical and medical support personnel assigned to*  
2 *military treatment facilities below the September 30, 1999*  
3 *level: Provided, That the Service Surgeons General may*  
4 *waive this section by certifying to the congressional defense*  
5 *committees that the beneficiary population is declining in*  
6 *some catchment areas and civilian strength reductions may*  
7 *be consistent with responsible resource stewardship and*  
8 *capitation-based budgeting.*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 8064. (a) None of the funds appropriated in this*  
11 *Act may be transferred to or obligated from the Pentagon*  
12 *Reservation Maintenance Revolving Fund, unless the Sec-*  
13 *retary of Defense certifies that the total cost for the plan-*  
14 *ning, design, construction and installation of equipment for*  
15 *the renovation of the Pentagon Reservation will not exceed*  
16 *\$1,222,000,000.*

17 *(b) The Secretary shall, in conjunction with the Pen-*  
18 *tagon Renovation, design and construct secure secretarial*  
19 *offices and support facilities and security-related changes*  
20 *to the subway entrance at the Pentagon Reservation.*

21 *SEC. 8065. (a) None of the funds available to the De-*  
22 *partment of Defense for any fiscal year for drug interdic-*  
23 *tion or counter-drug activities may be transferred to any*  
24 *other department or agency of the United States except as*  
25 *specifically provided in an appropriations law.*



1 *must be made in order to acquire capability for national*  
2 *security purposes.*

3       *SEC. 8068. Notwithstanding any other provision of*  
4 *law, funds available to the Department of Defense shall be*  
5 *made available to provide transportation of medical sup-*  
6 *plies and equipment, on a nonreimbursable basis, to Amer-*  
7 *ican Samoa, and funds available to the Department of De-*  
8 *fense shall be made available to provide transportation of*  
9 *medical supplies and equipment, on a nonreimbursable*  
10 *basis, to the Indian Health Service when it is in conjunc-*  
11 *tion with a civil-military project.*

12       *SEC. 8069. None of the funds in this Act may be used*  
13 *to purchase any supercomputer which is not manufactured*  
14 *in the United States, unless the Secretary of Defense cer-*  
15 *tifies to the congressional defense committees that such an*  
16 *acquisition must be made in order to acquire capability for*  
17 *national security purposes that is not available from*  
18 *United States manufacturers.*

19       *SEC. 8070. Notwithstanding any other provision of*  
20 *law, each contract awarded by the Department of Defense*  
21 *during the current fiscal year for construction or service*  
22 *performed in whole or in part in a State which is not con-*  
23 *tiguous with another State and has an unemployment rate*  
24 *in excess of the national average rate of unemployment as*  
25 *determined by the Secretary of Labor, shall include a provi-*

1 sion requiring the contractor to employ, for the purpose of  
2 performing that portion of the contract in such State that  
3 is not contiguous with another State, individuals who are  
4 residents of such State and who, in the case of any craft  
5 or trade, possess or would be able to acquire promptly the  
6 necessary skills: Provided, That the Secretary of Defense  
7 may waive the requirements of this section, on a case-by-  
8 case basis, in the interest of national security.

9       SEC. 8071. During the current fiscal year, the Army  
10 shall use the former George Air Force Base as the airhead  
11 for the National Training Center at Fort Irwin: Provided,  
12 That none of the funds in this Act shall be obligated or ex-  
13 pended to transport Army personnel into Edwards Air  
14 Force Base for training rotations at the National Training  
15 Center.

16       SEC. 8072. (a) The Secretary of Defense shall submit,  
17 on a quarterly basis, a report to the congressional defense  
18 committees, the Committee on International Relations of  
19 the House of Representatives and the Committee on Foreign  
20 Relations of the Senate setting forth all costs (including in-  
21 cremental costs) incurred by the Department of Defense  
22 during the preceding quarter in implementing or sup-  
23 porting resolutions of the United Nations Security Council,  
24 including any such resolution calling for international  
25 sanctions, international peacekeeping operations, and hu-

1 *manitarian missions undertaken by the Department of De-*  
2 *fense. The quarterly report shall include an aggregate of all*  
3 *such Department of Defense costs by operation or mission.*

4 *(b) The Secretary of Defense shall detail in the quar-*  
5 *terly reports all efforts made to seek credit against past*  
6 *United Nations expenditures and all efforts made to seek*  
7 *compensation from the United Nations for costs incurred*  
8 *by the Department of Defense in implementing and sup-*  
9 *porting United Nations activities.*

10 *SEC. 8073. (a) LIMITATION ON TRANSFER OF DE-*  
11 *FENSE ARTICLES AND SERVICES.—Notwithstanding any*  
12 *other provision of law, none of the funds available to the*  
13 *Department of Defense for the current fiscal year may be*  
14 *obligated or expended to transfer to another nation or an*  
15 *international organization any defense articles or services*  
16 *(other than intelligence services) for use in the activities de-*  
17 *scribed in subsection (b) unless the congressional defense*  
18 *committees, the Committee on International Relations of*  
19 *the House of Representatives, and the Committee on For-*  
20 *ign Relations of the Senate are notified 15 days in advance*  
21 *of such transfer.*

22 *(b) COVERED ACTIVITIES.—This section applies to—*  
23 *(1) any international peacekeeping or peace-en-*  
24 *forcement operation under the authority of chapter VI*  
25 *or chapter VII of the United Nations Charter under*

1 *the authority of a United Nations Security Council*  
2 *resolution; and*

3 *(2) any other international peacekeeping, peace-*  
4 *enforcement, or humanitarian assistance operation.*

5 *(c) REQUIRED NOTICE.—A notice under subsection (a)*  
6 *shall include the following:*

7 *(1) A description of the equipment, supplies, or*  
8 *services to be transferred.*

9 *(2) A statement of the value of the equipment,*  
10 *supplies, or services to be transferred.*

11 *(3) In the case of a proposed transfer of equip-*  
12 *ment or supplies—*

13 *(A) a statement of whether the inventory re-*  
14 *quirements of all elements of the Armed Forces*  
15 *(including the reserve components) for the type*  
16 *of equipment or supplies to be transferred have*  
17 *been met; and*

18 *(B) a statement of whether the items pro-*  
19 *posed to be transferred will have to be replaced*  
20 *and, if so, how the President proposes to provide*  
21 *funds for such replacement.*

22 *SEC. 8074. To the extent authorized by subchapter VI*  
23 *of chapter 148 of title 10, United States Code, the Secretary*  
24 *of Defense shall issue loan guarantees in support of United*  
25 *States defense exports not otherwise provided for: Provided,*

1 *That the total contingent liability of the United States for*  
2 *guarantees issued under the authority of this section may*  
3 *not exceed \$15,000,000,000: Provided further, That the ex-*  
4 *posure fees charged and collected by the Secretary for each*  
5 *guarantee, shall be paid by the country involved and shall*  
6 *not be financed as part of a loan guaranteed by the United*  
7 *States: Provided further, That the Secretary shall provide*  
8 *quarterly reports to the Committees on Appropriations,*  
9 *Armed Services and Foreign Relations of the Senate and*  
10 *the Committees on Appropriations, Armed Services and*  
11 *International Relations in the House of Representatives on*  
12 *the implementation of this program: Provided further, That*  
13 *amounts charged for administrative fees and deposited to*  
14 *the special account provided for under section 2540c(d) of*  
15 *title 10, shall be available for paying the costs of adminis-*  
16 *trative expenses of the Department of Defense that are at-*  
17 *tributable to the loan guarantee program under subchapter*  
18 *VI of chapter 148 of title 10, United States Code.*

19       *SEC. 8075. None of the funds available to the Depart-*  
20 *ment of Defense under this Act shall be obligated or ex-*  
21 *pended to pay a contractor under a contract with the De-*  
22 *partment of Defense for costs of any amount paid by the*  
23 *contractor to an employee when—*



1 *the heading “Operation and Maintenance, Defense-Wide”*  
2 *may be transferred to appropriations available for the pay*  
3 *of military personnel, to be merged with, and to be available*  
4 *for the same time period as the appropriations to which*  
5 *transferred, to be used in support of such personnel in con-*  
6 *nection with support and services for eligible organizations*  
7 *and activities outside the Department of Defense pursuant*  
8 *to section 2012 of title 10, United States Code.*

9       *SEC. 8079. For purposes of section 1553(b) of title 31,*  
10 *United States Code, any subdivision of appropriations*  
11 *made in this Act under the heading “Shipbuilding and*  
12 *Conversion, Navy” shall be considered to be for the same*  
13 *purpose as any subdivision under the heading “Ship-*  
14 *building and Conversion, Navy” appropriations in any*  
15 *prior year, and the 1 percent limitation shall apply to the*  
16 *total amount of the appropriation.*

17       *SEC. 8080. During the current fiscal year, in the case*  
18 *of an appropriation account of the Department of Defense*  
19 *for which the period of availability for obligation has ex-*  
20 *pired or which has closed under the provisions of section*  
21 *1552 of title 31, United States Code, and which has a nega-*  
22 *tive unliquidated or unexpended balance, an obligation or*  
23 *an adjustment of an obligation may be charged to any cur-*  
24 *rent appropriation account for the same purpose as the ex-*  
25 *pired or closed account if—*



1 *vided, That the amounts transferred shall be available for*  
2 *the same purposes as the appropriations to which trans-*  
3 *ferred, and for the same time period as the appropriation*  
4 *from which transferred: Provided further, That the amounts*  
5 *shall be transferred between the following appropriations in*  
6 *the amount specified:*

7 *From:*

8 *Under the heading, “Shipbuilding and Con-*  
9 *version, Navy, 1988/2001”:*

10 *SSN–688 attack submarine program,*  
11 *\$6,585,000;*

12 *CG–47 cruiser program, \$12,100,000;*

13 *Aircraft carrier service life extension*  
14 *program, \$202,000;*

15 *LHD–1 amphibious assault ship pro-*  
16 *gram, \$2,311,000;*

17 *LSD–41 cargo variant ship program,*  
18 *\$566,000;*

19 *T–AO fleet oiler program, \$3,494,000;*

20 *AO conversion program, \$133,000;*

21 *Craft, outfitting, and post delivery,*  
22 *\$1,688,000;*

23 *To:*

24 *Under the heading, “Shipbuilding and Con-*  
25 *version, Navy, 1995/2001”:*

1                    *DDG-51 destroyer program,*  
2                    *\$27,079,000;*

3                    *From:*

4                    *Under the heading, “Shipbuilding and Con-*  
5                    *version, Navy, 1989/2000”:*

6                    *DDG-51 destroyer program,*  
7                    *\$13,200,000;*

8                    *Aircraft carrier service life extension*  
9                    *program, \$186,000;*

10                    *LHD-1 amphibious assault ship pro-*  
11                    *gram, \$3,621,000;*

12                    *LCAC landing craft, air cushioned*  
13                    *program, \$1,313,000;*

14                    *T-AO fleet oiler program, \$258,000;*

15                    *AOE combat support ship program,*  
16                    *\$1,078,000;*

17                    *AO conversion program, \$881,000;*

18                    *T-AGOS drug interdiction conversion,*  
19                    *\$407,000;*

20                    *Outfitting and post delivery, \$219,000;*

21                    *To:*

22                    *Under the heading, “Shipbuilding and Con-*  
23                    *version, Navy, 1996/2000”:*

24                    *LPD-17 amphibious transport dock*  
25                    *ship, \$21,163,000;*

1           *From:*

2                     *Under the heading, “Shipbuilding and Con-*  
3                     *version, Navy, 1990/2002”:*

4                     *SSN–688 attack submarine program,*  
5                     *\$5,606,000;*

6                     *DDG–51 destroyer program,*  
7                     *\$6,000,000;*

8                     *ENTERPRISE refueling/moderniza-*  
9                     *tion program, \$2,306,000;*

10                    *LHD–1 amphibious assault ship pro-*  
11                    *gram, \$183,000;*

12                    *LSD–41 dock landing ship cargo vari-*  
13                    *ant program, \$501,000;*

14                    *LCAC landing craft, air cushioned*  
15                    *program, \$345,000;*

16                    *MCM mine countermeasures program,*  
17                    *\$1,369,000;*

18                    *Moored training ship demonstration*  
19                    *program, \$1,906,000;*

20                    *Oceanographic ship program,*  
21                    *\$1,296,000;*

22                    *AOE combat support ship program,*  
23                    *\$4,086,000;*

24                    *AO conversion program, \$143,000;*

1                   *Craft, outfitting, post delivery, and*  
2                   *ship special support equipment, \$1,209,000;*

3                   *To:*

4                   *Under the heading, “Shipbuilding and Con-*  
5                   *version, Navy, 1990/2002”:*

6                   *T-AGOS surveillance ship program,*  
7                   *\$5,000,000;*

8                   *Coast Guard icebreaker program,*  
9                   *\$8,153,000;*

10                  *Under the heading, “Shipbuilding and Con-*  
11                  *version, Navy, 1996/2002”:*

12                  *LPD-17 amphibious transport dock*  
13                  *ship, \$7,192,000;*

14                  *Under the heading, “Shipbuilding and Con-*  
15                  *version, Navy, 1998/2002”:*

16                  *CVN refuelings, \$4,605,000;*

17                  *From:*

18                  *Under the heading, “Shipbuilding and Con-*  
19                  *version, Navy, 1991/2001”:*

20                  *SSN-21(AP) attack submarine pro-*  
21                  *gram, \$1,614,000;*

22                  *LHD-1 amphibious assault ship pro-*  
23                  *gram, \$5,647,000;*

24                  *LSD-41 dock landing ship cargo vari-*  
25                  *ant program, \$1,389,000;*

1                    *LCAC landing craft, air cushioned*  
2                    *program, \$330,000;*

3                    *AOE combat support ship program,*  
4                    *\$1,435,000;*

5                    *To:*

6                    *Under the heading, “Shipbuilding and Con-*  
7                    *version, Navy, 1998/2001”:*

8                    *CVN refuelings, \$10,415,000;*

9                    *From:*

10                    *Under the heading, “Shipbuilding and Con-*  
11                    *version, Navy, 1992/2001”:*

12                    *SSN-21 attack submarine program,*  
13                    *\$11,983,000;*

14                    *Craft, outfitting, post delivery, and*  
15                    *DBOF transfer, \$836,000;*

16                    *Escalation, \$5,378,000;*

17                    *To:*

18                    *Under the heading, “Shipbuilding and Con-*  
19                    *version, Navy, 1998/2001”:*

20                    *CVN refuelings, \$18,197,000;*

21                    *From:*

22                    *Under the heading, “Shipbuilding and Con-*  
23                    *version, Navy, 1993/2002”:*

24                    *Carrier replacement program(AP),*  
25                    *\$30,332,000;*

1                    *LSD-41 cargo variant ship program,*  
2                    \$676,000;

3                    *AOE combat support ship program,*  
4                    \$2,066,000;

5                    *Craft, outfitting, post delivery, and*  
6                    *first destination transportation, and infla-*  
7                    *tion adjustments, \$2,127,000;*

8                    *To:*

9                    *Under the heading, “Shipbuilding and Con-*  
10                    *version, Navy, 1998/2002”:*

11                    *CVN refuelings, \$29,884,000;*

12                    *Under the heading, “Shipbuilding and Con-*  
13                    *version, Navy, 1999/2002”:*

14                    *Craft, outfitting, post delivery, conver-*  
15                    *sions, and first destination transportation,*  
16                    \$5,317,000;

17                    *From:*

18                    *Under the heading, “Shipbuilding and Con-*  
19                    *version, Navy, 1994/2003”:*

20                    *LHD-1 amphibious assault ship pro-*  
21                    *gram, \$18,349,000;*

22                    *Oceanographic ship program, \$9,000;*

23                    *To:*

24                    *Under the heading, “Shipbuilding and Con-*  
25                    *version, Navy, 1994/2003”:*

1                    *DDG-51 destroyer program,*  
2                    *\$18,349,000;*

3                    *Under the heading, “Shipbuilding and Con-*  
4                    *version, Navy, 1999/2003”:*

5                    *Craft, outfitting, post delivery, conver-*  
6                    *sions, and first destination transportation,*  
7                    *\$9,000;*

8                    *From:*

9                    *Under the heading, “Shipbuilding and Con-*  
10                    *version, Navy, 1996/2000”:*

11                    *SSN-21 attack submarine program,*  
12                    *\$10,100,000;*

13                    *LHD-1 amphibious assault ship pro-*  
14                    *gram, \$7,100,000;*

15                    *To:*

16                    *Under the heading, “Shipbuilding and Con-*  
17                    *version, Navy, 1996/2000”:*

18                    *DDG-51 destroyer program,*  
19                    *\$3,723,000;*

20                    *LPD-17 amphibious transport dock*  
21                    *ship, \$13,477,000.*

22                    *SEC. 8082. Funds appropriated in title II of this Act*  
23                    *and for the Defense Health Program in title VI of this Act*  
24                    *for supervision and administration costs for facilities*  
25                    *maintenance and repair, minor construction, or design*

1 *projects may be obligated at the time the reimbursable order*  
2 *is accepted by the performing activity: Provided, That for*  
3 *the purpose of this section, supervision and administration*  
4 *costs includes all in-house Government cost.*

5 *SEC. 8083. During the current fiscal year, the Sec-*  
6 *retary of Defense may waive reimbursement of the cost of*  
7 *conferences, seminars, courses of instruction, or similar*  
8 *educational activities of the Asia-Pacific Center for Secu-*  
9 *rity Studies for military officers and civilian officials of*  
10 *foreign nations if the Secretary determines that attendance*  
11 *by such personnel, without reimbursement, is in the na-*  
12 *tional security interest of the United States: Provided, That*  
13 *costs for which reimbursement is waived pursuant to this*  
14 *subsection shall be paid from appropriations available for*  
15 *the Asia-Pacific Center.*

16 *SEC. 8084. (a) Notwithstanding any other provision*  
17 *of law, the Chief of the National Guard Bureau may permit*  
18 *the use of equipment of the National Guard Distance Learn-*  
19 *ing Project by any person or entity on a space-available,*  
20 *reimbursable basis. The Chief of the National Guard Bu-*  
21 *reau shall establish the amount of reimbursement for such*  
22 *use on a case-by-case basis.*

23 *(b) Amounts collected under subsection (a) shall be*  
24 *credited to funds available for the National Guard Distance*  
25 *Learning Project and be available to defray the costs associ-*

1 ated with the use of equipment of the project under that  
2 subsection. Such funds shall be available for such purposes  
3 without fiscal year limitation.

4       *SEC. 8085. Using funds available by this Act or any*  
5 *other Act, the Secretary of the Air Force, pursuant to a*  
6 *determination under section 2690 of title 10, United States*  
7 *Code, may implement cost-effective agreements for required*  
8 *heating facility modernization in the Kaiserslautern Mili-*  
9 *tary Community in the Federal Republic of Germany: Pro-*  
10 *vided, That in the City of Kaiserslautern such agreements*  
11 *will include the use of United States anthracite as the base*  
12 *load energy for municipal district heat to the United States*  
13 *Defense installations: Provided further, That at Landstuhl*  
14 *Army Regional Medical Center and Ramstein Air Base,*  
15 *furnished heat may be obtained from private, regional or*  
16 *municipal services, if provisions are included for the con-*  
17 *sideration of United States coal as an energy source.*

18       *SEC. 8086. During the current fiscal year, refunds at-*  
19 *tributable to the use of the Government travel card and the*  
20 *Government Purchase Card by military personnel and ci-*  
21 *vilian employees of the Department of Defense and refunds*  
22 *attributable to official Government travel arranged by Gov-*  
23 *ernment Contracted Travel Management Centers may be*  
24 *credited to the accounts current when the refunds are re-*

1 *ceived that are available for the same purposes as the ac-*  
2 *counts originally charged.*

3 *SEC. 8087. Notwithstanding 31 U.S.C. 3902, during*  
4 *the current fiscal year, interest penalties may be paid by*  
5 *the Department of Defense from funds financing the oper-*  
6 *ation of the military department or defense agency with*  
7 *which the invoice or contract payment is associated.*

8 *SEC. 8088. (a) The Secretary of Defense may, on a*  
9 *case-by-case basis, waive with respect to a foreign country*  
10 *each limitation on the procurement of defense items from*  
11 *foreign sources provided in law if the Secretary determines*  
12 *that the application of the limitation with respect to that*  
13 *country would invalidate cooperative programs entered into*  
14 *between the Department of Defense and the foreign country,*  
15 *or would invalidate reciprocal trade agreements for the pro-*  
16 *curement of defense items entered into under section 2531*  
17 *of title 10, United States Code, and the country does not*  
18 *discriminate against the same or similar defense items pro-*  
19 *duced in the United States for that country.*

20 *(b) Subsection (a) applies with respect to—*

21 *(1) contracts and subcontracts entered into on or*  
22 *after the date of the enactment of this Act; and*

23 *(2) options for the procurement of items that are*  
24 *exercised after such date under contracts that are en-*  
25 *tered into before such date if the option prices are ad-*

1        *justed for any reason other than the application of a*  
2        *waiver granted under subsection (a).*

3        *(c) Subsection (a) does not apply to a limitation re-*  
4        *garding construction of public vessels, ball and roller bear-*  
5        *ings, food, and clothing or textile materials as defined by*  
6        *section 11 (chapters 50–65) of the Harmonized Tariff*  
7        *Schedule and products classified under headings 4010,*  
8        *4202, 4203, 6401 through 6406, 6505, 7019, 7218 through*  
9        *7229, 7304.41 through 7304.49, 7306.40, 7502 through*  
10       *7508, 8105, 8108, 8109, 8211, 8215, and 9404.*

11        *SEC. 8089. Funds made available to the Civil Air Pa-*  
12        *trol in this Act under the heading “Drug Interdiction and*  
13        *Counter-Drug Activities, Defense” may be used for the Civil*  
14        *Air Patrol Corporation’s counterdrug program, including*  
15        *its demand reduction program involving youth programs,*  
16        *as well as operational and training drug reconnaissance*  
17        *missions for Federal, State and local government agencies;*  
18        *for administrative costs, including the hiring of Civil Air*  
19        *Patrol Corporation employees; for travel and per diem ex-*  
20        *penses of Civil Air Patrol Corporation personnel in support*  
21        *of those missions; and for equipment needed for mission*  
22        *support or performance: Provided, That the Department of*  
23        *the Air Force should waive reimbursement from the Federal,*  
24        *State and local government agencies for the use of these*  
25        *funds.*

1        *SEC. 8090. Notwithstanding any other provision of*  
2 *law, the TRICARE managed care support contracts in ef-*  
3 *fect, or in final stages of acquisition as of September 30,*  
4 *1999, may be extended for two years: Provided, That any*  
5 *such extension may only take place if the Secretary of De-*  
6 *fense determines that it is in the best interest of the Govern-*  
7 *ment: Provided further, That any contract extension shall*  
8 *be based on the price in the final best and final offer for*  
9 *the last year of the existing contract as adjusted for infla-*  
10 *tion and other factors mutually agreed to by the contractor*  
11 *and the Government: Provided further, That notwith-*  
12 *standing any other provision of law, all future TRICARE*  
13 *managed care support contracts replacing contracts in ef-*  
14 *fect, or in the final stages of acquisition as of September*  
15 *30, 1998, may include a base contract period for transition*  
16 *and up to seven one-year option periods.*

17        *SEC. 8091. Notwithstanding any other provision in*  
18 *this Act, the total amount appropriated in this Act is here-*  
19 *by reduced by \$452,100,000 to reflect savings from revised*  
20 *economic assumptions, to be distributed as follows:*

21                *“Aircraft Procurement, Army”, \$8,000,000;*

22                *“Missile Procurement, Army”, \$7,000,000;*

23                *“Procurement of Weapons and Tracked Combat*  
24 *Vehicles, Army”, \$9,000,000;*

1           *“Procurement of Ammunition, Army”,*  
2           \$6,000,000;  
3           *“Other Procurement, Army”, \$19,000,000;*  
4           *“Aircraft Procurement, Navy”, \$44,000,000;*  
5           *“Weapons Procurement, Navy”, \$8,000,000;*  
6           *“Procurement of Ammunition, Navy and Marine*  
7           *Corps”, \$3,000,000;*  
8           *“Shipbuilding and Conversion, Navy”,*  
9           \$37,000,000;  
10           *“Other Procurement, Navy”, \$23,000,000;*  
11           *“Procurement, Marine Corps”, \$5,000,000;*  
12           *“Aircraft Procurement, Air Force”, \$46,000,000;*  
13           *“Missile Procurement, Air Force”, \$14,000,000;*  
14           *“Procurement of Ammunition, Air Force”,*  
15           \$2,000,000;  
16           *“Other Procurement, Air Force”, \$44,400,000;*  
17           *“Procurement, Defense-Wide”, \$5,200,000;*  
18           *“Chemical Agents and Munitions Destruction,*  
19           *Army”, \$5,000,000;*  
20           *“Research, Development, Test and Evaluation,*  
21           *Army”, \$20,000,000;*  
22           *“Research, Development, Test and Evaluation,*  
23           *Navy”, \$40,900,000;*  
24           *“Research, Development, Test and Evaluation,*  
25           *Air Force”, \$76,900,000; and*

1           *“Research, Development, Test and Evaluation,*  
2           *Defense-Wide”, \$28,700,000:*

3           *Provided, That these reductions shall be applied proportion-*  
4           *ally to each budget activity, activity group and subactivity*  
5           *group and each program, project, and activity within each*  
6           *appropriation account.*

7           *SEC. 8092. TRAINING AND OTHER PROGRAMS. (a)*  
8           *PROHIBITION.—None of the funds made available by this*  
9           *Act may be used to support any training program involv-*  
10           *ing a unit of the security forces of a foreign country if the*  
11           *Secretary of Defense has received credible information from*  
12           *the Department of State that the unit has committed a gross*  
13           *violation of human rights, unless all necessary corrective*  
14           *steps have been taken.*

15           *(b) MONITORING.—The Secretary of Defense, in con-*  
16           *sultation with the Secretary of State, shall ensure that prior*  
17           *to a decision to conduct any training program referred to*  
18           *in subsection (a), full consideration is given to all credible*  
19           *information available to the Department of State relating*  
20           *to human rights violations by foreign security forces.*

21           *(c) WAIVER.—The Secretary of Defense, after consulta-*  
22           *tion with the Secretary of State, may waive the prohibition*  
23           *in subsection (a) if he determines that such waiver is re-*  
24           *quired by extraordinary circumstances.*

1           (d) *REPORT.*—Not more than 15 days after the exercise  
2 of any waiver under subsection (c), the Secretary of Defense  
3 shall submit a report to the congressional defense commit-  
4 tees describing the extraordinary circumstances, the purpose  
5 and duration of the training program, the United States  
6 forces and the foreign security forces involved in the train-  
7 ing program, and the information relating to human rights  
8 violations that necessitates the waiver.

9           *SEC. 8093. The Secretary of Defense, in coordination*  
10 *with the Secretary of Health and Human Services, may*  
11 *carry out a program to distribute surplus dental equipment*  
12 *of the Department of Defense, at no cost to the Department*  
13 *of Defense, to Indian health service facilities and to feder-*  
14 *ally-qualified health centers (within the meaning of section*  
15 *1905(l)(2)(B) of the Social Security Act (42 U.S.C.*  
16 *1396d(l)(2)(B))).*

17           *SEC. 8094. Notwithstanding any other provision in*  
18 *this Act, the total amount appropriated in this Act is here-*  
19 *by reduced by \$209,300,000 to reflect savings from the pay*  
20 *of civilian personnel, to be distributed as follows:*

21                   “*Operation and Maintenance, Army*”,  
22           \$45,100,000;

23                   “*Operation and Maintenance, Navy*”,  
24           \$74,400,000;

1           “*Operation and Maintenance, Air Force*”,  
2           \$59,800,000; and

3           “*Operation and Maintenance, Defense-Wide*”,  
4           \$30,000,000.

5           *SEC. 8095. Notwithstanding any other provision in*  
6 *this Act, the total amount appropriated in this Act is here-*  
7 *by reduced by \$206,600,000 to reflect savings from favorable*  
8 *foreign currency fluctuations, to be distributed as follows:*

9           “*Operation and Maintenance, Army*”,  
10          \$138,000,000;

11          “*Operation and Maintenance, Navy*”,  
12          \$10,600,000;

13          “*Operation and Maintenance, Marine Corps*”,  
14          \$2,000,000;

15          “*Operation and Maintenance, Air Force*”,  
16          \$43,000,000; and

17          “*Operation and Maintenance, Defense-Wide*”,  
18          \$13,000,000.

19          *SEC. 8096. Notwithstanding any other provision in*  
20 *this Act, the total amount appropriated in this Act is here-*  
21 *by reduced by \$250,307,000 to reflect savings from reduc-*  
22 *tions in the price of bulk fuel, to be distributed as follows:*

23          “*Operation and Maintenance, Army*”,  
24          \$56,000,000;

1           “*Operation and Maintenance, Navy*”,  
2           \$67,000,000;

3           “*Operation and Maintenance, Marine Corps*”,  
4           \$7,700,000;

5           “*Operation and Maintenance, Air Force*”,  
6           \$62,000,000;

7           “*Operation and Maintenance, Defense-Wide*”,  
8           \$34,000,000;

9           “*Operation and Maintenance, Army Reserve*”,  
10          \$4,107,000;

11          “*Operation and Maintenance, Navy Reserve*”,  
12          \$2,700,000;

13          “*Operation and Maintenance, Air Force Re-*  
14          *serve*”, \$5,000,000;

15          “*Operation and Maintenance, Army National*  
16          *Guard*”, \$8,700,000; and

17          “*Operation and Maintenance, Air National*  
18          *Guard*”, \$3,100,000.

19          *SEC. 8097. Notwithstanding any other provision of*  
20 *law, the Secretary of Defense may retain all or a portion*  
21 *of the family housing at Fort Buchanan, Puerto Rico, as*  
22 *the Secretary deems necessary to meet military family hous-*  
23 *ing needs arising out of the relocation of elements of the*  
24 *United States Army South to Fort Buchanan.*

1        *SEC. 8098. Funds appropriated to the Department of*  
2 *the Navy in title II of this Act may be available to replace*  
3 *lost and canceled Treasury checks issued to Trans World*  
4 *Airlines in the total amount of \$255,333.24 for which time-*  
5 *ly claims were filed and for which detailed supporting*  
6 *records no longer exist.*

7        *SEC. 8099. Notwithstanding any other provision of*  
8 *law, the Chief of the National Guard Bureau, or his des-*  
9 *ignee, may waive payment of all or part of the consider-*  
10 *ation in the case of a lease of personal property for a period*  
11 *not in excess of one year to—*

12            (1) *any department or agency of the Federal*  
13 *Government;*

14            (2) *any State or local government, including any*  
15 *interstate organization established by agreement of*  
16 *two or more States;*

17            (3) *any organization determined by the Chief of*  
18 *the National Guard Bureau, or his designee, to be a*  
19 *youth or charitable organization; or*

20            (4) *any other entity that the Chief of the Na-*  
21 *tional Guard Bureau, or his designee, approves on a*  
22 *case-by-case basis.*

23        *SEC. 8100. In the current fiscal year and hereafter,*  
24 *funds appropriated for the Pacific Disaster Center may be*  
25 *obligated to carry out such missions as the Secretary of De-*

1 *fense may specify for disaster information management and*  
2 *related supporting activities in the geographic area of re-*  
3 *sponsibility of the Commander in Chief, Pacific and beyond*  
4 *in support of a global disaster information network: Pro-*  
5 *vided, That the Secretary may enable the Pacific Disaster*  
6 *Center and its derivatives to enter into flexible public-pri-*  
7 *vate cooperative arrangements for the delegation or imple-*  
8 *mentation of some or all of its missions and accept and*  
9 *provide grants, or other remuneration to or from any agen-*  
10 *cy of the Federal government, state or local government, pri-*  
11 *vate source or foreign government to carry out any of its*  
12 *activities: Provided further, That the Pacific Disaster Cen-*  
13 *ter may not accept any remuneration or provide any serv-*  
14 *ice or grant which could compromise national security.*

15 *SEC. 8101. Notwithstanding any other provision in*  
16 *this Act, the total amount appropriated in Title I of this*  
17 *Act is hereby reduced by \$1,838,426,000 to reflect amounts*  
18 *appropriated in H.R. 1141, as enacted. This amount is to*  
19 *be distributed as follows:*

20 *“Military Personnel, Army”, \$559,533,000;*

21 *“Military Personnel, Navy”, \$436,773,000;*

22 *“Military Personnel, Marine Corps”,*  
23 *\$177,980,000;*

24 *“Military Personnel, Air Force”, \$471,892,000;*

25 *“Reserve Personnel, Army”, \$40,574,000;*

1           *“Reserve Personnel, Navy”, \$29,833,000;*  
2           *“Reserve Personnel, Marine Corps”, \$7,820,000;*  
3           *“Reserve Personnel, Air Force”, \$13,143,000;*  
4           *“National Guard Personnel, Army”,*  
5           *\$70,416,000; and*  
6           *“National Guard Personnel, Air Force”,*  
7           *\$30,462,000.*

8           *SEC. 8102. Notwithstanding any other provision of*  
9           *law, that not more than twenty-five per centum of funds*  
10          *provided in this Act, may be obligated for environmental*  
11          *remediation under indefinite delivery/indefinite quantity*  
12          *contracts with a total contract value of \$130,000,000 or*  
13          *higher.*

14          *SEC. 8103. Of the funds made available under the*  
15          *heading “Operation and Maintenance, Air Force”,*  
16          *\$5,000,000 shall be transferred to the Department of Trans-*  
17          *portation to enable the Secretary of Transportation to re-*  
18          *align railroad track on Elmendorf Air Force Base.*

19          *SEC. 8104. (a) Of the amounts provided in Title II*  
20          *of this Act, not less than \$1,353,900,000 shall be available*  
21          *for the missions of the Department of Defense related to*  
22          *combating terrorism inside and outside the United States.*

23          *(b) The budget of the United States Government sub-*  
24          *mitted to Congress under section 1105 of title 31, United*  
25          *States Code, for each fiscal year after fiscal year 2000 shall*

1 *set forth separately for a single account the amount re-*  
2 *quested for the missions of the Department of Defense re-*  
3 *lated to combating terrorism inside and outside the United*  
4 *States.*

5       *SEC. 8105. None of the funds appropriated by this Act*  
6 *shall be used for the support of any nonappropriated funds*  
7 *activity of the Department of Defense that procures malt*  
8 *beverages and wine with nonappropriated funds for resale*  
9 *(including such alcoholic beverages sold by the drink) on*  
10 *a military installation located in the United States unless*  
11 *such malt beverages and wine are procured within that*  
12 *State, or in the case of the District of Columbia, within*  
13 *the District of Columbia, in which the military installation*  
14 *is located: Provided, That in a case in which the military*  
15 *installation is located in more than one State, purchases*  
16 *may be made in any State in which the installation is lo-*  
17 *cated: Provided further, That such local procurement re-*  
18 *quirements for malt beverages and wine shall apply to all*  
19 *alcoholic beverages only for military installations in States*  
20 *which are not contiguous with another State: Provided fur-*  
21 *ther, That alcoholic beverages other than wine and malt bev-*  
22 *erages, in contiguous States and the District of Columbia*  
23 *shall be procured from the most competitive source, price*  
24 *and other factors considered.*

1        *SEC. 8106. (a) The Secretary of the Air Force may*  
2 *obtain transportation for operational support purposes, in-*  
3 *cluding transportation for combatant Commanders in*  
4 *Chief, by lease of aircraft, on such terms and conditions*  
5 *as the Secretary may deem appropriate, consistent with this*  
6 *section, through an operating lease consistent with OMB*  
7 *Circular A-11.*

8        *(b) The term of any lease into which the Secretary en-*  
9 *ters under this section shall not exceed ten years from the*  
10 *date on which the lease takes effect.*

11        *(c) The Secretary may include terms and conditions*  
12 *in any lease into which the Secretary enters under this sec-*  
13 *tion that are customary in the leasing of aircraft by a non-*  
14 *governmental lessor to a nongovernmental lessee.*

15        *(d) The Secretary may, in connection with any lease*  
16 *into which the Secretary enters under this section, to the*  
17 *extent the Secretary deems appropriate, provide for special*  
18 *payments to the lessor if either the Secretary terminates or*  
19  *Cancels the lease prior to the expiration of its term or the*  
20 *aircraft is damaged or destroyed prior to the expiration of*  
21 *the term of the lease. In the event of termination or cancella-*  
22 *tion of the lease, the total value of such payments shall not*  
23 *exceed the value of one year's lease payment.*

24        *(e) Notwithstanding any other provision of law any*  
25 *payments required under a lease under this section, and*

1 *any payments made pursuant to subsection (d), may be*  
2 *made from—*

3 *(1) appropriations available for the performance*  
4 *of the lease at the time the lease takes effect;*

5 *(2) appropriations for the operation and mainte-*  
6 *nance available at the time which the payment is due;*  
7 *and*

8 *(3) funds appropriated for those payments.*

9 *(f) The authority granted to the Secretary of the Air*  
10 *Force by this section is separate from and in addition to,*  
11 *and shall not be construed to impair or otherwise affect,*  
12 *the authority of the Secretary to procure transportation or*  
13 *enter into leases under a provision of law other than this*  
14 *section.*

15 *SEC. 8107. (a) The Communications Act of 1934 is*  
16 *amended in section 337(b) (47 U.S.C. 337(b)), by deleting*  
17 *paragraph (2). Upon enactment of this provision, the FCC*  
18 *shall initiate the competitive bidding process in fiscal year*  
19 *1999 and shall conduct the competitive bidding in a man-*  
20 *ner that ensures that all proceeds of such bidding are depos-*  
21 *ited in accordance with section 309(j)(8) of the Act not later*  
22 *than September 30, 2000. To expedite the assignment by*  
23 *competitive bidding of the frequencies identified in section*  
24 *337(a)(2) of the Act, the rules governing such frequencies*  
25 *shall be effective immediately upon publication in the Fed-*

1 *eral Register, notwithstanding 5 U.S.C. 553(d), 801(a)(3),*  
2 *804(2), and 806(a). Chapter 6 of such title, 15 U.S.C. 632,*  
3 *and 44 U.S.C. 3507 and 3512, shall not apply to the rules*  
4 *and competitive bidding procedures governing such fre-*  
5 *quencies. Notwithstanding section 309(b) of the Act, no ap-*  
6 *plication for an instrument of authorization for such fre-*  
7 *quencies shall be granted by the Commission earlier than*  
8 *7 days following issuance of public notice by the Commis-*  
9 *sion of the acceptance for filing of such application or of*  
10 *any substantial amendment thereto. Notwithstanding sec-*  
11 *tion 309(d)(1) of such Act, the Commission may specify a*  
12 *period (no less than 5 days following issuance of such public*  
13 *notice) for the filing of petitions to deny any application*  
14 *for an instrument of authorization for such frequencies.*

15 *(b)(1) Not later than 15 days after the date of the en-*  
16 *actment of this Act, the Director of the Office of Manage-*  
17 *ment and Budget and the Federal Communications Com-*  
18 *mission shall each submit to the appropriate congressional*  
19 *committees a report which shall—*

20 *(A) set forth the anticipated schedule (including*  
21 *specific dates) for—*

22 *(i) preparing and conducting the competi-*  
23 *tive bidding process required by subsection (a);*  
24 *and*

1           (ii) depositing the receipts of the competi-  
2           tive bidding process;

3           (B) set forth each significant milestone in the  
4           rulemaking process with respect to the competitive  
5           bidding process;

6           (C) include an explanation of the effect of each  
7           requirement in subsection (a) on the schedule for the  
8           competitive bidding process and any post-bidding ac-  
9           tivities (including the deposit of receipts) when com-  
10          pared with the schedule for the competitive bidding  
11          and any post-bidding activities (including the deposit  
12          of receipts) that would otherwise have occurred under  
13          section 337(b)(2) of the Communications Act of 1934  
14          (47 U.S.C. 337(b)(2)) if not for the enactment of sub-  
15          section (a);

16          (D) set forth for each spectrum auction held by  
17          the Federal Communications Commission since 1993  
18          information on—

19               (i) the time required for each stage of prep-  
20               aration for the auction;

21               (ii) the date of the commencement and of  
22               the completion of the auction;

23               (iii) the time which elapsed between the  
24               date of the completion of the auction and the

1           *date of the first deposit of receipts from the auc-*  
2           *tion in the Treasury; and*

3                   *(iv) the dates of all subsequent deposits of*  
4           *receipts from the auction in the Treasury; and*

5           *(E) include an assessment of how the stages of*  
6           *the competitive bidding process required by subsection*  
7           *(a), including preparation, commencement and com-*  
8           *pletion, and deposit of receipts, will differ from simi-*  
9           *lar stages in the auctions referred to in subparagraph*  
10          *(D).*

11          *(2) Not later than October 5, 2000, the Director of the*  
12          *Office of Management and Budget and the Federal Commu-*  
13          *nications Commission shall each submit to the appropriate*  
14          *congressional committees the report which shall—*

15                   *(A) describe the course of the competitive bidding*  
16          *process required by subsection (a) through September*  
17          *30, 2000, including the amount of any receipts from*  
18          *the competitive bidding process deposited in the*  
19          *Treasury as of September 30, 2000; and*

20                   *(B) if the course of the competitive bidding proc-*  
21          *ess has included any deviations from the schedule set*  
22          *forth under paragraph (1)(A), an explanation for*  
23          *such deviations from the schedule.*

24          *(3) The Federal Communications Commission may*  
25          *not consult with the Director in the preparation and sub-*

1 *mittal of the reports required of the Commission by this*  
2 *subsection.*

3 (4) *In this subsection, the term “appropriate congress-*  
4 *sional committees” means the following:*

5 (A) *The Committees on Appropriations, the*  
6 *Budget, and Commerce of the Senate.*

7 (B) *The Committees on Appropriations, the*  
8 *Budget, and Commerce of the House of Representa-*  
9 *tives.*

10 *SEC. 8108. Notwithstanding any other provision in*  
11 *this Act, the total amount appropriated in this Act for Ti-*  
12 *ties II and III is hereby reduced by \$3,100,000,000 to reflect*  
13 *supplemental appropriations provided under Public Law*  
14 *106–31 for Readiness/Munitions; Operational Rapid Re-*  
15 *sponse Transfer Fund; Spare Parts; Depot Maintenance;*  
16 *Recruiting; Readiness Training/OPTEMPO; and Base Op-*  
17 *erations.*

18 *SEC. 8109. Section 8106(a) of the Department of De-*  
19 *fense Appropriations Act, 1997 (titles I through VIII of the*  
20 *matter under section 101(b) of Public Law 104–208; 110*  
21 *Stat. 3009–111; 10 U.S.C. 113 note), is amended—*

22 (1) *by striking “not later than June 30, 1997,”;*

23 *and*

24 (2) *by striking “\$1,000,000” and inserting*  
25 *“\$500,000”.*

1        *SEC. 8110. In addition to any funds appropriated else-*  
2 *where in title IV of this Act under the heading “RESEARCH,*  
3 *DEVELOPMENT, TEST, AND EVALUATION, ARMY”,*  
4 *\$9,000,000 is hereby appropriated only for the Army Test*  
5 *Ranges and Facilities program element.*

6        *SEC. 8111. Notwithstanding any other provision in*  
7 *this Act, the total amount appropriated in this Act for title*  
8 *IV under the heading “RESEARCH, DEVELOPMENT, TEST,*  
9 *AND EVALUATION, NAVY”, is hereby reduced by \$26,840,000*  
10 *and the total amount appropriated in this Act for title IV*  
11 *under the heading “RESEARCH, DEVELOPMENT, TEST, AND*  
12 *EVALUATION, DEFENSE-WIDE”, is hereby increased by*  
13 *\$51,840,000 to reflect the transfer of the Joint Warfighting*  
14 *Experimentation Program: Provided, That none of the*  
15 *funds provided for the Joint Warfighting Experimentation*  
16 *Program may be obligated until the Vice Chairman of the*  
17 *Joint Chiefs of Staff reports to the congressional defense*  
18 *committees on the role and participation of all unified and*  
19 *specified commands in the JWEP.*

20        *SEC. 8112. In addition to the amounts appropriated*  
21 *or otherwise made available elsewhere in this Act for the*  
22 *Department of Defense, \$23,000,000, to remain available*  
23 *until September 30, 2000 is hereby appropriated to the De-*  
24 *partment of Defense: Provided, That the Secretary of De-*  
25 *fense shall make a grant in the amount of \$23,000,000 to*

1 *the American Red Cross for Armed Forces Emergency Serv-*  
2 *ices.*

3       *SEC. 8113. In addition to the funds available in title*  
4 *III, \$10,000,000 is hereby appropriated for U-2 cockpit*  
5 *modifications.*

6       *SEC. 8114. The Department of the Army is directed*  
7 *to conduct a live fire, side-by-side operational test of the*  
8 *air-to-air Starstreak and air-to-air Stinger missiles from*  
9 *the AH-64D Longbow helicopter. The operational test is to*  
10 *be completed utilizing funds provided for in this Act in ad-*  
11 *dition to funding provided for this purpose in the Fiscal*  
12 *Year 1999 Defense Appropriations Act (P.L. 105-262): Pro-*  
13 *vided, That notwithstanding any other provision of law, the*  
14 *Department is to ensure that the development, procurement*  
15 *or integration of any missile for use on the AH-64 or*  
16 *RAH-66 helicopters, as an air-to-air missile, is subject to*  
17 *a full and open competition which includes the conduct of*  
18 *a live-fire, side-by-side test as an element of the source selec-*  
19 *tion criteria: Provided further, That the Under Secretary*  
20 *of Defense (Acquisition & Technology) will conduct an inde-*  
21 *pendent review of the need, and the merits of acquiring an*  
22 *air-to-air missile to provide self-protection for the AH-64*  
23 *and RAH-66 from the threat of hostile forces. The Secretary*  
24 *is to provide his findings in a report to the defense oversight*  
25 *committees, no later than March 31, 2000.*

1        *SEC. 8115. Of the funds appropriated in title IV under*  
2 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
3 *UATION, AIR FORCE”, up to \$6,000,000 may be made avail-*  
4 *able for the 3-D advanced track acquisition and imaging*  
5 *system.*

6        *SEC. 8116. Of the funds appropriated in title IV under*  
7 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
8 *UATION, NAVY”, up to \$3,000,000 may be made available*  
9 *for electronic propulsion systems.*

10       *SEC. 8117. Of the funds appropriated in title IV under*  
11 *the heading “COUNTER-DRUG ACTIVITIES, DEFENSE”, up*  
12 *to \$5,000,000 may be made available for a ground proc-*  
13 *essing station to support a tropical remote sensing radar.*

14       *SEC. 8118. Of the funds made available under the*  
15 *heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUA-*  
16 *TION, ARMY”, up to \$6,000,000 may be provided to the*  
17 *United States Army Construction Engineering Research*  
18 *Laboratory to continue research and development to reduce*  
19 *pollution associated with industrial manufacturing waste*  
20 *systems.*

21       *SEC. 8119. Of the funds appropriated in title II under*  
22 *the heading “OPERATION AND MAINTENANCE, NAVY”, up to*  
23 *\$13,000,000 may be available for depot overhaul of the MK-*  
24 *45 weapon system, and up to \$19,000,000 may be available*  
25 *for depot overhaul of the Close In Weapon System.*

1        *SEC. 8120. Of the funds appropriated in title IV under*  
2 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
3 *UATION, ARMY”, up to \$1,500,000 may be available for*  
4 *prototyping and testing of a water distributor for the Pal-*  
5 *let-Loading System Engineer Mission Module System.*

6        *SEC. 8121. Of the funds provided under title IV of this*  
7 *Act under the heading “RESEARCH, DEVELOPMENT, TEST,*  
8 *AND EVALUATION, AIR FORCE”, up to \$1,000,000 may be*  
9 *made available only for alternative missile engine source*  
10 *development.*

11        *SEC. 8122. Of the funds appropriated in title IV under*  
12 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
13 *UATION, ARMY”, up to \$3,000,000 may be made available*  
14 *for the National Defense Center for Environmental Excel-*  
15 *lence Pollution Prevention Initiative.*

16        *SEC. 8123. Of the funds made available in title IV of*  
17 *this Act under the heading “RESEARCH, DEVELOPMENT,*  
18 *TEST, AND EVALUATION, DEFENSE-WIDE”, up to*  
19 *\$4,500,000 may be made available for a hot gas decon-*  
20 *tamination facility.*

21        *SEC. 8124. Of the funds made available under the*  
22 *heading “DEFENSE HEALTH PROGRAM”, up to \$2,000,000*  
23 *may be made available to support the establishment of a*  
24 *Department of Defense Center for Medical Informatics.*

1        *SEC. 8125. Of the funds appropriated in title III*  
2 *under the heading “PROCUREMENT, MARINE CORPS”, up*  
3 *to \$2,800,000 may be made available for the K-Band Test*  
4 *Obscuration Pairing System.*

5        *SEC. 8126. Of the funds made available under the*  
6 *heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUA-*  
7 *TION, ARMY”, up to \$2,000,000 may be made available to*  
8 *continue and expand on-going work in recombinant vaccine*  
9 *research against biological warfare agents.*

10        *SEC. 8127. (a) The purpose of this section is to provide*  
11 *means for the City of Bayonne, New Jersey, to furnish fire*  
12 *protection through the City’s municipal fire department for*  
13 *the tenants, including the Coast Guard, and property at*  
14 *Military Ocean Terminal, New Jersey, thereby enhancing*  
15 *the City’s capability for furnishing safety services that is*  
16 *a fundamental capability necessary for encouraging the eco-*  
17 *nomie development of Military Ocean Terminal.*

18        *(b) The Secretary of the Army may, notwithstanding*  
19 *title II of the Federal Property and Administrative Services*  
20 *Act of 1949, convey without consideration to the Bayonne*  
21 *Local Redevelopment Authority, Bayonne, New Jersey, and*  
22 *to the City of Bayonne, New Jersey, jointly, all right, title,*  
23 *and interest of the United States in and to the firefighting*  
24 *equipment described in subsection (c).*

1           (c) *The equipment to be conveyed under subsection (b)*  
2 *is firefighting equipment at Military Ocean Terminal, Ba-*  
3 *yonne, New Jersey, as follows:*

4           (1) *Pierce Dash 2000 Gpm Pumper, manufac-*  
5 *tured September 1995.*

6           (2) *Pierce Arrow 100-foot Tower Ladder, manu-*  
7 *factured February 1994.*

8           (3) *Pierce HAZMAT truck, manufactured 1993.*

9           (4) *Ford E-350, manufactured 1992.*

10          (5) *Ford E-302, manufactured 1990.*

11          (6) *Bauer Compressor, Bauer-UN 12-*  
12 *E#5000psi, manufactured November 1989.*

13          (d) *The conveyance and delivery of the property shall*  
14 *be at no cost to the United States.*

15          (e) *The Secretary may require such additional terms*  
16 *and conditions in connection with the conveyance under*  
17 *this section as the Secretary considers appropriate to pro-*  
18 *tect the interests of the United States.*

19          SEC. 8128. *Of the funds appropriated in title IV under*  
20 *the heading "RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
21 *UATION, NAVY", up to \$3,000,000 may be made available*  
22 *for basic research on advanced composite materials proc-*  
23 *essing (specifically, resin transfer molding, vacuum-assisted*  
24 *resin transfer molding, and co-infusion resin transfer mold-*  
25 *ing).*

1        *SEC. 8129. Of the funds appropriated in title IV under*  
2 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
3 *UATION, ARMY”, up to \$5,000,000 may be available for In-*  
4 *formation Warfare Vulnerability Analysis.*

5        *SEC. 8130. Of the funds appropriated in title IV under*  
6 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
7 *UATION, AIR FORCE”, up to \$7,500,000 may be made avail-*  
8 *able for the GEO High Resolution Space Object Imaging*  
9 *Program.*

10        *SEC. 8131. Of the funds appropriated in title IV under*  
11 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
12 *UATION, ARMY”, up to \$4,000,000 may be available solely*  
13 *for research, development, test, and evaluation of elastin-*  
14 *based artificial tissues and dye targeted laser fusion tech-*  
15 *niques for healing internal injuries.*

16        *SEC. 8132. Of the funds made available in title IV of*  
17 *this Act for the Defense Advanced Research Projects Agency*  
18 *under the heading “RESEARCH, DEVELOPMENT, TEST, AND*  
19 *EVALUATION, DEFENSE-WIDE”, up to \$20,000,000 may be*  
20 *made available for supersonic aircraft noise mitigation re-*  
21 *search and development efforts.*

22        *SEC. 8133. From within the funds provided for the De-*  
23 *fense Acquisition University, up to \$5,000,000 may be spent*  
24 *on a pilot program using state-of-the-art training tech-*

1 *nology that would train the acquisition workforce in a sim-*  
2 *ulated Government procurement environment.*

3       *SEC. 8134. During the current fiscal year, under regu-*  
4 *lations prescribed by the Secretary of Defense, the Center*  
5 *of Excellence for Disaster Management and Humanitarian*  
6 *Assistance may also pay, or authorize payment for, the ex-*  
7 *penses of providing or facilitating education and training*  
8 *for appropriate military and civilian personnel of foreign*  
9 *countries in disaster management and humanitarian as-*  
10 *sistance: Provided, That not later than April 1, 2001, the*  
11 *Secretary of Defense shall submit to the congressional de-*  
12 *fense committees a report regarding the training of foreign*  
13 *personnel conducted under this authority during the pre-*  
14 *ceding fiscal year for which expenses were paid under the*  
15 *section: Provided further, That the report shall specify the*  
16 *countries in which the training was conducted, the type of*  
17 *training conducted, and the foreign personnel trained.*

18       *SEC. 8135. Of the funds appropriated in title II under*  
19 *the heading "OPERATION AND MAINTENANCE, AIR FORCE",*  
20 *up to \$4,000,000 may be made available for the Manufac-*  
21 *turing Technology Assistance Pilot Program.*

22       *SEC. 8136. Of the funds appropriated in title IV under*  
23 *the heading "RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
24 *UATION, ARMY", up to \$5,000,000 may be available for vis-*

1 *ual display performance and visual display environmental*  
2 *research and development.*

3       *SEC. 8137. Of the funds appropriated in title III*  
4 *under the heading “OTHER PROCUREMENT, ARMY”,*  
5 *\$51,250,000 shall be available for the Information System*  
6 *Security Program, of which up to \$10,000,000 may be made*  
7 *available for an immediate assessment of biometrics sensors*  
8 *and templates repository requirements and for combining*  
9 *and consolidating biometrics security technology and other*  
10 *information assurance technologies to accomplish a more fo-*  
11 *cused and effective information assurance effort.*

12       *SEC. 8138. Of the funds appropriated in title II under*  
13 *the heading “OPERATION AND MAINTENANCE, DEFENSE-*  
14 *WIDE” for the Office of the Special Assistant to the Deputy*  
15 *Secretary of Defense for Gulf War Illnesses, up to*  
16 *\$10,000,000 may be made available for carrying out the*  
17 *first-year actions under the 5-year research plan outlined*  
18 *in the report entitled “Department of Defense Strategy to*  
19 *Address Low-Level Exposures to Chemical Warfare Agents*  
20 *(CWAs)”, dated May 1999, that was submitted to commit-*  
21 *tees of Congress pursuant to section 247(d) of the Strom*  
22 *Thurmond National Defense Authorization Act for Fiscal*  
23 *Year 1999 (Public Law 105–261; 112 Stat. 1957).*

24       *SEC. 8139. (a) Congress makes the following findings:*

1           (1) *The B-2 bomber has been used in combat for*  
2 *the first time in Operation Allied Force against Yugo-*  
3 *slavia.*

4           (2) *The B-2 bomber has demonstrated unparal-*  
5 *leled strike capability in Operation Allied Force, with*  
6 *cursory data indicating that the bomber could have*  
7 *dropped nearly 20 percent of the precision ordnance*  
8 *while flying less than 3 percent of the attack sorties.*

9           (3) *According to the congressionally mandated*  
10 *Long Range Air Power Panel, “long range air power*  
11 *is an increasingly important element of United States*  
12 *military capability”.*

13           (4) *The crews of the B-2 bomber and the per-*  
14 *sonnel of Whiteman Air Force Base, Missouri, deserve*  
15 *particular credit for flying and supporting the strike*  
16 *missions against Yugoslavia, some of the longest com-*  
17 *bat missions in the history of the Air Force.*

18           (5) *The bravery and professionalism of the per-*  
19 *sonnel of Whiteman Air Force Base have advanced*  
20 *American interests in the face of significant challenge*  
21 *and hardship.*

22           (6) *The dedication of those who serve in the*  
23 *Armed Forces, exemplified clearly by the personnel of*  
24 *Whiteman Air Force Base, is the greatest national se-*  
25 *curity asset of the United States.*

1       **(b) It is the sense of Congress that—**

2               **(1) the skill and professionalism with which the**  
3       **B–2 bomber has been used in Operation Allied Force**  
4       **is a credit to the personnel of Whiteman Air Force**  
5       **Base, Missouri, and the Air Force;**

6               **(2) the B–2 bomber has demonstrated an unpar-**  
7       **alleled capability to travel long distances and deliver**  
8       **devastating weapons payloads, proving its essential**  
9       **role for United States power projection in the future;**  
10       **and**

11               **(3) the crews of the B–2 bomber and the per-**  
12       **sonnel of Whiteman Air Force Base deserve the grati-**  
13       **tude of the American people for their dedicated per-**  
14       **formance in an indispensable role in the air cam-**  
15       **paign against Yugoslavia and in the defense of the**  
16       **United States.**

17       **SEC. 8140. Of the funds appropriated in title III**  
18       **under the heading “AIRCRAFT PROCUREMENT, AIR**  
19       **FORCE”, up to \$10,000,000 may be made available for U–**  
20       **2 aircraft defensive system modernization.**

21       **SEC. 8141. Of the amount appropriated in title IV**  
22       **under the heading “RESEARCH, DEVELOPMENT, TEST, AND**  
23       **EVALUATION, DEFENSE-WIDE”, \$25,185,000 shall be avail-**  
24       **able for research and development relating to Persian Gulf**  
25       **illnesses, of which \$4,000,000 shall be available for continu-**

1 ation of research into Gulf War syndrome that includes  
2 multidisciplinary studies of fibromyalgia, chronic fatigue  
3 syndrome, multiple chemical sensitivity, and the use of re-  
4 search methods of cognitive and computational neuro-  
5 science, and of which up to \$2,000,000 may be made avail-  
6 able for expansion of the research program in the Upper  
7 Great Plains region.

8       *SEC. 8142. Of the total amount appropriated in title*  
9 *III under the heading “AIRCRAFT PROCUREMENT, AIR*  
10 *FORCE”, up to \$17,500,000 may be made available for pro-*  
11 *curement of the F-15A/B data link for the Air National*  
12 *Guard.*

13       *SEC. 8143. Of the funds appropriated in title III*  
14 *under the heading “WEAPONS PROCUREMENT, NAVY”, up*  
15 *to \$3,000,000 may be made available for the MK-43 Ma-*  
16 *chine Gun Conversion Program.*

17       *SEC. 8144. DEVELOPMENT OF FORD ISLAND, HAWAII.*  
18 *(a) IN GENERAL.—(1) Subject to paragraph (2), the Sec-*  
19 *retary of the Navy may exercise any authority or combina-*  
20 *tion of authorities in this section for the purpose of devel-*  
21 *oping or facilitating the development of Ford Island, Ha-*  
22 *waii, to the extent that the Secretary determines the devel-*  
23 *opment is compatible with the mission of the Navy.*

24       *(2) The Secretary may not exercise any authority*  
25 *under this section until—*

1           (A) the Secretary submits to the appropriate  
2 committees of Congress a master plan for the develop-  
3 ment of Ford Island; and

4           (B) a period of 30 calendar days has elapsed fol-  
5 lowing the date on which the notification is received  
6 by those committees.

7       (b) CONVEYANCE AUTHORITY.—(1) The Secretary of  
8 the Navy may convey to any public or private person or  
9 entity all right, title, and interest of the United States in  
10 and to any real property (including any improvements  
11 thereon) or personal property under the jurisdiction of the  
12 Secretary in the State of Hawaii that the Secretary  
13 determines—

14           (A) is excess to the needs of the Navy and all of  
15 the other Armed Forces; and

16           (B) will promote the purpose of this section.

17       (2) A conveyance under this subsection may include  
18 such terms and conditions as the Secretary considers appro-  
19 priate to protect the interests of the United States.

20       (c) LEASE AUTHORITY.—(1) The Secretary of the  
21 Navy may lease to any public or private person or entity  
22 any real property or personal property under the jurisdic-  
23 tion of the Secretary in the State of Hawaii that the Sec-  
24 retary determines—

1           (A) is not needed for current operations of the  
2       Navy and all of the other Armed Forces; and

3           (B) will promote the purpose of this section.

4       (2) A lease under this subsection shall be subject to sec-  
5       tion 2667(b)(1) of title 10, United States Code, and may  
6       include such others terms as the Secretary considers appro-  
7       priate to protect the interests of the United States.

8       (3) A lease of real property under this subsection may  
9       provide that, upon termination of the lease term, the lessee  
10      shall have the right of first refusal to acquire the real prop-  
11      erty covered by the lease if the property is then conveyed  
12      under subsection (b).

13      (4)(A) The Secretary may provide property support  
14      services to or for real property leased under this subsection.

15      (B) To the extent provided in appropriations Acts, any  
16      payment made to the Secretary for services provided under  
17      this paragraph shall be credited to the appropriation, ac-  
18      count, or fund from which the cost of providing the services  
19      was paid.

20      (d) ACQUISITION OF LEASEHOLD INTEREST BY SEC-  
21      RETARY.—(1) The Secretary of the Navy may acquire a  
22      leasehold interest in any facility constructed under sub-  
23      section (f) as consideration for a transaction authorized by  
24      this section upon such terms as the Secretary considers ap-  
25      propriate to promote the purpose of this section.

1       (2) *The term of a lease under paragraph (1) may not*  
2 *exceed 10 years, unless the Secretary of Defense approves*  
3 *a term in excess of 10 years for the purpose of this section.*

4       (3) *A lease under this subsection may provide that,*  
5 *upon termination of the lease term, the United States shall*  
6 *have the right of first refusal to acquire the facility covered*  
7 *by the lease.*

8       (e) *REQUIREMENT FOR COMPETITION.—The Secretary*  
9 *of the Navy shall use competitive procedures for purposes*  
10 *of selecting the recipient of real or personal property under*  
11 *subsection (b) and the lessee of real or personal property*  
12 *under subsection (c).*

13       (f) *CONSIDERATION.—(1) As consideration for the con-*  
14 *veyance of real or personal property under subsection (b),*  
15 *or for the lease of real or personal property under subsection*  
16 *(c), the Secretary of the Navy shall accept cash, real prop-*  
17 *erty, personal property, or services, or any combination*  
18 *thereof, in an aggregate amount equal to not less than the*  
19 *fair market value of the real or personal property conveyed*  
20 *or leased.*

21       (2) *Subject to subsection (i), the services accepted by*  
22 *the Secretary under paragraph (1) may include the fol-*  
23 *lowing:*

24               (A) *The construction or improvement of facilities*  
25 *at Ford Island.*

1           (B) *The restoration or rehabilitation of real*  
2           *property at Ford Island.*

3           (C) *The provision of property support services*  
4           *for property or facilities at Ford Island.*

5           (g) *NOTICE AND WAIT REQUIREMENTS.—The Sec-*  
6           *retary of the Navy may not carry out a transaction author-*  
7           *ized by this section until—*

8                 (1) *the Secretary submits to the appropriate*  
9                 *committees of Congress a notification of the trans-*  
10                *action, including—*

11                     (A) *a detailed description of the trans-*  
12                     *action; and*

13                     (B) *a justification for the transaction speci-*  
14                     *fying the manner in which the transaction will*  
15                     *meet the purpose of this section; and*

16                 (2) *a period of 30 calendar days has elapsed fol-*  
17                 *lowing the date on which the notification is received*  
18                 *by those committees.*

19           (h) *FORD ISLAND IMPROVEMENT ACCOUNT.—(1)*  
20           *There is established on the books of the Treasury an account*  
21           *to be known as the “Ford Island Improvement Account”.*

22                 (2) *There shall be deposited into the account the fol-*  
23                 *lowing amounts:*

24                     (A) *Amounts authorized and appropriated to the*  
25                     *account.*

1           (B) *Except as provided in subsection (c)(4)(B),*  
2           *the amount of any cash payment received by the Sec-*  
3           *retary for a transaction under this section.*

4           (i) *USE OF ACCOUNT.—(1) Subject to paragraph (2),*  
5           *to the extent provided in advance in appropriation Acts,*  
6           *funds in the Ford Island Improvement Account may be used*  
7           *as follows:*

8           (A) *To carry out or facilitate the carrying out*  
9           *of a transaction authorized by this section.*

10          (B) *To carry out improvements of property or*  
11          *facilities at Ford Island.*

12          (C) *To obtain property support services for prop-*  
13          *erty or facilities at Ford Island.*

14          (2) *To extent that the authorities provided under sub-*  
15          *chapter IV of chapter 169 of title 10, United States Code,*  
16          *are available to the Secretary of the Navy, the Secretary*  
17          *may not use the authorities in this section to acquire, con-*  
18          *struct, or improve family housing units, military unaccom-*  
19          *panied housing units, or ancillary supporting facilities re-*  
20          *lated to military housing at Ford Island.*

21          (3)(A) *The Secretary may transfer funds from the*  
22          *Ford Island Improvement Account to the following funds:*

23               (i) *The Department of Defense Family Housing*  
24               *Improvement Fund established by section 2883(a)(1)*  
25               *of title 10, United States Code.*

1           (ii) *The Department of Defense Military Unac-*  
2           *companied Housing Improvement Fund established*  
3           *by section 2883(a)(2) of that title.*

4           (B) *Amounts transferred under subparagraph (A) to*  
5           *a fund referred to in that subparagraph shall be available*  
6           *in accordance with the provisions of section 2883 of title*  
7           *10, United States Code, for activities authorized under sub-*  
8           *chapter IV of chapter 169 of that title at Ford Island.*

9           (j) *INAPPLICABILITY OF CERTAIN PROPERTY MANAGE-*  
10          *MENT LAWS.—Except as otherwise provided in this section,*  
11          *transactions under this section shall not be subject to the*  
12          *following:*

13                 (1) *Sections 2667 and 2696 of title 10, United*  
14                 *States Code.*

15                 (2) *Section 501 of the Stewart B. McKinney*  
16                 *Homeless Assistance Act (42 U.S.C. 11411).*

17                 (3) *Sections 202 and 203 of the Federal Property*  
18                 *and Administrative Services Act of 1949 (40 U.S.C.*  
19                 *483, 484).*

20           (k) *SCORING.—Nothing in this section shall be con-*  
21           *strued to waive the applicability to any lease entered into*  
22           *under this section of the budget scorekeeping guidelines used*  
23           *to measure compliance with the Balanced Budget Emer-*  
24           *gency Deficit Control Act of 1985.*

1        *(l) CONFORMING AMENDMENTS.—Section 2883(c) of*  
2 *title 10, United States Code, is amended—*

3            *(1) in paragraph (1), by adding at the end the*  
4 *following new subparagraph:*

5            *“(E) Any amounts that the Secretary of the*  
6 *Navy transfers to that Fund pursuant to section*  
7 *2862(i)(3)(A)(i) of the Military Construction Author-*  
8 *ization Act for Fiscal Year 2000, subject to the re-*  
9 *strictions on the use of the transferred amounts speci-*  
10 *fied in that section.”; and*

11           *(2) in paragraph (2), by adding at the end the*  
12 *following new subparagraph:*

13           *“(E) Any amounts that the Secretary of the*  
14 *Navy transfers to that Fund pursuant to section*  
15 *2862(i)(3)(A)(ii) of the Military Construction Author-*  
16 *ization Act for Fiscal Year 2000, subject to the re-*  
17 *strictions on the use of the transferred amounts speci-*  
18 *fied in that section.”.*

19        *(m) DEFINITIONS.—In this section:*

20           *(1) The term “appropriate committees of Con-*  
21 *gress” has the meaning given that term in section*  
22 *2801(4) of title 10, United States Code.*

23           *(2) The term “property support service” means*  
24 *the following:*

1           (A) Any utility service or other service list-  
2           ed in section 2686(a) of title 10, United States  
3           Code.

4           (B) Any other service determined by the  
5           Secretary to be a service that supports the oper-  
6           ation and maintenance of real property, per-  
7           sonal property, or facilities.

8           SEC. 8145. (a) The Department of Defense is author-  
9           ized to enter into agreements with the Veterans Administra-  
10          tion and federally-funded health agencies providing services  
11          to Native Hawaiians for the purpose of establishing a part-  
12          nership similar to the Alaska Federal Health Care Partner-  
13          ship, in order to maximize Federal resources in the provi-  
14          sion of health care services by federally-funded health agen-  
15          cies, applying telemedicine technologies. For the purpose of  
16          this partnership, Native Hawaiians shall have the same  
17          status as other Native Americans who are eligible for the  
18          health care services provided by the Indian Health Service.

19          (b) The Department of Defense is authorized to develop  
20          a consultation policy, consistent with Executive Order  
21          13084 (issued May 14, 1998), with Native Hawaiians for  
22          the purpose of assuring maximum Native Hawaiian par-  
23          ticipation in the direction and administration of govern-  
24          mental services so as to render those services more respon-  
25          sive to the needs of the Native Hawaiian community.

1           (c) For purposes of this section, the term “Native Ha-  
2 waiian” means any individual who is a descendant of the  
3 aboriginal people who, prior to 1778, occupied and exer-  
4 cised sovereignty in the area that now comprises the State  
5 of Hawaii.

6           SEC. 8146. Of the funds made available in title IV of  
7 this Act under the heading “RESEARCH, DEVELOPMENT,  
8 TEST, AND EVALUATION, NAVY”, up to \$3,000,000 may be  
9 made available to continue research and development on  
10 polymer cased ammunition.

11          SEC. 8147. (a) Of the amounts appropriated by title  
12 II under the heading “OPERATION AND MAINTENANCE, DE-  
13 FENSE-WIDE”, up to \$220,000 may be made available to  
14 carry out the study described in subsection (b).

15          (b)(1) The Secretary of the Army, acting through the  
16 Chief of Engineers, shall carry out a study for purposes of  
17 evaluating the cost-effectiveness of various technologies uti-  
18 lized, or having the potential to be utilized, in the demoli-  
19 tion and cleanup of facilities contaminated with chemical  
20 residue at facilities used in the production of weapons and  
21 ammunition.

22          (2) The Secretary shall carry out the study at the  
23 Badger Army Ammunition Plant, Wisconsin.

24          (3) The Secretary shall provide for the carrying out  
25 of work under the study through the Omaha District Corps

1 of Engineers and in cooperation with the Department of  
2 Energy Federal Technology Center, Morgantown, West Vir-  
3 ginia.

4 (4) The Secretary may make available to other depart-  
5 ments and agencies of the Federal Government information  
6 developed as a result of the study.

7 SEC. 8148. Of the funds appropriated in this Act  
8 under the heading “OPERATION AND MAINTENANCE,  
9 ARMY”, up to \$500,000 may be available for a study of the  
10 costs and feasibility of a project to remove ordnance from  
11 the Toussaint River.

12 SEC. 8149. Of the funds appropriated in title IV under  
13 the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-  
14 UATION, AIR FORCE”, \$63,041,000 may be available for C-  
15 5 aircraft modernization.

16 SEC. 8150. None of the funds appropriated or other-  
17 wise made available by this or any other Act may be made  
18 available for reconstruction activities in the Republic of  
19 Serbia (excluding the province of Kosovo) as long as  
20 Slobodan Milosevic remains the President of the Federal Re-  
21 public of Yugoslavia (Serbia and Montenegro).

22 SEC. 8151. Office of Net Assessment in the Office of  
23 the Secretary of Defense, jointly with the United States Pa-  
24 cific Command, shall submit a report to Congress no later

1 *than 180 days after the enactment of this Act which ad-*  
2 *dresses the following issues:*

3           (1) *A review and evaluation of the operational*  
4 *planning and other preparations of the United States*  
5 *Department of Defense, including but not limited to*  
6 *the United States Pacific Command, to implement the*  
7 *relevant sections of the Taiwan Relations Act since its*  
8 *enactment in 1979.*

9           (2) *A review and evaluation of all gaps in rel-*  
10 *evant knowledge about the current and future mili-*  
11 *tary balance between Taiwan and mainland China,*  
12 *including but not limited to Chinese open source*  
13 *writings.*

14           (3) *A set of recommendations, based on these re-*  
15 *views and evaluations, concerning further research*  
16 *and analysis that the Office of Net Assessment and*  
17 *the Pacific Command believe to be necessary and de-*  
18 *sirable to be performed by the National Defense Uni-*  
19 *versity and other defense research centers.*

20 *SEC. 8152. (a) Congress makes the following findings:*

21           (1) *Congress recognizes and supports, as being*  
22 *fundamental to the national defense, the ability of the*  
23 *Armed Forces to test weapons and weapon systems*  
24 *thoroughly, and to train members of the Armed*

1       *Forces in the use of weapons and weapon systems be-*  
2       *fore the forces enter hostile military engagements.*

3               *(2) It is the policy of the United States that the*  
4       *Armed Forces at all times exercise the utmost degree*  
5       *of caution in the training with weapons and weapon*  
6       *systems in order to avoid endangering civilian popu-*  
7       *lations and the environment.*

8               *(3) In the adherence to these policies, it is essen-*  
9       *tial to the public safety that the Armed Forces not*  
10       *test weapons or weapon systems, or engage in train-*  
11       *ing exercises with live ammunition, in close prox-*  
12       *imity to civilian populations unless there is no rea-*  
13       *sonable alternative available.*

14       *(b) It is the sense of Congress that—*

15               *(1) there should be a thorough investigation of*  
16       *the circumstances that led to the accidental death of*  
17       *a civilian employee of the Navy installation in*  
18       *Vieques, Puerto Rico, and the wounding of four other*  
19       *civilians during a live-ammunition weapons test at*  
20       *Vieques, including a reexamination of the adequacy of*  
21       *the measures that are in place to protect the civilian*  
22       *population during such training;*

23               *(2) the Secretary of Defense should not authorize*  
24       *the Navy to resume live ammunition training on the*  
25       *Island of Vieques, Puerto Rico, unless and until he*

1 *has advised the congressional defense committees of*  
2 *the Senate and the House of Representatives that—*

3 *(A) there is not available an alternative*  
4 *training site with no civilian population located*  
5 *in close proximity;*

6 *(B) the national security of the United*  
7 *States requires that the training be carried out;*

8 *(C) measures to provide the utmost level of*  
9 *safety to the civilian population are to be in*  
10 *place and maintained throughout the training;*  
11 *and*

12 *(D) training with ammunition containing*  
13 *radioactive materials that could cause environ-*  
14 *mental degradation should not be authorized;*

15 *(3) in addition to advising committees of Con-*  
16 *gress of the findings as described in paragraph (2),*  
17 *the Secretary of Defense should advise the Governor of*  
18 *Puerto Rico of those findings and, if the Secretary of*  
19 *Defense decides to resume live-ammunition weapons*  
20 *training on the Island of Vieques, consult with the*  
21 *Governor on a regular basis regarding the measures*  
22 *being taken from time to time to protect civilians*  
23 *from harm from the training.*

24 *SEC. 8153. Of the funds appropriated in title IV for*  
25 *Research, Development, Test and Evaluation, Army, up to*

1 \$10,000,000 may be utilized for Army Space Control Tech-  
2 nology.

3       *SEC. 8154. (a) Of the funds appropriated in title II*  
4 *under the heading “OPERATION AND MAINTENANCE, AIR*  
5 *FORCE” (other than the funds appropriated for space*  
6 *launch facilities), up to \$7,300,000 may be available, in*  
7 *addition to other funds appropriated under that heading*  
8 *for space launch facilities, for a second team of personnel*  
9 *for space launch facilities for range reconfiguration to ac-*  
10 *commodate launch schedules.*

11       *(b) The funds set aside under subsection (a) may not*  
12 *be obligated for any purpose other than the purpose speci-*  
13 *fied in subsection (a).*

14       *SEC. 8155. Of the funds appropriated in title IV under*  
15 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*  
16 *UATION, ARMY”, up to \$4,000,000 may be made available*  
17 *for the Advanced Integrated Helmet System Program.*

18       *SEC. 8156. PROHIBITION ON USE OF REFUGEE RE-*  
19 *LIEF FUNDS FOR LONG-TERM REGIONAL DEVELOPMENT OR*  
20 *RECONSTRUCTION IN SOUTHEASTERN EUROPE. None of the*  
21 *funds made available in the 1999 Emergency Supplemental*  
22 *Appropriations Act (Public Law 106–31) may be made*  
23 *available to implement a long-term, regional program of*  
24 *development or reconstruction in Southeastern Europe ex-*

1 *cept pursuant to specific statutory authorization enacted on*  
2 *or after the date of enactment of this Act.*

3       *SEC. 8157. Of the funds appropriated in title III, Pro-*  
4 *curement, under the heading “MISSILE PROCUREMENT,*  
5 *ARMY”, up to \$35,000,000 may be made available to retrofit*  
6 *and improve the current inventory of Patriot missiles in*  
7 *order to meet current and projected threats from cruise mis-*  
8 *siles.*

9       *SEC. 8158. (a) PURPOSE.—The purpose of this section*  
10 *is to evaluate and demonstrate methods for more efficient*  
11 *operation of military installations through improved cap-*  
12 *ital asset management and greater reliance on the public*  
13 *or private sector for less-costly base support services, where*  
14 *available.*

15       *(b) AUTHORITY.—(1) The Secretary of the Air Force*  
16 *may carry out at Brooks Air Force Base, Texas, a dem-*  
17 *onstration project to be known as the “Base Efficiency*  
18 *Project” to improve mission effectiveness and reduce the cost*  
19 *of providing quality installation support at Brooks Air*  
20 *Force Base.*

21       *(2) The Secretary shall carry out the Project in con-*  
22 *sultation with the Community to the extent the Secretary*  
23 *determines such consultation is necessary and appropriate.*

24       *(3) The authority provided in this section is in addi-*  
25 *tion to any other authority vested in or delegated to the*

1 *Secretary, and the Secretary may exercise any authority*  
2 *or combination of authorities provided under this section*  
3 *or elsewhere to carry out the purposes of the Project.*

4       (c) *EFFICIENT PRACTICES.—(1) The Secretary may*  
5 *convert services at or for the benefit of the Base from accom-*  
6 *plishment by military personnel or by Department civilian*  
7 *employees (appropriated fund or non-appropriated fund),*  
8 *to services performed by contract or provided as consider-*  
9 *ation for the lease, sale, or other conveyance or transfer of*  
10 *property.*

11       (2) *Notwithstanding section 2462 of title 10, United*  
12 *States Code, a contract for services may be awarded based*  
13 *on “best value” if the Secretary determines that the award*  
14 *will advance the purposes of a joint activity conducted*  
15 *under the Project and is in the best interest of the Depart-*  
16 *ment.*

17       (3) *Notwithstanding that such services are generally*  
18 *funded by local and State taxes and provided without spe-*  
19 *cific charge to the public at large, the Secretary may con-*  
20 *tract for public services at or for the benefit of the Base*  
21 *in exchange for such consideration, if any, the Secretary*  
22 *determines to be appropriate.*

23       (4)(A) *The Secretary may conduct joint activities with*  
24 *the Community, the State, and any private parties or enti-*  
25 *ties on or for the benefit of the Base.*

1       (B) *Payments or reimbursements received from par-*  
2 *ticipants for their share of direct and indirect costs of joint*  
3 *activities, including the costs of providing, operating, and*  
4 *maintaining facilities, shall be in an amount and type de-*  
5 *termined to be adequate and appropriate by the Secretary.*

6       (C) *Such payments or reimbursements received by the*  
7 *Department shall be deposited into the Project Fund.*

8       (d) *LEASE AUTHORITY.—(1) The Secretary may lease*  
9 *real or personal property located on the Base to any lessee*  
10 *upon such terms and conditions as the Secretary considers*  
11 *appropriate and in the interest of the United States, if the*  
12 *Secretary determines that the lease would facilitate the pur-*  
13 *poses of the Project.*

14       (2) *Consideration for a lease under this subsection*  
15 *shall be determined in accordance with subsection (g).*

16       (3) *A lease under this subsection—*

17               (A) *may be for such period as the Secretary de-*  
18 *termines is necessary to accomplish the goals of the*  
19 *Project; and*

20               (B) *may give the lessee the first right to purchase*  
21 *the property if the lease is terminated to allow the*  
22 *United States to sell the property under any other*  
23 *provision of law.*

1       (4)(A) *The interest of a lessee of property leased under*  
2 *this subsection may be taxed by the State or the Commu-*  
3 *nity.*

4       (B) *A lease under this subsection shall provide that,*  
5 *if and to the extent that the leased property is later made*  
6 *taxable by State governments or local governments under*  
7 *Federal law, the lease shall be renegotiated.*

8       (5) *The Department may furnish a lessee with utili-*  
9 *ties, custodial services, and other base operation, mainte-*  
10 *nance, or support services, in exchange for such consider-*  
11 *ation, payment, or reimbursement as the Secretary deter-*  
12 *mines appropriate.*

13       (6) *All amounts received from leases under this sub-*  
14 *section shall be deposited into the Project Fund.*

15       (7) *A lease under this subsection shall not be subject*  
16 *to the following provisions of law:*

17               (A) *Section 2667 of title 10, United States Code,*  
18 *other than subsection (b)(1) of that section.*

19               (B) *Section 321 of the Act of June 30, 1932 (40*  
20 *U.S.C. 303b).*

21               (C) *The Federal Property and Administrative*  
22 *Services Act of 1949 (40 U.S.C. 471 et seq.).*

23       (e) *PROPERTY DISPOSAL.—(1) The Secretary may sell*  
24 *or otherwise convey or transfer real and personal property*  
25 *located at the Base to the Community or to another public*

1 *or private party during the Project, upon such terms and*  
2 *conditions as the Secretary considers appropriate for pur-*  
3 *poses of the Project.*

4 *(2) Consideration for a sale or other conveyance or*  
5 *transfer or property under this subsection shall be deter-*  
6 *mined in accordance with subsection (g).*

7 *(3) The sale or other conveyance or transfer of property*  
8 *under this subsection shall not be subject to the following*  
9 *provisions of law:*

10 *(A) Section 2693 of title 10, United States Code.*

11 *(B) The Federal Property and Administrative*  
12 *Services Act of 1949 (40 U.S.C. 471 et seq.)*

13 *(4) Cash payments received as consideration for the*  
14 *sale or other conveyance or transfer of property under this*  
15 *subsection shall be deposited into the Project Fund.*

16 *(f) LEASEBACK OF PROPERTY LEASED OR*  
17 *DISPOSED.—(1) The Secretary may lease, sell, or otherwise*  
18 *convey or transfer real property at the Base under sub-*  
19 *sections (b) and (e), as applicable, which will be retained*  
20 *for use by the Department or by another military depart-*  
21 *ment or other Federal agency, if the lessee, purchaser, or*  
22 *other grantee or transferee of the property agrees to enter*  
23 *into a leaseback to the Department in connection with the*  
24 *lease, sale, or other conveyance or transfer of one or more*

1 portions or all of the property leased, sold, or otherwise con-  
2 veyed or transferred, as applicable.

3 (2) A leaseback of real property under this subsection  
4 shall be an operating lease for no more than 20 years unless  
5 the Secretary of Defense determines that a longer term is  
6 appropriate.

7 (3)(A) Consideration, if any, for real property leased  
8 under a leaseback entered into under this subsection shall  
9 be in such form and amount as the Secretary considers ap-  
10 propriate.

11 (B) The Secretary may use funds in the Project Fund  
12 or other funds appropriated or otherwise available to the  
13 Department for use at the Base for payment of any such  
14 cash rent.

15 (4) Notwithstanding any other provision of law, the  
16 Department or other military department or other Federal  
17 agency using the real property leased under a leaseback en-  
18 tered into under this subsection may construct and erect  
19 facilities on or otherwise improve the leased property using  
20 funds appropriated or otherwise available to the Depart-  
21 ment or other military department or other Federal agency  
22 for such purpose. Funds available to the Department for  
23 such purpose include funds in the Project Fund.

24 (g) CONSIDERATION.—(1) The Secretary shall deter-  
25 mine the nature, value, and adequacy of consideration re-

1 *quired or offered in exchange for a lease, sale, or other con-*  
2 *veyance or transfer of real or personal property or for other*  
3 *actions taken under the Project.*

4 *(2) Consideration may be in cash or in-kind or any*  
5 *combination thereof. In-kind consideration may include the*  
6 *following:*

7 *(A) Real property.*

8 *(B) Personal property.*

9 *(C) Goods or services, including operation,*  
10 *maintenance, protection, repair, or restoration (in-*  
11 *cluding environmental restoration) of any property or*  
12 *facilities (including non-appropriated fund facilities).*

13 *(D) Base operating support services.*

14 *(E) Construction or improvement of Department*  
15 *facilities.*

16 *(F) Provision of facilities, including office, stor-*  
17 *age, or other usable space, for use by the Department*  
18 *on or off the Base.*

19 *(G) Public services.*

20 *(3) Consideration may not be for less than the fair*  
21 *market value.*

22 *(h) PROJECT FUND.—(1) There is established on the*  
23 *books of the Treasury a fund to be known as the “Base Effi-*  
24 *ciency Project Fund” into which all cash rents, proceeds,*  
25 *payments, reimbursements, and other amounts from leases,*

1 sales, or other conveyances or transfers, joint activities, and  
2 all other actions taken under the Project shall be deposited.  
3 All amounts deposited into the Project Fund are without  
4 fiscal year limitation.

5 (2) Amounts in the Project Fund may be used only  
6 for operation, base operating support services, maintenance,  
7 repair, construction, or improvement of Department facili-  
8 ties, payment of consideration for acquisitions of interests  
9 in real property (including payment of rentals for lease-  
10 backs), and environmental protection or restoration, in ad-  
11 dition to or in combination with other amounts appro-  
12 priated for these purposes.

13 (3) Subject to generally prescribed financial manage-  
14 ment regulations, the Secretary shall establish the structure  
15 of the Project Fund and such administrative policies and  
16 procedures as the Secretary considers necessary to account  
17 for and control deposits into and disbursements from the  
18 Project Fund effectively.

19 (4) All amounts in the Project Fund shall be available  
20 for use for the purposes authorized in paragraph (2) at the  
21 Base, except that the Secretary may redirect up to 50 per  
22 cent of amounts in the Project Fund for such uses at other  
23 installations under the control and jurisdiction of the Sec-  
24 retary as the Secretary determines necessary and in the best  
25 interest of the Department.

1           (i) *FEDERAL AGENCIES.—(1)(A) Any Federal agency,*  
2 *its contractors, or its grantees shall pay rent, in cash or*  
3 *services, for the use of facilities or property at the Base,*  
4 *in an amount and type determined to be adequate by the*  
5 *Secretary.*

6           (B) *Such rent shall generally be the fair market rental*  
7 *of the property provided, but in any case shall be sufficient*  
8 *to compensate the Base for the direct and overhead costs*  
9 *incurred by the Base due to the presence of the tenant agen-*  
10 *cy on the Base.*

11          (2) *Transfers of real or personal property at the Base*  
12 *to other Federal agencies shall be at fair market value con-*  
13 *sideration. Such consideration may be paid in cash, by ap-*  
14 *propriation transfer, or in property, goods, or services.*

15          (3) *Amounts received from other Federal agencies,*  
16 *their contractors, or grantees, including any amounts paid*  
17 *by appropriation transfer, shall be deposited in the Project*  
18 *Fund.*

19          (j) *ACQUISITION OF INTERESTS IN REAL PROPERTY.—*

20          (1) *The Secretary may acquire any interest in real property*  
21 *in and around the Community that the Secretary deter-*  
22 *mines will advance the purposes of the Project.*

23          (2) *The Secretary shall determine the value of the in-*  
24 *terest in the real property to be acquired and the consider-*  
25 *ation (if any) to be offered in exchange for the interest.*

1       (3) *The authority to acquire an interest in real prop-*  
2 *erty under this subsection includes authority to make sur-*  
3 *veys and acquire such interest by purchase, exchange, lease,*  
4 *or gift.*

5       (4) *Payments for such acquisitions may be made from*  
6 *amounts in the Project Fund or from such other funds ap-*  
7 *propriated or otherwise available to the Department for*  
8 *such purposes.*

9       (k) *REPORTS TO CONGRESS.—(1) Section 2662 of title*  
10 *10, United States Code, shall not apply to transactions at*  
11 *the Base during the Project.*

12       (2)(A) *Not later than March 1 each year, the Secretary*  
13 *shall submit to the appropriate committees of Congress a*  
14 *report on any transactions at the Base during the preceding*  
15 *fiscal year that would be subject to such section 2662, but*  
16 *for paragraph (1).*

17       (B) *The report shall include a detailed cost analysis*  
18 *of the financial savings and gains realized through joint*  
19 *activities and other actions under the Project authorized by*  
20 *this section and a description of the status of the Project.*

21       (l) *LIMITATION.—None of the authorities in this sec-*  
22 *tion shall create any legal rights in any person or entity*  
23 *except rights embodied in leases, deeds, or contracts.*

24       (m) *EXPIRATION OF AUTHORITY.—The authority to*  
25 *enter into a lease, deed, permit, license, contract, or other*

1 *agreement under this section shall expire on September 30,*  
2 *2004.*

3 *(n) DEFINITIONS.—In this section:*

4 *(1) The term “Project” means the Base Effi-*  
5 *ciency Project authorized by this section.*

6 *(2) The term “Base” means Brooks Air Force*  
7 *Base, Texas.*

8 *(3) The term “Community” means the City of*  
9 *San Antonio, Texas.*

10 *(4) The term “Department” means the Depart-*  
11 *ment of the Air Force.*

12 *(5) The term “facility” means a building, struc-*  
13 *ture, or other improvement to real property (except a*  
14 *military family housing unit as that term is used in*  
15 *subchapter IV of chapter 169 of title 10, United*  
16 *States Code).*

17 *(6) The term “joint activity” means an activity*  
18 *conducted on or for the benefit of the Base by the De-*  
19 *partment, jointly with the Community, the State, or*  
20 *any private entity, or any combination thereof.*

21 *(7) The term “Project Fund” means the Base Ef-*  
22 *ficiency Project Fund established by subsection (h).*

23 *(8) The term “public services” means public*  
24 *services (except public schools, fire protection, and po-*  
25 *lice protection) that are funded by local and State*

1 *taxes and provided without specific charge to the pub-*  
2 *lic at large.*

3 *(9) The term “Secretary” means the Secretary of*  
4 *the Air Force or the Secretary’s designee, who shall be*  
5 *a civilian official of the Department appointed by the*  
6 *President with the advice and consent of the Senate.*

7 *(10) The term “State” means the State of Texas.*

8 *SEC. 8159. (a) Subject to subsection (c) and except as*  
9 *provided in subsection (d), the Secretary of Defense may*  
10 *waive any domestic source requirement or domestic content*  
11 *requirement referred to in subsection (b) and thereby au-*  
12 *thorize procurements of items that are grown, reprocessed,*  
13 *reused, produced, or manufactured—*

14 *(1) inside a foreign country the government of*  
15 *which is a party to a reciprocal defense memorandum*  
16 *of understanding that is entered into with the Sec-*  
17 *retary of Defense and is in effect;*

18 *(2) inside the United States or its possessions; or*

19 *(3) inside the United States or its possessions*  
20 *partly or wholly from components grown, reprocessed,*  
21 *reused, produced, or manufactured outside the United*  
22 *States or its possessions.*

23 *(b) For purposes of this section:*

24 *(1) A domestic source requirement is any re-*  
25 *quirement under law that the Department of Defense*

1       *must satisfy its needs for an item by procuring an*  
2       *item that is grown, reprocessed, reused, produced, or*  
3       *manufactured in the United States, its possessions, or*  
4       *a part of the national technology and industrial base.*

5               *(2) A domestic content requirement is any re-*  
6       *quirement under law that the Department must sat-*  
7       *isfy its needs for an item by procuring an item pro-*  
8       *duced or manufactured partly or wholly from compo-*  
9       *nents grown, reprocessed, reused, produced, or manu-*  
10       *factured in the United States or its possessions.*

11       *(c) The authority to waive a requirement under sub-*  
12       *section (a) applies to procurements of items if the Secretary*  
13       *of Defense first determines that—*

14               *(1) the application of the requirement to pro-*  
15       *curements of those items would impede the reciprocal*  
16       *procurement of defense items under a memorandum of*  
17       *understanding providing for reciprocal procurement*  
18       *of defense items that is entered into between the De-*  
19       *partment of Defense and a foreign country in accord-*  
20       *ance with section 2531 of title 10, United States*  
21       *Code;*

22               *(2) the foreign country does not discriminate*  
23       *against items produced in the United States to a*  
24       *greater degree than the United States discriminates*  
25       *against items produced in that country; and*

1           (3) *one or more of the conditions set forth in sec-*  
2           *tion 2534(d) of title 10, United States Code, exists*  
3           *with respect to the procurement.*

4           (d) *LAWS NOT WAIVED.—The Secretary of Defense*  
5           *may not exercise the authority under subsection (a) to*  
6           *waive any of the following laws:*

7           (1) *The Small Business Act.*

8           (2) *The Javits-Wagner-O'Day Act (41 U.S.C.*  
9           *46–48c).*

10          (3) *Sections 7309 and 7310 of title 10, United*  
11          *States Code, with respect to ships in Federal Supply*  
12          *Class 1905.*

13          (4) *Section 9005 of Public Law 102–396 (10*  
14          *U.S.C. 2241 note), with respect to articles or items of*  
15          *textiles, apparel, shoe findings, tents, and flags listed*  
16          *in Federal Supply Classes 8305, 8310, 8315, 8320,*  
17          *8335, 8340, and 8345 and articles or items of cloth-*  
18          *ing, footwear, individual equipment, and insignia*  
19          *listed in Federal Supply Classes 8405, 8410, 8415,*  
20          *8420, 8425, 8430, 8435, 8440, 8445, 8450, 8455,*  
21          *8465, 8470, and 8475.*

22          (e) *RELATIONSHIP TO OTHER WAIVER AUTHORITY.—*  
23          *The authority under subsection (a) to waive a domestic*  
24          *source requirement or domestic content requirement is in*  
25          *addition to any other authority to waive such requirement.*

1        *SEC. 8160. In addition to funds appropriated else-*  
2 *where in this Act, the amount appropriated in title III of*  
3 *this Act under the heading “AIRCRAFT PROCUREMENT, AIR*  
4 *FORCE” is hereby increased by \$220,000,000 only to pro-*  
5 *cure four (4) F-15E aircraft: Provided, That the amount*  
6 *provided in title IV of this Act under the heading “RE-*  
7 *SEARCH, DEVELOPMENT, TEST, AND EVALUATION, DE-*  
8 *FENSE-WIDE” is hereby reduced by \$50,000,000 to reduce*  
9 *the total amount available for National Missile Defense:*  
10 *Provided further, That the amount provided in title III of*  
11 *this Act under the heading “NATIONAL GUARD AND RE-*  
12 *SERVE EQUIPMENT” is hereby reduced by \$50,000,000 on*  
13 *a pro-rata basis: Provided further, That the amount pro-*  
14 *vided in title III of this Act under the heading “AIRCRAFT*  
15 *PROCUREMENT, AIR FORCE” is hereby reduced by*  
16 *\$70,000,000 to reduce the total amount available for Spares*  
17 *and Repair Parts: Provided further, That the amount pro-*  
18 *vided in title III of this Act under the heading “AIRCRAFT*  
19 *PROCUREMENT, NAVY” is hereby reduced by \$50,000,000 to*  
20 *reduce the total amount available for Spares and Repair*  
21 *Parts.*

22        *SEC. 8161. (a) FINDINGS.—Congress makes the fol-*  
23 *lowing findings—*

24                *(1) on June 25, 1996, a bomb detonated not*  
25                *more than 80 feet from the Air Force housing complex*

1       *known as Khobar Towers in Dhahran, Saudi Arabia,*  
2       *killing 19 members of the Air Force, and injuring*  
3       *hundreds more;*

4               *(2) an FBI investigation of the bombing, soon to*  
5       *enter its fourth year, has not yet determined who was*  
6       *responsible for the attack; and*

7               *(3) the Senate in Senate Resolution 273 in the*  
8       *One Hundred Fourth Congress condemned this ter-*  
9       *rorist attack in the strongest terms and urged the*  
10       *United States Government to use all reasonable*  
11       *means available to the Government of the United*  
12       *States to punish the parties responsible for the bomb-*  
13       *ings.*

14       *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
15       *ate that—*

16               *(1) the United States Government must continue*  
17       *its investigation into the Khobar Towers bombing*  
18       *until every terrorist involved is identified, held ac-*  
19       *countable, and punished;*

20               *(2) the FBI, together with the Department of*  
21       *State, should report to Congress no later than Decem-*  
22       *ber 31, 1999, on the status of its investigation into*  
23       *the Khobar Towers bombing; and*



1 tled “McGregor Range Withdrawal—Proposed”, dated Jan-  
2 uary 1985, and withdrawn by the provisions of section 1(d)  
3 of the Military Lands Withdrawal Act of 1986. Such lands  
4 do not include any portion of the lands so withdrawn that  
5 were relinquished to the Secretary of the Interior under the  
6 provisions of that Act.

7 (4) Any of the public lands withdrawn under para-  
8 graph (1) which, as of the date of the enactment of this  
9 Act, are managed pursuant to section 603 of the Federal  
10 Land Policy and Management Act of 1976 (43 U.S.C. 1782)  
11 shall continue to be managed under that section until other-  
12 wise expressly provided by law.

13 (b) *FORT GREELY MANEUVER AREA AND FORT*  
14 *GREELY AIR DROP ZONE.*—(1) Subject to valid existing  
15 rights and except as otherwise provided in this chapter, the  
16 lands described in paragraph (3) are hereby withdrawn  
17 from all forms of appropriation under the public land laws  
18 (including the mining laws and the mineral leasing and  
19 the geothermal leasing laws), under the Act entitled “An  
20 Act to provide for the admission of the State of Alaska into  
21 the Union”, approved July 7, 1958 (48 U.S.C. note prec.  
22 21), and under the Alaska Native Claims Settlement Act  
23 (43 U.S.C. 1601 et seq.).

24 (2) Such lands are reserved for use by the Secretary  
25 of the Army for—

1           (A) *military maneuvering, training, and equip-*  
2           *ment development and testing; and*

3           (B) *subject to the requirements of section 9004(f),*  
4           *other defense-related purposes consistent with the pur-*  
5           *poses specified in this paragraph.*

6           (3)(A) *The lands referred to in paragraph (1) are—*

7           (i) *the lands comprising approximately 571,995*  
8           *acres in the Big Delta Area, Alaska, as generally de-*  
9           *scribed on the map entitled “Fort Greely Maneuver*  
10           *Area Withdrawal—Proposed”, dated January 1985,*  
11           *and withdrawn by the provisions of section 1(e) of the*  
12           *Military Lands Withdrawal Act of 1986; and*

13           (ii) *the lands comprising approximately 51,590*  
14           *acres in the Granite Creek Area, Alaska, as generally*  
15           *described on the map entitled “Fort Greely, Air Drop*  
16           *Zone Withdrawal—Proposed”, dated January 1985,*  
17           *and withdrawn by the provisions of such section.*

18           (B) *Such lands do not include any portion of the lands*  
19           *so withdrawn that were relinquished to the Secretary of the*  
20           *Interior under the provisions of that Act.*

21           (c) *FORT WAINWRIGHT MANEUVER AREA.—(1) Sub-*  
22           *ject to valid existing rights and except as otherwise provided*  
23           *in this chapter, the public lands described in paragraph*  
24           *(3) are hereby withdrawn from all forms of appropriation*  
25           *under the public land laws (including the mining laws and*

1 *the mineral leasing and the geothermal leasing laws), under*  
2 *the Act entitled “An Act to provide for the admission of*  
3 *the State of Alaska into the Union”, approved July 7, 1958*  
4 *(48 U.S.C. note prec. 21), and under the Alaska Native*  
5 *Claims Settlement Act (43 U.S.C. 1601 et seq.).*

6 (2) *Such lands are reserved for use by the Secretary*  
7 *of the Army for—*

8 (A) *military maneuvering;*

9 (B) *training for artillery firing, aerial gunnery,*  
10 *and infantry tactics; and*

11 (C) *subject to the requirements of section 9004(f),*  
12 *other defense-related purposes consistent with the pur-*  
13 *poses specified in this paragraph.*

14 (3) *The lands referred to in paragraph (1) are the*  
15 *lands comprising approximately 247,951.67 acres of land*  
16 *in the Fourth Judicial District, Alaska, as generally de-*  
17 *picted on the map entitled “Fort Wainwright Maneuver*  
18 *Area Withdrawal—Proposed”, dated January 1985, and*  
19 *withdrawn by the provisions of section 1(f) of the Military*  
20 *Lands Withdrawal Act of 1986. Such lands do not include*  
21 *any portion of the lands so withdrawn that were relin-*  
22 *quished to the Secretary of the Interior under the provisions*  
23 *of that Act.*

24 SEC. 9003. MAPS AND LEGAL DESCRIPTIONS. (a) PUB-  
25 LICATION AND FILING REQUIREMENT.—As soon as prac-

1 *licable after the date of the enactment of this Act, the Sec-*  
2 *retary of the Interior shall—*

3           (1) *publish in the Federal Register a notice con-*  
4 *taining the legal description of the lands withdrawn*  
5 *by this chapter; and*

6           (2) *file maps and the legal description of the*  
7 *lands withdrawn by this chapter with the Committee*  
8 *on Energy and Natural Resources of the Senate and*  
9 *the Committee on Resources of the House of Rep-*  
10 *resentatives.*

11       (b) *TECHNICAL CORRECTIONS.—Such maps and legal*  
12 *descriptions shall have the same force and effect as if they*  
13 *were included in this chapter except that the Secretary of*  
14 *the Interior may correct clerical and typographical errors*  
15 *in such maps and legal descriptions.*

16       (c) *AVAILABILITY FOR PUBLIC INSPECTION.—Copies of*  
17 *such maps and legal descriptions shall be available for pub-*  
18 *lic inspection in the following offices:*

19           (1) *The Office of the Secretary of Defense.*

20           (2) *The offices of the Director and appropriate*  
21 *State Directors of the Bureau of Land Management.*

22           (3) *The offices of the Director and appropriate*  
23 *Regional Directors of the United States Fish and*  
24 *Wildlife Service.*

1           (4) *The office of the commander, McGregor*  
2           *Range.*

3           (5) *The office of the installation commander,*  
4           *Fort Richardson, Alaska.*

5           (d) *REIMBURSEMENT.—The Secretary of Defense shall*  
6           *reimburse the Secretary of the Interior for any costs in-*  
7           *curring by the Secretary of the Interior in carrying out this*  
8           *section.*

9           SEC. 9004. *MANAGEMENT OF WITHDRAWN LANDS. (a)*  
10          *MANAGEMENT BY SECRETARY OF THE INTERIOR.—(1) The*  
11          *Secretary of the Interior shall manage the lands withdrawn*  
12          *by this chapter pursuant to the Federal Land Policy and*  
13          *Management Act of 1976 (43 U.S.C. 1701 et seq.) and other*  
14          *applicable law, including the Recreation Use of Wildlife*  
15          *Areas Act of 1962 (16 U.S.C. 460k et seq.) and this chapter.*  
16          *The Secretary shall manage such lands through the Bureau*  
17          *of Land Management.*

18          (2) *To the extent consistent with applicable law and*  
19          *Executive orders, the lands withdrawn by this chapter may*  
20          *be managed in a manner permitting—*

21                  (A) *the continuation of grazing pursuant to ap-*  
22                  *licable law and Executive orders where permitted on*  
23                  *the date of the enactment of this Act;*

24                  (B) *protection of wildlife and wildlife habitat;*

25                  (C) *control of predatory and other animals;*

1           (D) recreation; and

2           (E) the prevention and appropriate suppression  
3       of brush and range fires resulting from nonmilitary  
4       activities.

5       (3)(A) All nonmilitary use of the lands withdrawn by  
6       this chapter, other than the uses described in paragraph (2),  
7       shall be subject to such conditions and restrictions as may  
8       be necessary to permit the military use of such lands for  
9       the purposes specified in or authorized pursuant to this  
10      chapter.

11       (B) The Secretary of the Interior may issue any lease,  
12      easement, right-of-way, or other authorization with respect  
13      to the nonmilitary use of such lands only with the concur-  
14      rence of the Secretary of the military department concerned.

15       (b) CLOSURE TO PUBLIC.—(1) If the Secretary of the  
16      military department concerned determines that military  
17      operations, public safety, or national security require the  
18      closure to public use of any road, trail, or other portion  
19      of the lands withdrawn by this chapter, that Secretary may  
20      take such action as that Secretary determines necessary to  
21      effect and maintain such closure.

22       (2) Any such closure shall be limited to the minimum  
23      areas and periods which the Secretary of the military de-  
24      partment concerned determines are required to carry out  
25      this subsection.

1       (3) *During any closure under this subsection, the Sec-*  
2 *retary of the military department concerned shall—*

3           (A) *keep appropriate warning notices posted;*  
4       *and*

5           (B) *take appropriate steps to notify the public*  
6 *concerning such closures.*

7       (c) *MANAGEMENT PLAN.—(1)(A) The Secretary of the*  
8 *Interior (after consultation with the Secretary of the mili-*  
9 *tary department concerned) shall develop a plan for the*  
10 *management of each area withdrawn by this chapter.*

11       (2) *Each plan shall—*

12           (A) *be consistent with applicable law;*

13           (B) *be subject to conditions and restrictions spec-*  
14 *ified in subsection (a)(3); and*

15           (C) *include such provisions as may be necessary*  
16 *for proper management and protection of the re-*  
17 *sources and values of such areas.*

18       (3) *The Secretary of the Interior shall develop each*  
19 *plan required by this subsection not later than three years*  
20 *after the date of the enactment of this Act. In developing*  
21 *a plan for an area, the Secretary may utilize or modify*  
22 *appropriate provisions of the management plan developed*  
23 *for the area under section 3(c) of the Military Lands With-*  
24 *drawal Act of 1986.*

1           (d) *BRUSH AND RANGE FIRES.*—(1) *The Secretary of*  
2 *the military department concerned shall take necessary pre-*  
3 *cautions to prevent and suppress brush and range fires oc-*  
4 *curring within and outside the lands withdrawn by this*  
5 *chapter as a result of military activities and may seek as-*  
6 *sistance from the Bureau of Land Management in the sup-*  
7 *pression of such fires.*

8           (2) *Each memorandum of understanding required by*  
9 *subsection (e) shall provide for Bureau of Land Manage-*  
10 *ment assistance in the suppression of fires referred to in*  
11 *paragraph (1) in the area covered by the memorandum of*  
12 *understanding, and for a transfer of funds from the mili-*  
13 *tary department concerned to the Bureau of Land Manage-*  
14 *ment as compensation for such assistance.*

15           (e) *MEMORANDUM OF UNDERSTANDING.*—(1) *The Sec-*  
16 *retary of the Interior and the Secretary of the military de-*  
17 *partment concerned shall (with respect to each area with-*  
18 *drawn by section 9002) enter into a memorandum of under-*  
19 *standing to implement the management plan developed*  
20 *under subsection (c).*

21           (2) *Each memorandum of understanding shall provide*  
22 *that the Director of the Bureau of Land Management shall*  
23 *provide assistance in the suppression of fires resulting from*  
24 *the military use of lands withdrawn by this chapter if re-*

1 *quested by the Secretary of the military department con-*  
2 *cerned.*

3       (f) *ADDITIONAL MILITARY USES.*—(1) *The lands with-*  
4 *drawn by this chapter may be used for defense-related uses*  
5 *other than those specified in the applicable provision of sec-*  
6 *tion 9002. The use of such lands for such purposes shall*  
7 *be governed by all laws applicable to such lands, including*  
8 *this chapter.*

9       (2)(A) *The Secretary of Defense shall promptly notify*  
10 *the Secretary of the Interior in the event that the lands*  
11 *withdrawn by this chapter will be used for defense-related*  
12 *purposes other than those specified in section 9002.*

13       (B) *Such notification shall indicate the additional use*  
14 *or uses involved, the proposed duration of such uses, and*  
15 *the extent to which such additional military uses of the*  
16 *lands will require that additional or more stringent condi-*  
17 *tions or restrictions be imposed on otherwise-permitted non-*  
18 *military uses of the land or portions thereof.*

19       (3) *Subject to valid existing rights, the Secretary of*  
20 *the military department concerned may utilize sand, grav-*  
21 *el, or similar mineral or material resources on the lands*  
22 *withdrawn by this chapter when the use of such resources*  
23 *is required to meet the construction needs of the military*  
24 *department concerned on the lands withdrawn by this chap-*  
25 *ter.*

1        *SEC. 9005. LAND MANAGEMENT ANALYSIS. (a) PERI-*  
2 *ODIC ANALYSIS REQUIRED.—Not later than 10 years after*  
3 *the date of the enactment of this Act, and every 10 years*  
4 *thereafter, the Secretary of the military department con-*  
5 *cerned shall, in consultation with the Secretary of the Inte-*  
6 *rior, conduct an analysis of the degree to which the manage-*  
7 *ment of the lands withdrawn by this chapter conforms to*  
8 *the requirements of laws applicable to the management of*  
9 *such lands, including this chapter.*

10        *(b) DEADLINE.—Each analysis under this section shall*  
11 *be completed not later than 270 days after the commence-*  
12 *ment of such analysis.*

13        *(c) LIMITATION ON COST.—The cost of each analysis*  
14 *under this section may not exceed \$900,000 in constant*  
15 *1999 dollars.*

16        *(d) REPORT.—Not later than 90 days after the date*  
17 *of the completion of an analysis under this section, the Sec-*  
18 *retary of the military department concerned shall submit*  
19 *to Congress a report on the analysis. The report shall set*  
20 *forth the results of the analysis and include any other mat-*  
21 *ters relating to the management of the lands withdrawn by*  
22 *this chapter that such Secretary considers appropriate.*

23        *SEC. 9006. ONGOING ENVIRONMENTAL RESTORATION.*  
24 *(a) REQUIREMENT.—To the extent provided in advance in*  
25 *appropriations Acts, the Secretary of the military depart-*

1 *ment concerned shall carry out a program to provide for*  
2 *the environmental restoration of the lands withdrawn by*  
3 *this chapter in order to ensure a level of environmental de-*  
4 *contamination of such lands equivalent to the level of envi-*  
5 *ronmental decontamination that exists on such lands as of*  
6 *the date of the enactment of this Act.*

7       **(b) REPORTS.**—(1) *At the same time the President sub-*  
8 *mits to Congress the budget for any fiscal year after fiscal*  
9 *year 2000, the Secretary of the military department con-*  
10 *cerned shall submit to the committees referred to in para-*  
11 *graph (2) a report on environmental restoration activities*  
12 *relating to the lands withdrawn by this chapter. The report*  
13 *shall satisfy the requirements of section 2706(a) of title 10,*  
14 *United States Code, with respect to the activities on such*  
15 *lands.*

16       (2) *The committees referred to in paragraph (1) are*  
17 *the Committees on Appropriations, Armed Services, and*  
18 *Energy and Natural Resources of the Senate and the Com-*  
19 *mittees on Appropriations, Armed Services, and Resources*  
20 *of the House of Representatives.*

21       **SEC. 9007. RELINQUISHMENT.** (a) **AUTHORITY.**—*The*  
22 *Secretary of the military department concerned may relin-*  
23 *quish all or any of the lands withdrawn by this chapter*  
24 *to the Secretary of the Interior.*

1           (b) *NOTICE.*—*If the Secretary of the military depart-*  
2 *ment concerned determines to relinquish any lands with-*  
3 *drawn by this chapter under subsection (a), that Secretary*  
4 *shall transmit to the Secretary of the Interior a notice of*  
5 *intent to relinquish such lands.*

6           (c) *DETERMINATION OF CONTAMINATION.*—(1) *Before*  
7 *transmitting a notice of intent to relinquish any lands*  
8 *under subsection (b), the Secretary of Defense, acting*  
9 *through the military department concerned, shall determine*  
10 *whether and to what extent such lands are contaminated*  
11 *with explosive, toxic, or other hazardous materials.*

12           (2) *A copy of a determination with respect to any*  
13 *lands under paragraph (1) shall be transmitted to the Sec-*  
14 *retary of the Interior together with the notice of intent to*  
15 *relinquish such lands under subsection (b).*

16           (3) *Copies of both the notice of intent to relinquish*  
17 *lands under subsection (b) and the determination regarding*  
18 *the contamination of such lands under this subsection shall*  
19 *be published in the Federal Register by the Secretary of the*  
20 *Interior.*

21           (d) *DECONTAMINATION.*—(1) *If any land subject to a*  
22 *notice of intent to relinquish under subsection (a) is con-*  
23 *taminated, and the Secretary of the Interior, in consulta-*  
24 *tion with the Secretary of the military department con-*  
25 *cerned, makes the determination described in paragraph*

1 (2), the Secretary of the military department concerned  
2 shall, to the extent provided in advance in appropriations  
3 Acts, undertake the environmental decontamination of the  
4 land.

5 (2) A determination referred to in this paragraph is  
6 a determination that—

7 (A) decontamination of the land concerned is  
8 practicable and economically feasible (taking into  
9 consideration the potential future use and value of the  
10 land); and

11 (B) upon decontamination, the land could be  
12 opened to operation of some or all of the public land  
13 laws, including the mining laws.

14 (e) ALTERNATIVES.—(1) If a circumstance described  
15 in paragraph (2) arises with respect to any land which is  
16 covered by a notice of intent to relinquish under subsection  
17 (a), the Secretary of the Interior shall not be required to  
18 accept the land under this section.

19 (2) A circumstance referred to in this paragraph is—

20 (A) a determination by the Secretary of the Inte-  
21 rior, in consultation with the Secretary of the mili-  
22 tary department concerned that—

23 (i) decontamination of the land is not prac-  
24 ticable or economically feasible; or

1           (ii) the land cannot be decontaminated to a  
2           sufficient extent to permit its opening to the op-  
3           eration of some or all of the public land laws; or  
4           (B) the appropriation by Congress of amounts  
5           that are insufficient to provide for the decontamina-  
6           tion of the land.

7           (f) *STATUS OF CONTAMINATED LANDS.*—If, because of  
8           their contaminated state, the Secretary of the Interior de-  
9           clines to accept jurisdiction over lands withdrawn by this  
10          chapter which have been proposed for relinquishment under  
11          subsection (a)—

12           (1) the Secretary of the military department con-  
13          cerned shall take appropriate steps to warn the public  
14          of the contaminated state of such lands and any risks  
15          associated with entry onto such lands; and

16           (2) the Secretary of the military department con-  
17          cerned shall report to the Secretary of the Interior  
18          and to Congress concerning the status of such lands  
19          and all actions taken in furtherance of this sub-  
20          section.

21           (g) *REVOCAION OF AUTHORITY.*—(1) Notwith-  
22          standing any other provision of law, the Secretary of the  
23          Interior may, upon deciding that it is in the public interest  
24          to accept jurisdiction over lands proposed for relinquish-

1 *ment pursuant to subsection (a), revoke the withdrawal es-*  
2 *tablished by this chapter as it applies to such lands.*

3 *(2) Should the decision be made to revoke the with-*  
4 *drawal, the Secretary of the Interior shall publish in the*  
5 *Federal Register an appropriate order which shall—*

6 *(A) terminate the withdrawal;*

7 *(B) constitute official acceptance of full jurisdic-*  
8 *tion over the lands by the Secretary of the Interior;*  
9 *and*

10 *(C) state the date upon which the lands will be*  
11 *opened to the operation of some or all of the public*  
12 *lands laws, including the mining laws.*

13 *(h) TREATMENT OF CERTAIN RELINQUISHED*  
14 *LANDS.—Any lands withdrawn by section 9002(b) or*  
15 *9002(c) that are relinquished under this section shall be*  
16 *public lands under the jurisdiction of the Bureau of Land*  
17 *Management and shall be consider vacant, unreserved, and*  
18 *unappropriated for purposes of the public land laws.*

19 *SEC. 9008. DELEGABILITY. (a) DEFENSE.—The func-*  
20 *tions of the Secretary of Defense or of the Secretary of a*  
21 *military department under this chapter may be delegated.*

22 *(b) INTERIOR.—The functions of the Secretary of the*  
23 *Interior under this chapter may be delegated, except that*  
24 *an order described in section 9007(g) may be approved and*  
25 *signed only by the Secretary of the Interior, the Under Sec-*

1 *retary of the Interior, or an Assistant Secretary of the Inte-*  
2 *rior.*

3       *SEC. 9009. WATER RIGHTS. Nothing in this chapter*  
4 *shall be construed to establish a reservation to the United*  
5 *States with respect to any water or water right on the lands*  
6 *described in section 9002. No provision of this chapter shall*  
7 *be construed as authorizing the appropriation of water on*  
8 *lands described in section 9002 by the United States after*  
9 *the date of the enactment of this Act except in accordance*  
10 *with the law of the relevant State in which lands described*  
11 *in section 9002 are located. This section shall not be con-*  
12 *strued to affect water rights acquired by the United States*  
13 *before the date of the enactment of this Act.*

14       *SEC. 9010. HUNTING, FISHING, AND TRAPPING. All*  
15 *hunting, fishing, and trapping on the lands withdrawn by*  
16 *this chapter shall be conducted in accordance with the pro-*  
17 *visions of section 2671 of title 10, United States Code.*

18       *SEC. 9011. MINING AND MINERAL LEASING. (a) DE-*  
19 *TERMINATION OF LANDS SUITABLE FOR OPENING.—(1) As*  
20 *soon as practicable after the date of the enactment of this*  
21 *Act and at least every five years thereafter, the Secretary*  
22 *of the Interior shall determine, with the concurrence of the*  
23 *Secretary of the military department concerned, which pub-*  
24 *lic and acquired lands (except as provided in this sub-*  
25 *section) described in subsections (a), (b), and (c) of section*

1 9002 the Secretary of the Interior considers suitable for  
2 opening to the operation of the Mining Law of 1872, the  
3 Mineral Lands Leasing Act of 1920, the Mineral Leasing  
4 Act for Acquired Lands of 1947, the Geothermal Steam Act  
5 of 1970, or any one or more of such Acts.

6 (2) The Secretary of the Interior shall publish a notice  
7 in the Federal Register listing the lands determined suitable  
8 for opening pursuant to this section and specifying the  
9 opening date.

10 (b) OPENING LANDS.—On the day specified by the Sec-  
11 retary of the Interior in a notice published in the Federal  
12 Register pursuant to subsection (a), the land identified  
13 under subsection (a) as suitable for opening to the operation  
14 of one or more of the laws specified in subsection (a) shall  
15 automatically be open to the operation of such laws without  
16 the necessity for further action by the Secretary or Congress.

17 (c) EXCEPTION FOR COMMON VARIETIES.—No deposit  
18 of minerals or materials of the types identified by section  
19 3 of the Act of July 23, 1955 (69 Stat. 367), whether or  
20 not included in the term “common varieties” in that Act,  
21 shall be subject to location under the Mining Law of 1872  
22 on lands described in section 9002.

23 (d) REGULATIONS.—(1) The Secretary of the Interior,  
24 with the advice and concurrence of the Secretary of the mili-  
25 tary department concerned, shall prescribe such regulations

1 *to implement this section as may be necessary to assure*  
2 *safe, uninterrupted, and unimpeded use of the lands de-*  
3 *scribed in section 9002 for military purposes.*

4       *(2) Such regulations shall contain guidelines to assist*  
5 *mining claimants in determining how much, if any, of the*  
6 *surface of any lands opened pursuant to this section may*  
7 *be used for purposes incident to mining.*

8       *(e) CLOSURE OF MINING LANDS.—In the event of a*  
9 *national emergency or for purposes of national defense or*  
10 *security, the Secretary of the Interior, at the request of the*  
11 *Secretary of the military department concerned, shall close*  
12 *any lands that have been opened to mining or to mineral*  
13 *or geothermal leasing pursuant to this section.*

14       *(f) LAWS GOVERNING MINING ON WITHDRAWN*  
15 *LANDS.—(1) Except as otherwise provided in this chapter,*  
16 *mining claims located pursuant to this chapter shall be sub-*  
17 *ject to the provisions of the mining laws. In the event of*  
18 *a conflict between those laws and this chapter, this chapter*  
19 *shall prevail.*

20       *(2) All mining claims located under the terms of this*  
21 *chapter shall be subject to the provisions of the Federal*  
22 *Land Policy and Management Act of 1976 (43 U.S.C. 1701*  
23 *et seq.).*

24       *(g) PATENTS.—(1) Patents issued pursuant to this*  
25 *chapter for locatable minerals shall convey title to locatable*

1 *minerals only, together with the right to use so much of*  
2 *the surface as may be necessary for purposes incident to*  
3 *mining under the guidelines for such use established by the*  
4 *Secretary of the Interior by regulation.*

5 (2) *All such patents shall contain a reservation to the*  
6 *United States of the surface of all lands patented and of*  
7 *all nonlocatable minerals on those lands.*

8 (3) *For the purposes of this subsection, all minerals*  
9 *subject to location under the Mining Law of 1872 shall be*  
10 *treated as locatable minerals.*

11 *SEC. 9012. IMMUNITY OF UNITED STATES. The United*  
12 *States and all departments or agencies thereof shall be held*  
13 *harmless and shall not be liable for any injuries or damages*  
14 *to persons or property suffered in the course of any mining*  
15 *or mineral or geothermal leasing activity conducted on*  
16 *lands described in section 9002.*

17 *CHAPTER 2*

18 *McGREGOR RANGE LAND WITHDRAWAL*

19 *SEC. 9051. SHORT TITLE. This chapter may be cited*  
20 *as the “McGregor Range Withdrawal Act”.*

21 *SEC. 9052. DEFINITIONS. In this chapter:*

22 (1) *The term “Materials Act” means the Act of*  
23 *July 31, 1947 (commonly known as the Materials Act*  
24 *of 1947; 30 U.S.C. 601–604).*

1           (2) *The term “management plan” means the*  
2           *natural resources management plan prepared by the*  
3           *Secretary of the Army pursuant to section 9055(e).*

4           (3) *The term “withdrawn lands” means the*  
5           *lands described in subsection (d) of section 9053 that*  
6           *are withdrawn and reserved under section 9053.*

7           (4) *The term “withdrawal period” means the pe-*  
8           *riod specified in section 9057(a).*

9           SEC. 9053. WITHDRAWAL AND RESERVATION OF  
10          LANDS AT MCGREGOR RANGE, NEW MEXICO. (a) WITH-  
11          DRAWAL.—*Subject to valid existing rights, and except as*  
12          *otherwise provided in this chapter, the Federal lands at*  
13          *McGregor Range in the State of New Mexico that are de-*  
14          *scribed in subsection (d) are hereby withdrawn from all*  
15          *forms of appropriation under the public land laws, includ-*  
16          *ing the mining laws, but not the Materials Act.*

17          (b) PURPOSE.—*The purpose of the withdrawal is to*  
18          *support military training and testing, all other uses of the*  
19          *withdrawn lands shall be secondary in nature.*

20          (c) RESERVATION.—*The withdrawn lands are reserved*  
21          *for use by the Secretary of the Army for military training*  
22          *and testing.*

23          (d) LAND DESCRIPTION.—*The lands withdrawn and*  
24          *reserved by this section (a) comprise approximately 608,000*  
25          *acres of Federal land in Otero County, New Mexico, as gen-*

1 erally depicted on the map entitled “McGregor Range Land  
2 Withdrawal-Proposed,” dated January \_\_\_\_, 1999, and  
3 filed in accordance with section 9054.

4       *SEC. 9054. MAPS AND LEGAL DESCRIPTION. (a) PREP-*  
5 *ARATION OF MAPS AND LEGAL DESCRIPTION.—As soon as*  
6 *practicable after the date of the enactment of this Act, the*  
7 *Secretary of the Interior shall—*

8           *(1) publish in the Federal Register a notice con-*  
9 *taining the legal description of the withdrawn lands;*  
10 *and*

11           *(2) file one or more maps of the withdrawn*  
12 *lands and the legal description of the withdrawn*  
13 *lands with the Committee on Energy and Natural Re-*  
14 *sources of the Senate and with the Committee on Re-*  
15 *sources of the House of Representatives.*

16       *(b) LEGAL EFFECT.—The maps and legal description*  
17 *shall have the same force and effect as if they were included*  
18 *in this chapter, except that the Secretary of the Interior*  
19 *may correct clerical and typographical errors in the maps*  
20 *and legal description.*

21       *(c) AVAILABILITY.—Copies of the maps and the legal*  
22 *description shall be available for public inspection in the*  
23 *offices of the New Mexico State Director and Las Cruces*  
24 *Field Office Manager of the Bureau of Land Management*

1 *and in the office of the Commander Officer of Fort Bliss,*  
2 *Texas.*

3       *SEC. 9055. MANAGEMENT OF WITHDRAWN LANDS. (a)*  
4 *GENERAL MANAGEMENT AUTHORITY.—During the with-*  
5 *drawal period, the Secretary of the Army shall manage the*  
6 *withdrawn lands, in accordance with the provisions of this*  
7 *chapter and the management plan prepared under sub-*  
8 *section (e), for the military purposes specified in section*  
9 *9053(c).*

10       *(b) ACCESS RESTRICTIONS.—*

11           *(1) AUTHORITY TO CLOSE.—Subject to para-*  
12 *graph (2), if the Secretary of the Army determines*  
13 *that military operations, public safety, or national se-*  
14 *curity require the closure to public use of any portion*  
15 *of the withdrawn lands (including any road or trail*  
16 *therein) commonly in public use, the Secretary of the*  
17 *Army is authorized to take such action.*

18           *(2) REQUIREMENTS.—Any closure under para-*  
19 *graph (1) shall be limited to the minimum areas and*  
20 *periods required for the purposes specified in such*  
21 *paragraph. During a closure, the Secretary of the*  
22 *Army shall keep appropriate warning notices posted*  
23 *and take appropriate steps to notify the public about*  
24 *the closure.*

1       (c) *MANAGEMENT OF WITHDRAWN AND ACQUIRED*  
2 *MINERAL RESOURCES.*—

3           (1) *IN GENERAL.*—*Except as provided in para-*  
4 *graph (2), the Secretary of the Interior shall manage*  
5 *all withdrawn and acquired mineral resources within*  
6 *the boundaries of McGregor Range in accordance with*  
7 *Public Law 85–337 (commonly known as the Engle*  
8 *Act; 43 U.S.C. 155–158).*

9           (2) *MANAGEMENT OF MINERAL MATERIALS.*—  
10 *Notwithstanding any other provision of this chapter*  
11 *or the Materials Act, the Secretary of the Army may*  
12 *use, from the withdrawn lands, sand, gravel, or simi-*  
13 *lar mineral material resources of the type subject to*  
14 *disposition under the Materials Act, when the use of*  
15 *such resources is required for construction needs of*  
16 *Fort Bliss.*

17       (d) *HUNTING, FISHING, AND TRAPPING.*—*All hunting,*  
18 *fishing, and trapping on the withdrawn lands shall be con-*  
19 *ducted in accordance with section 2671 of title 10, United*  
20 *States Code, and the Sikes Act (16 U.S.C. 670 et seq.).*

21       (e) *MANAGEMENT PLAN.*—

22           (1) *REQUIRED.*—*The Secretary of the Army and*  
23 *the Secretary of the Interior shall jointly develop a*  
24 *natural resources management plan for the lands*  
25 *withdrawn under this chapter for the withdrawal pe-*

1        *riod. The management plan shall be developed not*  
2        *later than three years after the date of the enactment*  
3        *of this Act and shall be reviewed at least once every*  
4        *five years after its adoption to determine if it should*  
5        *be amended.*

6            (2) *CONTENT.—The management plan shall—*

7                    (A) *include provisions for proper manage-*  
8                    *ment and protection of the natural, cultural, and*  
9                    *other resources and values of the withdrawn*  
10                   *lands and for use of such resources to the extent*  
11                   *consistent with the purpose of the withdrawal*  
12                   *specified in section 9053(b);*

13                   (B) *identify the withdrawn lands (if any)*  
14                   *that are suitable for opening to the operation of*  
15                   *the mineral leasing or geothermal leasing laws;*  
16                   (C) *provide for the continuation of livestock*  
17                   *grazing at the discretion of the Secretary of the*  
18                   *Army under such authorities as are available to*  
19                   *the Secretary; and*

20                   (D) *provide that the Secretary of the Army*  
21                   *shall take necessary precautions to prevent, sup-*  
22                   *press, or manage brush and range fires occurring*  
23                   *within the boundaries of McGregor Range, as*  
24                   *well as brush and range fires occurring outside*

1           *the boundaries of McGregor Range resulting from*  
2           *military activities at the range.*

3           (3) *FIRE SUPPRESSION ASSISTANCE.*—*The Sec-*  
4           *retary of the Army may seek assistance from the Bu-*  
5           *reau of Land Management in suppressing any brush*  
6           *or range fire occurring within the boundaries of*  
7           *McGregor Range or any brush or range fire occurring*  
8           *outside the boundaries of McGregor Range resulting*  
9           *from military activities at the range. The memo-*  
10          *randum of understanding under section 9056 shall*  
11          *provide for assistance from the Bureau of Land Man-*  
12          *agement in the suppression of such fires and require*  
13          *the Secretary of the Army to reimburse the Bureau of*  
14          *Land Management for such assistance.*

15          *SEC. 9056. MEMORANDUM OF UNDERSTANDING. (a)*  
16          *REQUIREMENT.*—*The Secretary of the Army and the Sec-*  
17          *retary of the Interior shall enter into a memorandum of*  
18          *understanding to implement this chapter and the manage-*  
19          *ment plan.*

20          (i) *DURATION.*—*The duration of the memorandum of*  
21          *understanding shall be the same as the withdrawal period.*

22          (ii) *AMENDMENT.*—*The memorandum of under-*  
23          *standing may be amended by agreement of both Secretaries.*

24          *SEC. 9057. TERMINATION OF WITHDRAWAL AND RES-*  
25          *ERVATION; EXTENSION. (a) TERMINATION DATE.*—*The*

1 *withdrawal and reservation made by this chapter shall ter-*  
2 *minate 50 years after the date of enactment of this Act.*

3 *(b) REQUIREMENTS FOR EXTENSION.—*

4 *(1) NOTICE OF CONTINUED MILITARY NEED.—*

5 *Not later than five years before the end of the with-*  
6 *drawal period, the Secretary of the Army shall advise*  
7 *the Secretary of the Interior as to whether or not the*  
8 *Army will have a continuing military need for any*  
9 *or all of the withdrawn lands after the end of the*  
10 *withdrawal period.*

11 *(2) APPLICATION FOR EXTENSION.—If the Sec-*  
12 *retary of the Army determines that there will be a*  
13 *continuing military need for any or all of the with-*  
14 *drawn lands after the end of the withdrawal period,*  
15 *the Secretary of the Army shall file an application for*  
16 *extension of the withdrawal and reservation of the*  
17 *lands in accordance with the then existing regulations*  
18 *and procedures of the Department of the Interior ap-*  
19 *plicable to extension of withdrawal of lands for mili-*  
20 *tary purposes and that are consistent with this chap-*  
21 *ter. The application shall be filed with the Depart-*  
22 *ment of the Interior not later than four years before*  
23 *the end of the withdrawal period.*

1           (c) *LIMITATION ON EXTENSION.*—*The withdrawal and*  
2 *reservation made by this chapter may not be extended or*  
3 *renewed except by Act or joint resolution.*

4           *SEC. 9058. RELINQUISHMENT OF WITHDRAWN LANDS.*

5           (a) *FILING OF RELINQUISHMENT NOTICE.*—*If, during the*  
6 *withdrawal period, the Secretary of the Army decides to*  
7 *relinquish all or any portion of the withdrawn lands, the*  
8 *Secretary of the Army shall file a notice of intention to re-*  
9 *linquish with the Secretary of the Interior.*

10          (b) *DETERMINATION OF PRESENCE OF CONTAMINA-*  
11 *TION.*—*Before transmitting a relinquishment notice under*  
12 *subsection (a), the Secretary of the Army, in consultation*  
13 *with the Secretary of the Interior, shall prepare a written*  
14 *determination concerning whether and to what extent the*  
15 *lands to be relinquished are contaminated with explosive,*  
16 *toxic, or other hazardous wastes and substances. A copy of*  
17 *such determination shall be transmitted with the relinquis-*  
18 *ment notice.*

19          (c) *DECONTAMINATION AND REMEDIATION.*—*In the*  
20 *case of contaminated lands which are the subject of a relin-*  
21 *quishment notice, the Secretary of the Army shall decon-*  
22 *taminate or remediate the land to the extent that funds are*  
23 *appropriated for such purpose if the Secretary of the Inte-*  
24 *rior, in consultation with the Secretary of the Army, deter-*  
25 *mines that—*

1           (1) *decontamination or remediation of the lands*  
2           *is practicable and economically feasible, taking into*  
3           *consideration the potential future use and value of the*  
4           *land; and*

5           (2) *upon decontamination or remediation, the*  
6           *land could be opened to the operation of some or all*  
7           *of the public land laws, including the mining laws.*

8           (d) *DECONTAMINATION AND REMEDIATION ACTIVITIES*  
9           *SUBJECT TO OTHER LAWS.—The activities of the Secretary*  
10          *of the Army under subsection (c) are subject to applicable*  
11          *laws and regulations, including the Defense Environmental*  
12          *Restoration Program established under section 2701 of title*  
13          *10, United States Code, the Comprehensive Environmental*  
14          *Response Compensation and Liability Act of 1980 (42*  
15          *U.S.C. 9601 et seq.), and the Solid Waste Disposal Act (42*  
16          *U.S.C. 6901 et seq.).*

17          (e) *AUTHORITY OF SECRETARY OF THE INTERIOR TO*  
18          *REFUSE CONTAMINATED LANDS.—The Secretary of the In-*  
19          *terior shall not be required to accept lands specified in a*  
20          *relinquishment notice if the Secretary of the Interior, after*  
21          *consultation with the Secretary of the Army, concludes*  
22          *that—*

23                 (1) *decontamination or remediation of any land*  
24                 *subject to the relinquishment notice is not practicable*  
25                 *or economically feasible;*

1           (2) *the land cannot be decontaminated or reme-*  
2           *diated sufficiently to be opened to operation of some*  
3           *or all of the public land laws; or*

4           (3) *a sufficient amount of funds are not appro-*  
5           *priated for the decontamination of the land.*

6           (f) *STATUS OF CONTAMINATED LANDS.—If, because of*  
7           *the condition of the lands, the Secretary of the Interior de-*  
8           *clines to accept jurisdiction of lands proposed for relin-*  
9           *quishment or, if at the expiration of the withdrawal made*  
10          *under this chapter, the Secretary of the Interior determines*  
11          *that some of the withdrawn lands are contaminated to an*  
12          *extent which prevents opening such contaminated lands to*  
13          *operation of the public land laws—*

14                 (1) *the Secretary of the Army shall take appro-*  
15                 *priate steps to warn the public of the contaminated*  
16                 *state of such lands and any risks associated with*  
17                 *entry onto such lands;*

18                 (2) *after the expiration of the withdrawal, the*  
19                 *Secretary of the Army shall retain jurisdiction over*  
20                 *the withdrawn lands, but shall undertake no activities*  
21                 *on such lands except in connection with the decon-*  
22                 *tamination or remediation of such lands; and*

23                 (3) *the Secretary of the Army shall report to the*  
24                 *Secretary of the Interior and to the Congress con-*

1       cerning the status of such lands and all actions taken  
2       under paragraphs (1) and (2).

3       (g) *SUBSEQUENT DECONTAMINATION OR REMEDI-*  
4 *ATION.*—If lands covered by subsection (f) are subsequently  
5 decontaminated or remediated and the Secretary of the  
6 Army certifies that the lands are safe for nonmilitary uses,  
7 the Secretary of the Interior shall reconsider accepting ju-  
8 risdiction over the lands.

9       (h) *REVOCAION AUTHORITY.*—Notwithstanding any  
10 other provision of law, upon deciding that it is in the public  
11 interest to accept jurisdiction over lands specified in a re-  
12 linquishment notice, the Secretary of the Interior may re-  
13 voke the withdrawal and reservation made under this chap-  
14 ter as it applies to such lands. If the decision be made to  
15 accept the relinquishment and to revoke the withdrawal and  
16 reservation, the Secretary of the Interior shall publish in  
17 the *Federal Register* an appropriate order which shall—

18               (1) terminate the withdrawal and reservation;

19               (2) constitute official acceptance of full jurisdic-  
20       tion over the lands by the Secretary of the Interior;  
21       and

22               (3) state the date upon which the lands will be  
23       opened to the operation of the public land laws, in-  
24       cluding the mining laws, if appropriate.



1           (3) *Section 2(b)(4) of the Export Import Bank*  
2           *Act of 1945 (12 U.S.C. 635(b)(4)).*

3           (b) *SPECIAL RULE FOR COMMERCIAL EXPORTS OF*  
4 *DUAL-USE ARTICLES AND TECHNOLOGY.—The sanction*  
5 *contained in section 102(b)(2)(G) of the Arms Export Con-*  
6 *trol Act (22 U.S.C. 2799aa–1(b)(2)(G)) shall not apply to*  
7 *India or Pakistan with respect to any grounds for the impo-*  
8 *sition of that sanction arising prior to the date of enact-*  
9 *ment of this Act if imposition of the sanction (but for this*  
10 *paragraph) would deny any license for the export of any*  
11 *dual-use article, or related dual-use technology (including*  
12 *software), listed on the Commerce Control List of the Export*  
13 *Administration Regulations that would not contribute di-*  
14 *rectly to missile development or to a nuclear weapons pro-*  
15 *gram. For purposes of this subsection, an article or tech-*  
16 *nology that is not primarily used for missile development*  
17 *or nuclear weapons programs.*

18           (c) *NATIONAL SECURITY INTERESTS WAIVER OF SANC-*  
19 *TIONS.—*

20           (1) *IN GENERAL.—The restriction on assistance*  
21 *in section 102(b)(2)(B), (C), or (G) of the Arms Ex-*  
22 *port Control Act shall not apply if the President de-*  
23 *termines, and so certifies to Congress, that the appli-*  
24 *cation of the restriction would not be in the national*  
25 *security interests of the United States.*

1           (2) *SENSE OF THE SENATE.*—*It is the sense of*  
2           *the Senate that—*

3                   (A) *no waiver under paragraph (1) should*  
4                   *be invoked for section 102(b)(2)(B) or (C) of the*  
5                   *Arms Export Control Act with respect to any*  
6                   *party that initiates or supports activities that*  
7                   *jeopardize peace and security in Jammu and*  
8                   *Kashmir;*

9                   (B) *the broad application of export controls*  
10                  *to nearly 300 Indian and Pakistani entities is*  
11                  *inconsistent with the specific national security*  
12                  *interests of the United States and that this con-*  
13                  *trol list requires refinement; and*

14                  (C) *export controls should be applied only*  
15                  *to those Indian and Pakistani entities that make*  
16                  *direct and material contributions to weapons of*  
17                  *mass destruction and missile programs and only*  
18                  *to those items that can contribute such programs.*

19           (d) *REPORTING REQUIREMENT.*—*Not later than 60*  
20           *days after the date of enactment of this Act, the President*  
21           *shall submit a report to the appropriate congressional com-*  
22           *mittees listing those Indian and Pakistani entities whose*  
23           *activities contribute directly and materially to missile pro-*  
24           *grams or weapons of mass destruction programs.*

1           (e) *CONGRESSIONAL NOTIFICATION.*—A license for the  
2 export of a defense article, defense service, or technology is  
3 subject to the same requirements as are applicable to the  
4 export of items described in section 36(c) of the Arms Ex-  
5 port Control Act (22 U.S.C. 2776(c)), including the trans-  
6 mittal of information and the application of congressional  
7 review procedures described in that section.

8           (f) *RENEWAL OF SUSPENSION.*—Upon the expiration  
9 of the initial five-year period of suspension of the sanctions  
10 contained in paragraph (1) or (2) of subsection (a), the  
11 President may renew the suspension with respect to India,  
12 Pakistan, or both for additional periods of five years each  
13 if, not less than 30 days prior to each renewal of suspension,  
14 the President certifies to the appropriate congressional com-  
15 mittees that it is in the national interest of the United  
16 States to do so.

17           (g) *RESTRICTION.*—The authority of subsection (a)  
18 may not be used to provide assistance under chapter 4 of  
19 part II of the Foreign Assistance Act of 1961 (22 U.S.C.  
20 2346 et seq.; relating to economic support fund assistance)  
21 except for—

22                   (1) assistance that supports the activities of non-  
23 governmental organizations;

24                   (2) assistance that supports democracy or the es-  
25 tablishment of democratic institutions; or

1           (3) *humanitarian assistance.*

2           (h) *STATUTORY CONSTRUCTION.—Nothing in this Act*  
3 *prohibits the imposition of sanctions by the President under*  
4 *any provision of law specified in subsection (a) or (b) by*  
5 *reason of any grounds for the imposition of sanctions under*  
6 *that provision of law arising on or after the date of enact-*  
7 *ment of this Act.*

8           *SEC. 10002. REPEALS. The following provisions of law*  
9 *are repealed:*

10           (1) *Section 620E(e) of the Foreign Assistance*  
11 *Act of 1961 (22 U.S.C. 2375(e)).*

12           (2) *The India-Pakistan Relief Act (title IX of the*  
13 *Agriculture, Rural Development, Food and Drug Ad-*  
14 *ministration, and Related Agencies Appropriations*  
15 *Act, 1999, as contained in section 101(a) of Public*  
16 *Law 105–277).*

17           *SEC. 10003. APPROPRIATE CONGRESSIONAL COMMIT-*  
18 *TEES DEFINED. In this title, the term “appropriate congres-*  
19 *sional committees” means the Committee on Foreign Rela-*  
20 *tions of the Senate and the Committee on International Re-*  
21 *lations of the House of Representatives.*

- 1 *This Act may be cited as the “Department of Defense*
- 2 *Appropriations Act, 2000”.*

Passed the House of Representatives July 22, 1999.

Attest: JEFF TRANDAHL,  
*Clerk.*

Passed the Senate July 28, 1999.

Attest: GARY SISCO,  
*Secretary.*