

Calendar No. 122

106TH CONGRESS
1ST SESSION

S. 1122

[Report No. 106-53]

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

IN THE SENATE OF THE UNITED STATES

MAY 25, 1999

Mr. STEVENS, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

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 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:

1 TITLE I

2 MILITARY PERSONNEL

3 MILITARY PERSONNEL, ARMY

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

16 MILITARY PERSONNEL, NAVY

17 For pay, allowances, individual clothing, subsistence,
18 interest on deposits, gratuities, permanent change of sta-
19 tion travel (including all expenses thereof for organiza-
20 tional movements), and expenses of temporary duty travel
21 between permanent duty stations, for members of the
22 Navy on active duty (except members of the Reserve pro-
23 vided for elsewhere), midshipmen, and aviation cadets;
24 and for payments pursuant to section 156 of Public Law
25 97-377, as amended (42 U.S.C. 402 note), to section

1 229(b) of the Social Security Act (42 U.S.C. 429(b)),
 2 and to the Department of Defense Military Retirement
 3 Fund; \$17,236,001,000.

4 MILITARY PERSONNEL, MARINE CORPS

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

16 MILITARY PERSONNEL, AIR FORCE

17 For pay, allowances, individual clothing, subsistence,
 18 interest on deposits, gratuities, permanent change of sta-
 19 tion travel (including all expenses thereof for organiza-
 20 tional movements), and expenses of temporary duty travel
 21 between permanent duty stations, for members of the Air
 22 Force on active duty (except members of reserve compo-
 23 nents provided for elsewhere), cadets, and aviation ca-
 24 dets; and for payments pursuant to section 156 of Public
 25 Law 97-377, as amended (42 U.S.C. 402 note), to sec-

tion 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$17,873,759,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$2,278,696,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while under-

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

7 RESERVE PERSONNEL, MARINE CORPS

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

21 RESERVE PERSONNEL, AIR FORCE

22 For pay, allowances, clothing, subsistence, gratuities,
23 travel, and related expenses for personnel of the Air
24 Force Reserve on active duty under sections 10211,
25 10305, and 8038 of title 10, United States Code, or

1 while serving on active duty under section 12301(d) of
2 title 10, United States Code, in connection with per-
3 forming duty specified in section 12310(a) of title 10,
4 United States Code, or while undergoing reserve training,
5 or while performing drills or equivalent duty or other
6 duty, and for members of the Air Reserve Officers'
7 Training Corps, and expenses authorized by section
8 16131 of title 10, United States Code; and for payments
9 to the Department of Defense Military Retirement Fund;
10 \$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
14 National Guard while on duty under section 10211,
15 10302, or 12402 of title 10 or section 708 of title 32,
16 United States Code, or while serving on duty under sec-
17 tion 12301(d) of title 10 or section 502(f) of title 32,
18 United States Code, in connection with performing duty
19 specified in section 12310(a) of title 10, United States
20 Code, or while undergoing training, or while performing
21 drills or equivalent duty or other duty, and expenses au-
22 thorized by section 16131 of title 10, United States Code;
23 and for payments to the Department of Defense Military
24 Retirement Fund; \$3,622,479,000.

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
 3 travel, and related expenses for personnel of the Air Na-
 4 tional Guard on duty under section 10211, 10305, or
 5 12402 of title 10 or section 708 of title 32, United States
 6 Code, or while serving on duty under section 12301(d) of
 7 title 10 or section 502(f) of title 32, United States Code,
 8 in connection with performing duty specified in section
 9 12310(a) of title 10, United States Code, or while under-
 10 going training, or while performing drills or equivalent
 11 duty or other duty, and expenses authorized by section
 12 16131 of title 10, United States Code; and for payments
 13 to the Department of Defense Military Retirement Fund;
 14 \$1,494,496,000.

15 TITLE II

16 OPERATION AND MAINTENANCE

17 OPERATION AND MAINTENANCE, ARMY

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary
 20 for the operation and maintenance of the Army, as au-
 21 thorized by law; and not to exceed \$10,624,000 can be
 22 used for emergencies and extraordinary expenses, to be
 23 expended on the approval or authority of the Secretary
 24 of the Army, and payments may be made on his certifi-
 25 cate of necessity for confidential military purposes;

1 \$19,161,852,000 and, in addition, \$50,000,000 shall be
2 derived by transfer from the National Defense Stockpile
3 Transaction Fund: *Provided*, That of the funds appro-
4 priated in this paragraph, not less than \$355,000,000
5 shall be made available only for conventional ammunition
6 care and maintenance.

7 OPERATION AND MAINTENANCE, NAVY

8 (INCLUDING TRANSFER OF FUNDS)

9 For expenses, not otherwise provided for, necessary
10 for the operation and maintenance of the Navy and the
11 Marine Corps, as authorized by law; and not to exceed
12 \$5,155,000 can be used for emergencies and extraor-
13 dinary expenses, to be expended on the approval or au-
14 thority of the Secretary of the Navy, and payments may
15 be made on his certificate of necessity for confidential
16 military purposes; \$22,841,510,000 and, in addition,
17 \$50,000,000 shall be derived by transfer from the Na-
18 tional Defense Stockpile Transaction Fund.

19 OPERATION AND MAINTENANCE, MARINE CORPS

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

1 OPERATION AND MAINTENANCE, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of the Air Force, as
5 authorized by law; and not to exceed \$7,882,000 can be
6 used for emergencies and extraordinary expenses, to be
7 expended on the approval or authority of the Secretary
8 of the Air Force, and payments may be made on his cer-
9 tificate of necessity for confidential military purposes;
10 \$20,760,429,000 and, in addition, \$50,000,000 shall be
11 derived by transfer from the National Defense Stockpile
12 Transaction Fund.

13 OPERATION AND MAINTENANCE, DEFENSE-WIDE

14 For expenses, not otherwise provided for, necessary
15 for the operation and maintenance of activities and agen-
16 cies of the Department of Defense (other than the mili-
17 tary departments), as authorized by law;
18 \$11,537,333,000, of which not to exceed \$25,000,000
19 may be available for the CINC initiative fund account;
20 and of which not to exceed \$32,300,000 can be used for
21 emergencies and extraordinary expenses, to be expended
22 on the approval or authority of the Secretary of Defense,
23 and payments may be made on his certificate of necessity
24 for confidential military purposes.

1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Army Reserve; re-
5 pair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications; \$1,438,776,000.

9 OPERATION AND MAINTENANCE, NAVY RESERVE

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance, including training, or-
12 ganization, and administration, of the Navy Reserve; re-
13 pair of facilities and equipment; hire of passenger motor
14 vehicles; travel and transportation; care of the dead; re-
15 cruiting; procurement of services, supplies, and equip-
16 ment; and communications; \$946,478,000.

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Marine Corps Re-
22 serve; repair of facilities and equipment; hire of pas-
23 senger motor vehicles; travel and transportation; care of
24 the dead; recruiting; procurement of services, supplies,
25 and equipment; and communications; \$126,711,000.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Air Force Reserve;
5 repair of facilities and equipment; hire of passenger
6 motor vehicles; travel and transportation; care of the
7 dead; recruiting; procurement of services, supplies, and
8 equipment; and communications; \$1,760,591,000.

9 OPERATION AND MAINTENANCE, ARMY NATIONAL
10 GUARD

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

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For operation and maintenance of the Air National
3 Guard, including medical and hospital treatment and re-
4 lated expenses in non-Federal hospitals; maintenance, op-
5 eration, repair, and other necessary expenses of facilities
6 for the training and administration of the Air National
7 Guard, including repair of facilities, maintenance, oper-
8 ation, and modification of aircraft; transportation of
9 things, hire of passenger motor vehicles; supplies, mate-
10 rials, and equipment, as authorized by law for the Air
11 National Guard; and expenses incident to the mainte-
12 nance and use of supplies, materials, and equipment, in-
13 cluding such as may be furnished from stocks under the
14 control of agencies of the Department of Defense; travel
15 expenses (other than mileage) on the same basis as au-
16 thorized by law for Air National Guard personnel on ac-
17 tive Federal duty, for Air National Guard commanders
18 while inspecting units in compliance with National Guard
19 Bureau regulations when specifically authorized by the
20 Chief, National Guard Bureau; \$3,229,638,000.

21 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For expenses directly relating to Overseas Contin-
24 gency Operations by United States military forces;
25 \$2,087,600,000, to remain available until expended: Pro-

1 vided, That the Secretary of Defense may transfer these
 2 funds only to operation and maintenance accounts, within
 3 this title, the Defense Health Program appropriation,
 4 and to working capital funds: *Provided further*, That the
 5 funds transferred shall be merged with and shall be avail-
 6 able for the same purposes and for the same time period,
 7 as the appropriation to which transferred: *Provided fur-*
 8 *ther*, That upon a determination that all or part of the
 9 funds transferred from this appropriation are not nec-
 10 essary for the purposes provided herein, such amounts
 11 may be transferred back to this appropriation: *Provided*
 12 *further*, That the transfer authority provided in this para-
 13 graph is in addition to any other transfer authority con-
 14 tained elsewhere in this Act.

15 UNITED STATES COURT OF APPEALS FOR THE ARMED
 16 FORCES

17 For salaries and expenses necessary for the United
 18 States Court of Appeals for the Armed Forces;
 19 \$7,621,000, of which not to exceed \$2,500 can be used
 20 for official representation purposes.

21 ENVIRONMENTAL RESTORATION, ARMY
 22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Army, \$378,170,000, to
 24 remain available until transferred: *Provided*, That the
 25 Secretary of the Army 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 Army, 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 Army, 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 ENVIRONMENTAL RESTORATION, NAVY

14 (INCLUDING TRANSFER OF FUNDS)

15 For the Department of the Navy, \$284,000,000, to
 16 remain available until transferred: *Provided*, That the
 17 Secretary of the Navy shall, upon determining that such
 18 funds are required for environmental restoration, reduc-
 19 tion and recycling of hazardous waste, removal of unsafe
 20 buildings and debris of the Department of the Navy, or
 21 for similar purposes, transfer the funds made available by
 22 this appropriation to other appropriations made available
 23 to the Department of the Navy, to be merged with and
 24 to be available for the same purposes and for the same
 25 time period as the appropriations to which transferred:

1 *Provided further*, That upon a determination that all or
2 part of the funds transferred from this appropriation are
3 not necessary for the purposes provided herein, such
4 amounts may be transferred back to this appropriation.

5 ENVIRONMENTAL RESTORATION, AIR FORCE
6 (INCLUDING TRANSFER OF FUNDS)

7 For the Department of the Air Force,
8 \$376,800,000, to remain available until transferred: *Pro-*
9 *vided*, That the Secretary of the Air Force shall, upon de-
10 termining that such funds are required for environmental
11 restoration, reduction and recycling of hazardous waste,
12 removal of unsafe buildings and debris of the Department
13 of the Air Force, or for similar purposes, transfer the
14 funds made available by this appropriation to other ap-
15 propriations made available to the Department of the Air
16 Force, to be merged with and to be available for the same
17 purposes and for the same time period as the appropria-
18 tions to which transferred: *Provided further*, That upon
19 a determination that all or part of the funds transferred
20 from this appropriation are not necessary for the pur-
21 poses provided herein, such amounts may be transferred
22 back to this appropriation.

1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$25,370,000, to re-
4 main available until transferred: *Provided*, That the Sec-
5 retary of Defense 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 Defense, or for
9 similar purposes, transfer the funds made available by
10 this appropriation to other appropriations made available
11 to the Department of Defense, to be merged with and to
12 be available for the same purposes and for the same time
13 period as the appropriations to which transferred: *Pro-*
14 *vided further*, That upon a determination that all or part
15 of the funds transferred from this appropriation are not
16 necessary for the purposes provided herein, such amounts
17 may be transferred back to this appropriation.

18 ENVIRONMENTAL RESTORATION, FORMERLY USED

19 DEFENSE SITES

20 (INCLUDING TRANSFER OF FUNDS)

21 For the Department of the Army, \$239,214,000, to
22 remain available until transferred: *Provided*, That the
23 Secretary of the Army shall, upon determining that such
24 funds are required for environmental restoration, reduc-
25 tion and recycling of hazardous waste, removal of unsafe

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

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Human-
 14 itarian, Disaster, and Civic Aid programs of the Depart-
 15 ment of Defense (consisting of the programs provided
 16 under sections 401, 402, 404, 2547, and 2551 of title 10,
 17 United States Code); \$55,800,000, to remain available
 18 until September 30, 2001.

19 FORMER SOVIET UNION THREAT REDUCTION

20 For assistance to the republics of the former Soviet
 21 Union, including assistance provided by contract or by
 22 grants, for facilitating the elimination and the safe and
 23 secure transportation and storage of nuclear, chemical
 24 and other weapons; for establishing programs to prevent
 25 the proliferation of weapons, weapons components, and

1 weapon-related technology and expertise; for programs
 2 relating to the training and support of defense and mili-
 3 tary personnel for demilitarization and protection of
 4 weapons, weapons components and weapons technology
 5 and expertise; \$475,500,000, to remain available until
 6 September 30, 2002: *Provided*, That of the amounts pro-
 7 vided under this heading, \$25,000,000 shall be available
 8 only to support the dismantling and disposal of nuclear
 9 submarines and submarine reactor components in the
 10 Russian Far East.

11 PENTAGON RENOVATION TRANSFER FUND

12 For expenses, not otherwise provided for, resulting
 13 from the Department of Defense renovation of the Pen-
 14 tagon Reservation; \$246,439,000, for the renovation of
 15 the Pentagon Reservation, which shall remain available for
 16 obligation until September 30, 2001.

17 TITLE III

18 PROCUREMENT

19 AIRCRAFT PROCUREMENT, ARMY

20 For construction, procurement, production, modifica-
 21 tion, and modernization of aircraft, equipment, including
 22 ordnance, ground handling equipment, spare parts, and
 23 accessories therefor; specialized equipment and training
 24 devices; expansion of public and private plants, including
 25 the land necessary therefor, for the foregoing purposes,

1 and such lands and interests therein, may be acquired,
2 and construction prosecuted thereon prior to approval of
3 title; and procurement and installation of equipment, ap-
4 pliances, and machine tools in public and private plants;
5 reserve plant and Government and contractor-owned
6 equipment layaway; and other expenses necessary for the
7 foregoing purposes; \$1,440,788,000, to remain available
8 for obligation until September 30, 2002.

9 MISSILE PROCUREMENT, ARMY

10 For construction, procurement, production, modifica-
11 tion, and modernization of missiles, equipment, including
12 ordnance, ground handling equipment, spare parts, and
13 accessories therefor; specialized equipment and training
14 devices; expansion of public and private plants, including
15 the land necessary therefor, for the foregoing purposes,
16 and such lands and interests therein, may be acquired,
17 and construction prosecuted thereon prior to approval of
18 title; and procurement and installation of equipment, ap-
19 pliances, and machine tools in public and private plants;
20 reserve plant and Government and contractor-owned
21 equipment layaway; and other expenses necessary for the
22 foregoing purposes; \$1,267,698,000, to remain available
23 for obligation until September 30, 2002.

1 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
2 VEHICLES, ARMY

3 For construction, procurement, production, and
4 modification of weapons and tracked combat vehicles,
5 equipment, including ordnance, spare parts, and acces-
6 sories therefor; specialized equipment and training devices;
7 expansion of public and private plants, including the land
8 necessary therefor, for the foregoing purposes, and such
9 lands and interests therein, may be acquired, and con-
10 struction prosecuted thereon prior to approval of title; and
11 procurement and installation of equipment, appliances,
12 and machine tools in public and private plants; reserve
13 plant and Government and contractor-owned equipment
14 layaway; and other expenses necessary for the foregoing
15 purposes; \$1,526,265,000, to remain available for obliga-
16 tion until September 30, 2002.

17 PROCUREMENT OF AMMUNITION, ARMY

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

1 proval of title; and procurement and installation of equip-
 2 ment, appliances, and machine tools in public and private
 3 plants; reserve plant and Government and contractor-
 4 owned equipment layaway; and other expenses necessary
 5 for the foregoing purposes; \$1,145,566,000, to remain
 6 available for obligation until September 30, 2002.

7 OTHER PROCUREMENT, ARMY

8 For construction, procurement, production, and
 9 modification of vehicles, including tactical, support, and
 10 non-tracked combat vehicles; the purchase of not to exceed
 11 36 passenger motor vehicles for replacement only; and the
 12 purchase of 3 vehicles required for physical security of
 13 personnel, notwithstanding price limitations applicable to
 14 passenger vehicles but not to exceed \$200,000 per vehicle;
 15 communications and electronic equipment; other support
 16 equipment; spare parts, ordnance, and accessories there-
 17 for; specialized equipment and training devices; expansion
 18 of public and private plants, including the land necessary
 19 therefor, for the foregoing purposes, and such lands and
 20 interests therein, may be acquired, and construction pros-
 21 ecuted thereon prior to approval of title; and procurement
 22 and installation of equipment, appliances, and machine
 23 tools in public and private plants; reserve plant and Gov-
 24 ernment and contractor-owned equipment layaway; and
 25 other expenses necessary for the foregoing purposes;

1 \$3,658,070,000, to remain available for obligation until
2 September 30, 2002.

3 AIRCRAFT PROCUREMENT, NAVY

4 For construction, procurement, production, modifica-
5 tion, and modernization of aircraft, equipment, including
6 ordnance, spare parts, and accessories therefor; specialized
7 equipment; expansion of public and private plants, includ-
8 ing the land necessary therefor, and such lands and inter-
9 ests therein, may be acquired, and construction prosecuted
10 thereon prior to approval of title; and procurement and
11 installation of equipment, appliances, and machine tools
12 in public and private plants; reserve plant and Govern-
13 ment and contractor-owned equipment layaway;
14 \$8,608,684,000, to remain available for obligation until
15 September 30, 2002.

16 WEAPONS PROCUREMENT, NAVY

17 For construction, procurement, production, modifica-
18 tion, and modernization of missiles, torpedoes, other weap-
19 ons, and related support equipment including spare parts,
20 and accessories therefor; expansion of public and private
21 plants, including the land necessary therefor, and such
22 lands and interests therein, may be acquired, and con-
23 struction prosecuted thereon prior to approval of title; and
24 procurement and installation of equipment, appliances,
25 and machine tools in public and private plants; reserve

6 For construction, procurement, production, and
7 modification of ammunition, and accessories therefor; spe-
8 cialized equipment and training devices; expansion of pub-
9 lic and private plants, including ammunition facilities au-
10 thorized by section 2854 of title 10, United States Code,
11 and the land necessary therefor, for the foregoing pur-
12 poses, and such lands and interests therein, may be ac-
13 quired, and construction prosecuted thereon prior to ap-
14 proval of title; and procurement and installation of equip-
15 ment, appliances, and machine tools in public and private
16 plants; reserve plant and Government and contractor-
17 owned equipment layaway; and other expenses necessary
18 for the foregoing purposes; \$510,300,000, to remain avail-
19 able for obligation until September 30, 2002.

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and con-

1 tractor-owned equipment layaway; procurement of critical,
 2 long leadtime components and designs for vessels to be
 3 constructed or converted in the future; and expansion of
 4 public and private plants, including land necessary there-
 5 for, and such lands and interests therein, may be acquired,
 6 and construction prosecuted thereon prior to approval of
 7 title, as follows:

8 NSSN (AP), \$748,497,000;
 9 CVN-77 (AP), \$751,540,000;
 10 CVN Refuelings (AP), \$345,565,000;
 11 DDG-51 destroyer program, \$2,681,653,000;
 12 LPD-17 amphibious transport dock ship,
 13 \$1,508,338,000;
 14 LHD-8 (AP), \$500,000,000;
 15 ADC(X), \$439,966,000;
 16 LCAC landing craft air cushion program,
 17 \$31,776,000; and

18 For craft, outfitting, post delivery, conversions,
 19 and first destination transportation, \$171,119,000;
 20 In all: \$7,178,454,000, to remain available for obliga-
 21 tion until September 30, 2006: *Provided*, That additional
 22 obligations may be incurred after September 30, 2006, for
 23 engineering services, tests, evaluations, and other such
 24 budgeted work that must be performed in the final stage
 25 of ship construction: *Provided further*, That none of the

1 funds provided under this heading for the construction or
2 conversion of any naval vessel to be constructed in ship-
3 yards in the United States shall be expended in foreign
4 facilities for the construction of major components of such
5 vessel: *Provided further*, That none of the funds provided
6 under this heading shall be used for the construction of
7 any naval vessel in foreign shipyards: *Provided further*,
8 That the Secretary of the Navy is hereby granted the au-
9 thority to enter into a contract for an LHD-1 Amphibious
10 Assault Ship which shall be funded on an incremental
11 basis.

12 OTHER PROCUREMENT, NAVY

13 For procurement, production, and modernization of
14 support equipment and materials not otherwise provided
15 for, Navy ordnance (except ordnance for new aircraft, new
16 ships, and ships authorized for conversion); the purchase
17 of not to exceed 25 passenger motor vehicles for replace-
18 ment only; expansion of public and private plants, includ-
19 ing the land necessary therefor, and such lands and inter-
20 ests therein, may be acquired, and construction prosecuted
21 thereon prior to approval of title; and procurement and
22 installation of equipment, appliances, and machine tools
23 in public and private plants; reserve plant and Govern-
24 ment and contractor-owned equipment layaway;

1 \$4,184,891,000, to remain available for obligation until
2 September 30, 2002.

3 PROCUREMENT, MARINE CORPS

4 For expenses necessary for the procurement, manu-
5 facture, and modification of missiles, armament, military
6 equipment, spare parts, and accessories therefor; plant
7 equipment, appliances, and machine tools, and installation
8 thereof in public and private plants; reserve plant and
9 Government and contractor-owned equipment layaway; ve-
10 hicles for the Marine Corps, including the purchase of not
11 to exceed 43 passenger motor vehicles for replacement
12 only; and expansion of public and private plants, including
13 land necessary therefor, and such lands and interests
14 therein, may be acquired, and construction prosecuted
15 thereon prior to approval of title; \$1,236,620,000, to re-
16 main available for obligation until September 30, 2002.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For construction, procurement, lease, and modifica-
19 tion of aircraft and equipment, including armor and arma-
20 ment, specialized ground handling equipment, and train-
21 ing devices, spare parts, and accessories therefor; special-
22 ized equipment; expansion of public and private plants,
23 Government-owned equipment and installation thereof in
24 such plants, erection of structures, and acquisition of land,
25 for the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; reserve plant and Gov-
3 ernment and contractor-owned equipment layaway; and
4 other expenses necessary for the foregoing purposes in-
5 cluding rents and transportation of things;
6 \$9,758,333,000, to remain available for obligation until
7 September 30, 2002.

8 MISSILE PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 missiles, spacecraft, rockets, and related equipment, in-
11 cluding spare parts and accessories therefor, ground han-
12 dling equipment, and training devices; expansion of public
13 and private plants, Government-owned equipment and in-
14 stallation thereof in such plants, erection of structures,
15 and acquisition of land, for the foregoing purposes, and
16 such lands and interests therein, may be acquired, and
17 construction prosecuted thereon prior to approval of title;
18 reserve plant and Government and contractor-owned
19 equipment layaway; and other expenses necessary for the
20 foregoing purposes including rents and transportation of
21 things; \$2,338,505,000, to remain available for obligation
22 until September 30, 2002.

23 PROCUREMENT OF AMMUNITION, AIR FORCE

24 For construction, procurement, production, and
25 modification of ammunition, and accessories therefor; spe-

1 cialized equipment and training devices; expansion of pub-
 2 lic and private plants, including ammunition facilities au-
 3 thorized by section 2854 of title 10, United States Code,
 4 and the land necessary therefor, for the foregoing pur-
 5 poses, and such lands and interests therein, may be ac-
 6 quired, and construction prosecuted thereon prior to ap-
 7 proval of title; and procurement and installation of equip-
 8 ment, appliances, and machine tools in public and private
 9 plants; reserve plant and Government and contractor-
 10 owned equipment layaway; and other expenses necessary
 11 for the foregoing purposes; \$427,537,000, to remain avail-
 12 able for obligation until September 30, 2002.

13 OTHER PROCUREMENT, AIR FORCE

14 For procurement and modification of equipment (in-
 15 cluding ground guidance and electronic control equipment,
 16 and ground electronic and communication equipment),
 17 and supplies, materials, and spare parts therefor, not oth-
 18 erwise provided for; the purchase of not to exceed 53 pas-
 19 senger motor vehicles for replacement only; lease of pas-
 20 senger motor vehicles; and expansion of public and private
 21 plants, Government-owned equipment and installation
 22 thereof in such plants, erection of structures, and acquisi-
 23 tion of land, for the foregoing purposes, and such lands
 24 and interests therein, may be acquired, and construction
 25 prosecuted thereon, prior to approval of title; reserve plant

1 and Government and contractor-owned equipment lay-
2 away; \$7,198,627,000, to remain available for obligation
3 until September 30, 2002.

4 PROCUREMENT, DEFENSE-WIDE

5 For expenses of activities and agencies of the Depart-
6 ment of Defense (other than the military departments)
7 necessary for procurement, production, and modification
8 of equipment, supplies, materials, and spare parts there-
9 for, not otherwise provided for; the purchase of not to ex-
10 ceed 103 passenger motor vehicles for replacement only;
11 the purchase of 7 vehicles required for physical security
12 of personnel, notwithstanding price limitations applicable
13 to passenger vehicles but not to exceed \$200,000 per vehi-
14 cle; expansion of public and private plants, equipment, and
15 installation thereof in such plants, erection of structures,
16 and acquisition of land for the foregoing purposes, and
17 such lands and interests therein, may be acquired, and
18 construction prosecuted thereon prior to approval of title;
19 reserve plant and Government and contractor-owned
20 equipment layaway; \$2,327,965,000, to remain available
21 for obligation until September 30, 2002.

22 NATIONAL GUARD AND RESERVE EQUIPMENT

23 For procurement of aircraft, missiles, tracked combat
24 vehicles, ammunition, other weapons, and other procure-
25 ment for the reserve components of the Armed Forces;

1 \$300,000,000, to remain available for obligation until Sep-
 2 tember 30, 2002: *Provided*, That the Chiefs of the Reserve
 3 and National Guard components shall, not later than 30
 4 days after the enactment of this Act, individually submit
 5 to the congressional defense committees the modernization
 6 priority assessment for their respective Reserve or Na-
 7 tional Guard component.

8 TITLE IV

9 RESEARCH, DEVELOPMENT, TEST, AND

10 EVALUATION

11 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,

12 ARMY

13 For expenses necessary for basic and applied sci-
 14 entific research, development, test and evaluation, includ-
 15 ing maintenance, rehabilitation, lease, and operation of
 16 facilities and equipment; \$4,905,294,000, to remain
 17 available for obligation until September 30, 2001.

18 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,

19 NAVY

20 For expenses necessary for basic and applied sci-
 21 entific research, development, test and evaluation, includ-
 22 ing maintenance, rehabilitation, lease, and operation of
 23 facilities and equipment; \$8,448,816,000, to remain
 24 available for obligation until September 30, 2001.

1 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
 2 AIR FORCE

3 For expenses necessary for basic and applied sci-
 4 entific research, development, test and evaluation, includ-
 5 ing maintenance, rehabilitation, lease, and operation of
 6 facilities and equipment; \$13,489,909,000, to remain
 7 available for obligation until September 30, 2001.

8 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
 9 DEFENSE-WIDE

10 For expenses of activities and agencies of the De-
 11 partment of Defense (other than the military depart-
 12 ments), necessary for basic and applied scientific re-
 13 search, development, test and evaluation; advanced re-
 14 search projects as may be designated and determined by
 15 the Secretary of Defense, pursuant to law; maintenance,
 16 rehabilitation, lease, and operation of facilities and equip-
 17 ment; \$9,325,315,000, to remain available for obligation
 18 until September 30, 2001.

19 DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

20 For expenses, not otherwise provided for, of inde-
 21 pendent activities of the Director, Test and Evaluation in
 22 the direction and supervision of developmental test and
 23 evaluation, including performance and joint develop-
 24 mental testing and evaluation; and administrative ex-

1 penses in connection therewith; \$251,957,000, to remain
 2 available for obligation until September 30, 2001.

3 OPERATIONAL TEST AND EVALUATION, DEFENSE

4 For expenses, not otherwise provided for, necessary
 5 for the independent activities of the Director, Operational
 6 Test and Evaluation in the direction and supervision of
 7 operational test and evaluation, including initial oper-
 8 ational test and evaluation which is conducted prior to,
 9 and in support of, production decisions; joint operational
 10 testing and evaluation; and administrative expenses in
 11 connection therewith; \$34,434,000, to remain available
 12 for obligation until September 30, 2001.

13 TITLE V

14 REVOLVING AND MANAGEMENT FUNDS

15 DEFENSE WORKING CAPITAL FUNDS

16 For the Defense Working Capital Funds;
 17 \$90,344,000.

18 NATIONAL DEFENSE SEALIFT FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For National Defense Sealift Fund programs,
 21 projects, and activities, and for expenses of the National
 22 Defense Reserve Fleet, as established by section 11 of the
 23 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744);
 24 \$354,700,000, to remain available until expended: *Pro-*
 25 *vided*, That none of the funds provided in this paragraph

1 shall be used to award a new contract that provides for
 2 the acquisition of any of the following major components
 3 unless such components are manufactured in the United
 4 States: auxiliary equipment, including pumps, for all
 5 shipboard services; propulsion system components (that
 6 is; engines, reduction gears, and propellers); shipboard
 7 cranes; and spreaders for shipboard cranes: *Provided fur-*
 8 *ther*, That the exercise of an option in a contract awarded
 9 through the obligation of previously appropriated funds
 10 shall not be considered to be the award of a new con-
 11 tract: *Provided further*, That the Secretary of the military
 12 department responsible for such procurement may waive
 13 the restrictions in the first proviso on a case-by-case
 14 basis by certifying in writing to the Committees on Ap-
 15 propriations of the House of Representatives and the
 16 Senate that adequate domestic supplies are not available
 17 to meet Department of Defense requirements on a timely
 18 basis and that such an acquisition must be made in order
 19 to acquire capability for national security purposes.

20 TITLE VI

21 OTHER DEPARTMENT OF DEFENSE PROGRAMS

22 DEFENSE HEALTH PROGRAM

23 For expenses, not otherwise provided for, for medical
 24 and health care programs of the Department of Defense,
 25 as authorized by law; \$11,184,857,000, of which

1 \$10,527,887,000 shall be for Operation and maintenance,
 2 of which not to exceed 2 per centum shall remain avail-
 3 able until September 30, 2001, of which \$356,970,000,
 4 to remain available for obligation until September 30,
 5 2002, shall be for Procurement: and of which
 6 \$300,000,000, to remain available for obligation until
 7 September 30, 2001, shall be for Research, development,
 8 test and evaluation.

9 ARMED FORCES RETIREMENT HOME

10 For expenses necessary for the Armed Forces Retire-
 11 ment Home to operate and maintain the United States
 12 Soldiers' and Airmen's Home and the United States Naval
 13 Home, to be paid from funds available in the Armed
 14 Forces Retirement Home Trust Fund, \$68,295,000, of
 15 which \$12,696,000 shall remain available until expended
 16 for construction and renovation of the physical plants at
 17 the United States Soldiers' and Airmen's Home and the
 18 United States Naval Home: *Provided*, That, notwith-
 19 standing any other provision of law, a single contract or
 20 related contracts for the development and construction, to
 21 include construction of a long-term care facility at the
 22 United States Naval Home, may be employed which collec-
 23 tively include the full scope of the project: *Provided fur-*
 24 *ther*, That the solicitation and contract shall contain the
 25 clause "availability of funds" found at 48 CFR 52.232-

1 18 and 252.232–7007, Limitation of Government Obliga-
2 tions.

3 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
4 ARMY

5 For expenses, not otherwise provided for, necessary
6 for the destruction of the United States stockpile of le-
7 thal chemical agents and munitions in accordance with
8 the provisions of section 1412 of the Department of De-
9 fense Authorization Act, 1986 (50 U.S.C. 1521), and for
10 the destruction of other chemical warfare materials that
11 are not in the chemical weapon stockpile,
12 \$1,029,000,000, of which \$543,500,000 shall be for Op-
13 eration and maintenance to remain available until Sep-
14 tember 30, 2001, \$191,500,000 shall be for Procurement
15 to remain available until September 30, 2002, and
16 \$294,000,000 shall be for Research, development, test
17 and evaluation to remain available until September 30,
18 2001: *Provided*, That of the funds available under this
19 heading, \$1,000,000 shall be available until expended
20 each year only for a Johnston Atoll off-island leave pro-
21 gram: *Provided further*, That the Secretaries concerned
22 shall, pursuant to uniform regulations, prescribe travel
23 and transportation allowances for travel by participants
24 in the off-island leave program.

18 OFFICE OF THE INSPECTOR GENERAL

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1 and payments may be made on his certificate of necessity
 2 for confidential military purposes; and of which
 3 \$1,300,000 to remain available until September 30,
 4 2002, shall be for Procurement.

5 TITLE VII

6 RELATED AGENCIES

7 CENTRAL INTELLIGENCE AGENCY

8 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND 9 DISABILITY SYSTEM FUND

10 For payment to the Central Intelligence Agency Re-
 11 tirement and Disability System Fund, to maintain proper
 12 funding level for continuing the operation of the Central
 13 Intelligence Agency Retirement and Disability System;
 14 \$209,100,000.

15 INTELLIGENCE COMMUNITY MANAGEMENT

16 ACCOUNT

17 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of the Intelligence Commu-
 20 nity Management Account; \$149,415,000, of which
 21 \$34,923,000 for the Advanced Research and Develop-
 22 ment Committee shall remain available until September
 23 30, 2001: *Provided*, That of the funds appropriated
 24 under this heading, \$27,000,000 shall be transferred to
 25 the Department of Justice for the National Drug Intel-

1 ligence Center to support the Department of Defense's
 2 counter-drug intelligence responsibilities, and of the said
 3 amount, \$1,500,000 for Procurement shall remain avail-
 4 able until September 30, 2002, and \$1,000,000 for Re-
 5 search, development, test and evaluation shall remain
 6 available until September 30, 2001.

7 PAYMENT TO KAHO'OLAWA ISLAND CONVEYANCE, RE-
 8 MEDIATION, AND ENVIRONMENTAL RESTORATION
 9 FUND

10 For payment to Kaho'olawe Island Conveyance, Re-
 11 mediation, and Environmental Restoration Fund, as au-
 12 thorized by law; \$35,000,000, to remain available until
 13 expended.

14 NATIONAL SECURITY EDUCATION TRUST FUND

15 For the purposes of title VIII of Public Law 102-
 16 183, \$8,000,000, to be derived from the National Secu-
 17 rity Education Trust Fund, to remain available until ex-
 18 pended.

19 GENERAL PROVISIONS—DEPARTMENT OF
 20 DEFENSE

21 SEC. 8001. No part of any appropriation contained
 22 in this Act shall be used for publicity or propaganda pur-
 23 poses not authorized by the Congress.

24 SEC. 8002. During the current fiscal year, provisions
 25 of law prohibiting the payment of compensation to, or em-

1 ployment of, any person not a citizen of the United States
2 shall not apply to personnel of the Department of Defense:
3 *Provided*, That salary increases granted to direct and indi-
4 rect hire foreign national employees of the Department of
5 Defense funded by this Act shall not be at a rate in excess
6 of the percentage increase authorized by law for civilian
7 employees of the Department of Defense whose pay is
8 computed under the provisions of section 5332 of title 5,
9 United States Code, or at a rate in excess of the percent-
10 age increase provided by the appropriate host nation to
11 its own employees, whichever is higher: *Provided further*,
12 That this section shall not apply to Department of De-
13 fense foreign service national employees serving at United
14 States diplomatic missions whose pay is set by the Depart-
15 ment of State under the Foreign Service Act of 1980: *Pro-*
16 *vided further*, That the limitations of this provision shall
17 not apply to foreign national employees of the Department
18 of Defense in the Republic of Turkey.

19 SEC. 8003. No part of any appropriation contained
20 in this Act shall remain available for obligation beyond
21 the current fiscal year, unless expressly so provided herein.

22 SEC. 8004. No more than 20 per centum of the ap-
23 propriations in this Act which are limited for obligation
24 during the current fiscal year shall be obligated during
25 the last 2 months of the fiscal year: *Provided*, That this

1 section shall not apply to obligations for support of active
2 duty training of reserve components or summer camp
3 training of the Reserve Officers' Training Corps.

4 (TRANSFER OF FUNDS)

5 SEC. 8005. Upon determination by the Secretary of
6 Defense that such action is necessary in the national inter-
7 est, he may, with the approval of the Office of Manage-
8 ment and Budget, transfer not to exceed \$2,000,000,000
9 of working capital funds of the Department of Defense
10 or funds made available in this Act to the Department
11 of Defense for military functions (except military con-
12 struction) between such appropriations or funds or any
13 subdivision thereof, to be merged with and to be available
14 for the same purposes, and for the same time period, as
15 the appropriation or fund to which transferred: *Provided*,
16 That such authority to transfer may not be used unless
17 for higher priority items, based on unforeseen military re-
18 quirements, than those for which originally appropriated
19 and in no case where the item for which funds are re-
20 quested has been denied by Congress: *Provided further*,
21 That the Secretary of Defense shall notify the Congress
22 promptly of all transfers made pursuant to this authority
23 or any other authority in this Act: *Provided further*, That
24 no part of the funds in this Act shall be available to pre-
25 pare or present a request to the Committees on Appropria-
26 tions for reprogramming of funds, unless for higher pri-

1 ority items, based on unforeseen military requirements,
2 than those for which originally appropriated and in no
3 case where the item for which reprogramming is requested
4 has been denied by the Congress.

5 (TRANSFER OF FUNDS)

6 SEC. 8006. During the current fiscal year, cash bal-
7 ances in working capital funds of the Department of De-
8 fense established pursuant to section 2208 of title 10,
9 United States Code, may be maintained in only such
10 amounts as are necessary at any time for cash disburse-
11 ments to be made from such funds: *Provided*, That trans-
12 fers may be made between such funds: *Provided further*,
13 That transfers may be made between working capital
14 funds and the “Foreign Currency Fluctuations, Defense”
15 appropriation and the “Operation and Maintenance” ap-
16 propriation accounts in such amounts as may be deter-
17 mined by the Secretary of Defense, with the approval of
18 the Office of Management and Budget, except that such
19 transfers may not be made unless the Secretary of Defense
20 has notified the Congress of the proposed transfer. Except
21 in amounts equal to the amounts appropriated to working
22 capital funds in this Act, no obligations may be made
23 against a working capital fund to procure or increase the
24 value of war reserve material inventory, unless the Sec-
25 retary of Defense has notified the Congress prior to any
26 such obligation.

1 SEC. 8007. Funds appropriated by this Act may not
2 be used to initiate a special access program without prior
3 notification 30 calendar days in session in advance to the
4 congressional defense committees.

5 SEC. 8008. None of the funds provided in this Act
6 shall be available to initiate: (1) a multiyear contract that
7 employs economic order quantity procurement in excess of
8 \$20,000,000 in any 1 year of the contract or that includes
9 an unfunded contingent liability in excess of \$20,000,000;
10 or (2) a contract for advance procurement leading to a
11 multiyear contract that employs economic order quantity
12 procurement in excess of \$20,000,000 in any 1 year, un-
13 less the congressional defense committees have been noti-
14 fied at least 30 days in advance of the proposed contract
15 award: *Provided*, That no part of any appropriation con-
16 tained in this Act shall be available to initiate a multiyear
17 contract for which the economic order quantity advance
18 procurement is not funded at least to the limits of the
19 Government's liability: *Provided further*, That no part of
20 any appropriation contained in this Act shall be available
21 to initiate multiyear procurement contracts for any sys-
22 tems or component thereof if the value of the multiyear
23 contract would exceed \$500,000,000 unless specifically
24 provided in this Act: *Provided further*, That no multiyear
25 procurement contract can be terminated without 10-day

1 prior notification to the congressional defense committees:
2 *Provided further*, That the execution of multiyear author-
3 ity shall require the use of a present value analysis to de-
4 termine lowest cost compared to an annual procurement.

5 Funds appropriated in title III of this Act may be
6 used for multiyear procurement contracts as follows:

7 Longbow Apache Helicopter; MLRS Rocket
8 Launcher; Abrams M1A2 Upgrade; Bradley M2A3
9 Vehicle; F/A-18E/F aircraft; C-17 aircraft; and F-
10 16 aircraft.

11 SEC. 8009. Within the funds appropriated for the op-
12 eration and maintenance of the Armed Forces, funds are
13 hereby appropriated pursuant to section 401 of title 10,
14 United States Code, for humanitarian and civic assistance
15 costs under chapter 20 of title 10, United States Code.
16 Such funds may also be obligated for humanitarian and
17 civic assistance costs incidental to authorized operations
18 and pursuant to authority granted in section 401 of chap-
19 ter 20 of title 10, United States Code, and these obliga-
20 tions shall be reported to Congress on September 30 of
21 each year: *Provided*, That funds available for operation
22 and maintenance shall be available for providing humani-
23 tarian and similar assistance by using Civic Action Teams
24 in the Trust Territories of the Pacific Islands and freely
25 associated states of Micronesia, pursuant to the Compact

1 of Free Association as authorized by Public Law 99–239:
2 *Provided further*, That upon a determination by the Sec-
3 retary of the Army that such action is beneficial for grad-
4 uate medical education programs conducted at Army med-
5 ical facilities located in Hawaii, the Secretary of the Army
6 may authorize the provision of medical services at such
7 facilities and transportation to such facilities, on a non-
8 reimbursable basis, for civilian patients from American
9 Samoa, the Commonwealth of the Northern Mariana Is-
10 lands, the Marshall Islands, the Federated States of Mi-
11 cronesia, Palau, and Guam.

12 SEC. 8010. (a) During fiscal year 2000, the civilian
13 personnel of the Department of Defense may not be man-
14 aged on the basis of any end-strength, and the manage-
15 ment of such personnel during that fiscal year shall not
16 be subject to any constraint or limitation (known as an
17 end-strength) on the number of such personnel who may
18 be employed on the last day of such fiscal year.

19 (b) The fiscal year 2001 budget request for the De-
20 partment of Defense as well as all justification material
21 and other documentation supporting the fiscal year 2001
22 Department of Defense budget request shall be prepared
23 and submitted to the Congress as if subsections (a) and
24 (b) of this provision were effective with regard to fiscal
25 year 2001.

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

3 SEC. 8011. Notwithstanding any other provision of
4 law, none of the funds made available by this Act shall
5 be used by the Department of Defense to exceed, outside
6 the 50 United States, its territories, and the District of
7 Columbia, 125,000 civilian workyears: *Provided*, That
8 workyears shall be applied as defined in the Federal Per-
9 sonnel Manual: *Provided further*, That workyears ex-
10 pended in dependent student hiring programs for dis-
11 advantaged youths shall not be included in this workyear
12 limitation.

13 SEC. 8012. None of the funds made available by this
14 Act shall be used in any way, directly or indirectly, to in-
15 fluence congressional action on any legislation or appro-
16 priation matters pending before the Congress.

17 SEC. 8013. (a) None of the funds appropriated by
18 this Act shall be used to make contributions to the Depart-
19 ment of Defense Education Benefits Fund pursuant to
20 section 2006(g) of title 10, United States Code, rep-
21 resenting the normal cost for future benefits under section
22 3015(c) of title 38, United States Code, for any member
23 of the armed services who, on or after the date of the en-
24 actment of this Act, enlists in the armed services for a
25 period of active duty of less than three years, nor shall

1 any amounts representing the normal cost of such future
2 benefits be transferred from the Fund by the Secretary
3 of the Treasury to the Secretary of Veterans Affairs pur-
4 suant to section 2006(d) of title 10, United States Code;
5 nor shall the Secretary of Veterans Affairs pay such bene-
6 fits to any such member: *Provided*, That this limitation
7 shall not apply to members in combat arms skills or to
8 members who enlist in the armed services on or after July
9 1, 1989, under a program continued or established by the
10 Secretary of Defense in fiscal year 1991 to test the cost-
11 effective use of special recruiting incentives involving not
12 more than nineteen noncombat arms skills approved in ad-
13 vance by the Secretary of Defense: *Provided further*, That
14 this subsection applies only to active components of the
15 Army.

16 (b) None of the funds appropriated by this Act shall
17 be available for the basic pay and allowances of any mem-
18 ber of the Army participating as a full-time student and
19 receiving benefits paid by the Secretary of Veterans Af-
20 fairs from the Department of Defense Education Benefits
21 Fund when time spent as a full-time student is credited
22 toward completion of a service commitment: *Provided*,
23 That this subsection shall not apply to those members who
24 have reenlisted with this option prior to October 1, 1987:

1 *Provided further*, That this subsection applies only to ac-
 2 tive components of the Army.

3 SEC. 8014. None of the funds appropriated by this
 4 Act shall be available to convert to contractor performance
 5 an activity or function of the Department of Defense that,
 6 on or after the date of the enactment of this Act, is per-
 7 formed by more than ten Department of Defense civilian
 8 employees until a most efficient and cost-effective organi-
 9 zation analysis is completed on such activity or function
 10 and certification of the analysis is made to the Committees
 11 on Appropriations of the House of Representatives and the
 12 Senate: *Provided*, That this section and subsections (a),
 13 (b), and (c) of 10 U.S.C. 2461 shall not apply to a com-
 14 mercial or industrial type function of the Department of
 15 Defense that: (1) is included on the procurement list es-
 16 tablished pursuant to section 2 of the Act of June 25,
 17 1938 (41 U.S.C. 47), popularly referred to as the Javits-
 18 Wagner-O'Day Act; (2) is planned to be converted to per-
 19 formance by a qualified nonprofit agency for the blind or
 20 by a qualified nonprofit agency for other severely handi-
 21 capped individuals in accordance with that Act; or (3) is
 22 planned to be converted to performance by a qualified firm
 23 under 51 per centum Native American ownership.

24 (TRANSFER OF FUNDS)

25 SEC. 8015. Funds appropriated in title III of this Act
 26 for the Department of Defense Pilot Mentor-Protege Pro-

1 gram may be transferred to any other appropriation con-
2 tained in this Act solely for the purpose of implementing
3 a Mentor-Protege Program developmental assistance
4 agreement pursuant to section 831 of the National De-
5 fense Authorization Act for Fiscal Year 1991 (Public Law
6 101-510; 10 U.S.C. 2301 note), as amended, under the
7 authority of this provision or any other transfer authority
8 contained in this Act.

9 SEC. 8016. None of the funds in this Act may be
10 available for the purchase by the Department of Defense
11 (and its departments and agencies) of welded shipboard
12 anchor and mooring chain 4 inches in diameter and under
13 unless the anchor and mooring chain are manufactured
14 in the United States from components which are substan-
15 tially manufactured in the United States: *Provided*, That
16 for the purpose of this section manufactured will include
17 cutting, heat treating, quality control, testing of chain and
18 welding (including the forging and shot blasting process):
19 *Provided further*, That for the purpose of this section sub-
20 stantially all of the components of anchor and mooring
21 chain shall be considered to be produced or manufactured
22 in the United States if the aggregate cost of the compo-
23 nents produced or manufactured in the United States ex-
24 ceeds the aggregate cost of the components produced or
25 manufactured outside the United States: *Provided further*,

1 That when adequate domestic supplies are not available
2 to meet Department of Defense requirements on a timely
3 basis, the Secretary of the service responsible for the pro-
4 curement may waive this restriction on a case-by-case
5 basis by certifying in writing to the Committees on Appro-
6 priations that such an acquisition must be made in order
7 to acquire capability for national security purposes.

8 SEC. 8017. None of the funds appropriated by this
9 Act available for the Civilian Health and Medical Program
10 of the Uniformed Services (CHAMPUS) shall be available
11 for the reimbursement of any health care provider for in-
12 patient mental health service for care received when a pa-
13 tient is referred to a provider of inpatient mental health
14 care or residential treatment care by a medical or health
15 care professional having an economic interest in the facil-
16 ity to which the patient is referred: *Provided*, That this
17 limitation does not apply in the case of inpatient mental
18 health services provided under the program for the handi-
19 capped under subsection (d) of section 1079 of title 10,
20 United States Code, provided as partial hospital care, or
21 provided pursuant to a waiver authorized by the Secretary
22 of Defense because of medical or psychological cir-
23 cumstances of the patient that are confirmed by a health
24 professional who is not a Federal employee after a review,
25 pursuant to rules prescribed by the Secretary, which takes

1 into account the appropriate level of care for the patient,
2 the intensity of services required by the patient, and the
3 availability of that care.

4 SEC. 8018. Funds available in this Act may be used
5 to provide transportation for the next-of-kin of individuals
6 who have been prisoners of war or missing in action from
7 the Vietnam era to an annual meeting in the United
8 States, under such regulations as the Secretary of Defense
9 may prescribe.

10 SEC. 8019. Notwithstanding any other provision of
11 law, during the current fiscal year, the Secretary of De-
12 fense may, by executive agreement, establish with host na-
13 tion governments in NATO member states a separate ac-
14 count into which such residual value amounts negotiated
15 in the return of United States military installations in
16 NATO member states may be deposited, in the currency
17 of the host nation, in lieu of direct monetary transfers to
18 the United States Treasury: *Provided*, That such credits
19 may be utilized only for the construction of facilities to
20 support United States military forces in that host nation,
21 or such real property maintenance and base operating
22 costs that are currently executed through monetary trans-
23 fers to such host nations: *Provided further*, That the De-
24 partment of Defense's budget submission for fiscal year
25 2001 shall identify such sums anticipated in residual value

1 settlements, and identify such construction, real property
2 maintenance or base operating costs that shall be funded
3 by the host nation through such credits: *Provided further*,
4 That all military construction projects to be executed from
5 such accounts must be previously approved in a prior Act
6 of Congress: *Provided further*, That each such executive
7 agreement with a NATO member host nation shall be re-
8 ported to the congressional defense committees, the Com-
9 mittee on International Relations of the House of Rep-
10 resentatives and the Committee on Foreign Relations of
11 the Senate 30 days prior to the conclusion and endorse-
12 ment of any such agreement established under this provi-
13 sion.

14 SEC. 8020. None of the funds available to the De-
15 partment of Defense may be used to demilitarize or dis-
16 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
17 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols.

18 SEC. 8021. Notwithstanding any other provision of
19 law, none of the funds appropriated by this Act shall be
20 available to pay more than 50 per centum of an amount
21 paid to any person under section 308 of title 37, United
22 States Code, in a lump sum.

23 SEC. 8022. No more than \$500,000 of the funds ap-
24 propriated or made available in this Act shall be used dur-
25 ing a single fiscal year for any single relocation of an orga-

1 nization, unit, activity or function of the Department of
2 Defense into or within the National Capital Region: *Pro-*
3 *vided*, That the Secretary of Defense may waive this re-
4 striction on a case-by-case basis by certifying in writing
5 to the congressional defense committees that such a relo-
6 cation is required in the best interest of the Government.

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

19 SEC. 8024. In addition to the funds provided else-
20 where in this Act, \$8,000,000 is appropriated only for in-
21 centive payments authorized by section 504 of the Indian
22 Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That
23 contractors participating in the test program established
24 by section 854 of Public Law 101-189 (15 U.S.C. 637
25 note) shall be eligible for the program established by sec-

1 tion 504 of the Indian Financing Act of 1974 (25 U.S.C.
2 1544).

3 SEC. 8025. During the current fiscal year, funds ap-
4 propriated or otherwise available for any Federal agency,
5 the Congress, the judicial branch, or the District of Co-
6 lumbia may be used for the pay, allowances, and benefits
7 of an employee as defined by section 2105 of title 5,
8 United States Code, or an individual employed by the gov-
9 ernment of the District of Columbia, permanent or tem-
10 porary indefinite, who—

11 (1) is a member of a Reserve component of the
12 Armed Forces, as described in section 10101 of title
13 10, United States Code, or the National Guard, as
14 described in section 101 of title 32, United States
15 Code;

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

20 (A) Federal service under sections 331,
21 332, 333, or 12406 of title 10, or other provi-
22 sion of law, as applicable; or

23 (B) full-time military service for his or her
24 State, the District of Columbia, the Common-

1 wealth of Puerto Rico, or a territory of the
2 United States; and

3 (3) requests and is granted—

4 (A) leave under the authority of this sec-
5 tion; or

6 (B) annual leave, which may be granted
7 without regard to the provisions of sections
8 5519 and 6323(b) of title 5, if such employee
9 is otherwise entitled to such annual leave:

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

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

23 SEC. 8027. Funds appropriated by this Act for the
24 American Forces Information Service shall not be used for

1 any national or international political or psychological ac-
2 tivities.

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

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

15 SEC. 8030. (a) Of the funds for the procurement of
16 supplies or services appropriated by this Act, qualified
17 nonprofit agencies for the blind or other severely handi-
18 capped shall be afforded the maximum practicable oppor-
19 tunity to participate as subcontractors and suppliers in the
20 performance of contracts let by the Department of De-
21 fense.

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
25 small business concerns pursuant to section 8(d) of the

1 Small Business Act (15 U.S.C. 637(d)) shall be given
2 credit toward meeting that subcontracting goal for any
3 purchases made from qualified nonprofit agencies for the
4 blind or 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 re-
13 ceipts pursuant to collections from third party payers pur-
14 suant to section 1095 of title 10, United States Code, shall
15 be made available to the local facility of the uniformed
16 services responsible for the collections and shall be over
17 and above the facility’s direct budget amount.

18 SEC. 8032. During the current fiscal year, the De-
19 partment of Defense is authorized to incur obligations of
20 not to exceed \$350,000,000 for purposes specified in sec-
21 tion 2350j(c) of title 10, United States Code, in anticipa-
22 tion of receipt of contributions, only from the Government
23 of Kuwait, under that section: *Provided*, That upon re-
24 ceipt, such contributions from the Government of Kuwait

1 shall be credited to the appropriations or fund which in-
2 curred such obligations.

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
11 exclusive use of the Civil Air Patrol Corporation and not
12 for 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 De-
15 fense (department) federally funded research and develop-
16 ment center (FFRDC), either as a new entity, or as a
17 separate entity administrated by an organization man-
18 aging another FFRDC, or as a nonprofit membership cor-
19 poration consisting of a consortium of other FFRDCs and
20 other non-profit entities.

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

1 FFRDC, and no paid consultant to any defense FFRDC,
2 except when acting in a technical advisory capacity, may
3 be compensated for his or her services as a member of
4 such entity, or as a paid consultant by more than one
5 FFRDC in a fiscal year: *Provided*, That a member of any
6 such entity referred to previously in this subsection shall
7 be allowed travel expenses and per diem as authorized
8 under the Federal Joint Travel Regulations, when en-
9 gaged in the performance of 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 construc-
14 tion of new buildings, for payment of cost sharing for
15 projects funded by government grants, for absorption of
16 contract overruns, or for certain charitable contributions,
17 not to include employee participation in community service
18 and/or development.

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

1 (e) The Secretary of Defense shall, with the submis-
2 sion of the department's fiscal year 2001 budget request,
3 submit a report presenting the specific amounts of staff
4 years of technical effort to be allocated for each defense
5 FFRDC during 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 fa-
9 cility or property under the control of the Department of
10 Defense which were not melted and rolled in the United
11 States or Canada: *Provided*, That these procurement re-
12 strictions shall apply to any and all Federal Supply Class
13 9515, American Society of Testing and Materials (ASTM)
14 or American Iron and Steel Institute (AISI) specifications
15 of carbon, alloy or armor steel plate: *Provided further*,
16 That the Secretary of the military department responsible
17 for the procurement may waive this restriction on a case-
18 by-case basis by certifying in writing to the Committees
19 on Appropriations of the House of Representatives and the
20 Senate that adequate domestic supplies are not available
21 to meet Department of Defense requirements on a timely
22 basis and that such an acquisition must be made in order
23 to acquire capability for national security purposes: *Pro-*
24 *vided further*, That these restrictions shall not apply to

1 contracts which are in being as of the date of the enact-
2 ment of this Act.

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

11 SEC. 8037. During the current fiscal year, the De-
12 partment of Defense may acquire the modification, depot
13 maintenance and repair of aircraft, vehicles and vessels
14 as well as the production of components and other De-
15 fense-related articles, through competition between De-
16 partment of Defense depot maintenance activities and pri-
17 vate firms: *Provided*, That the Senior Acquisition Execu-
18 tive of the military department or defense agency con-
19 cerned, with power of delegation, shall certify that success-
20 ful bids include comparable estimates of all direct and in-
21 direct costs for both public and private bids: *Provided fur-*
22 *ther*, That Office of Management and Budget Circular A-
23 76 shall not apply to competitions conducted under this
24 section.

1 SEC. 8038. (a)(1) If the Secretary of Defense, after
2 consultation with the United States Trade Representative,
3 determines that a foreign country which is party to an
4 agreement described in paragraph (2) has violated the
5 terms of the agreement by discriminating against certain
6 types of products produced in the United States that are
7 covered by the agreement, the Secretary of Defense shall
8 rescind the Secretary's blanket waiver of the Buy Amer-
9 ican Act with respect to such types of products produced
10 in that foreign country.

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

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

1 (c) For purposes of this section, the term “Buy
2 American Act” means title III of the Act entitled “An Act
3 making appropriations for the Treasury and Post Office
4 Departments for the fiscal year ending June 30, 1934,
5 and for other purposes”, approved March 3, 1933 (41
6 U.S.C. 10a et seq.).

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

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8040. Amounts deposited during the current fis-
15 cal year to the special account established under 40 U.S.C.
16 485(h)(2) and to the special account established under 10
17 U.S.C. 2667(d)(1) are appropriated and shall be available
18 until transferred by the Secretary of Defense to current
19 applicable appropriations or funds of the Department of
20 Defense under the terms and conditions specified by 40
21 U.S.C. 485(h)(2)(A) and (B) and 10 U.S.C.
22 2667(d)(1)(B), to be merged with and to be available for
23 the same time period and the same purposes as the appro-
24 priation to which transferred.

25 SEC. 8041. During the current fiscal year, appropria-
26 tions available to the Department of Defense may be used

1 to reimburse a member of a reserve component of the
2 Armed Forces who is not otherwise entitled to travel and
3 transportation allowances and who occupies transient gov-
4 ernment housing while performing active duty for training
5 or inactive duty training: *Provided*, That such members
6 may be provided lodging in kind if transient government
7 quarters are unavailable as if the member was entitled to
8 such allowances under subsection (a) of section 404 of title
9 37, United States Code: *Provided further*, That if lodging
10 in kind is provided, any authorized service charge or cost
11 of such lodging may be paid directly from funds appro-
12 priated for operation and maintenance of the reserve com-
13 ponent of the member concerned.

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

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

1 SEC. 8044. During the current fiscal year, amounts
2 contained in the Department of Defense Overseas Military
3 Facility Investment Recovery Account established by sec-
4 tion 2921(c)(1) of the National Defense Authorization Act
5 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
6 be available until expended for the payments specified by
7 section 2921(c)(2) of that Act: *Provided*, That none of the
8 funds made available for expenditure under this section
9 may be transferred or obligated until thirty days after the
10 Secretary of Defense submits a report which details the
11 balance available in the Overseas Military Facility Invest-
12 ment Recovery Account, all projected income into the ac-
13 count during fiscal years 2000 and 2001, and the specific
14 expenditures to be made using funds transferred from this
15 account during fiscal year 2000.

16 SEC. 8045. Of the funds appropriated or otherwise
17 made available by this Act, not more than \$119,200,000
18 shall be available for payment of the operating costs of
19 NATO Headquarters: *Provided*, That the Secretary of De-
20 fense may waive this section for Department of Defense
21 support provided to NATO forces in and around the
22 former Yugoslavia.

23 SEC. 8046. During the current fiscal year, appropria-
24 tions which are available to the Department of Defense
25 for operation and maintenance may be used to purchase

1 items having an investment item unit cost of not more
2 than \$100,000.

3 SEC. 8047. (a) During the current fiscal year, none
4 of the appropriations or funds available to the Department
5 of Defense Working Capital Funds shall be used for the
6 purchase of an investment item for the purpose of acquir-
7 ing a new inventory item for sale or anticipated sale dur-
8 ing the current fiscal year or a subsequent fiscal year to
9 customers of the Department of Defense Working Capital
10 Funds if such an item would not have been chargeable
11 to the Department of Defense Business Operations Fund
12 during fiscal year 1994 and if the purchase of such an
13 investment item would be chargeable during the current
14 fiscal year to appropriations made to the Department of
15 Defense for procurement.

16 (b) The fiscal year 2001 budget request for the De-
17 partment of Defense as well as all justification material
18 and other documentation supporting the fiscal year 2001
19 Department of Defense budget shall be prepared and sub-
20 mitted to the Congress on the basis that any equipment
21 which was classified as an end item and funded in a pro-
22 curement appropriation contained in this Act shall be
23 budgeted for in a proposed fiscal year 2001 procurement
24 appropriation and not in the supply management business

1 area or any other area or category of the Department of
2 Defense Working Capital Funds.

3 SEC. 8048. None of the funds appropriated by this
4 Act for programs of the Central Intelligence Agency shall
5 remain available for obligation beyond the current fiscal
6 year, except for funds appropriated for the Reserve for
7 Contingencies, which shall remain available until Sep-
8 tember 30, 2001: *Provided*, That funds appropriated,
9 transferred, or otherwise credited to the Central Intel-
10 ligence Agency Central Services Working Capital Fund
11 during this or any prior or subsequent fiscal year shall
12 remain available until expended.

13 SEC. 8049. Notwithstanding any other provision of
14 law, funds made available in this Act for the Defense In-
15 telligence Agency may be used for the design, develop-
16 ment, and deployment of General Defense Intelligence
17 Program intelligence communications and intelligence in-
18 formation systems for the Services, the Unified and Speci-
19 fied Commands, and the component commands.

20 SEC. 8050. Of the funds appropriated by the Depart-
21 ment of Defense under the heading “Operation and Main-
22 tenance, Defense-Wide”, not less than \$8,000,000 shall be
23 made available only for the mitigation of environmental
24 impacts, including training and technical assistance to
25 tribes, related administrative support, the gathering of in-

1 formation, documenting of environmental damage, and de-
2 veloping a system for prioritization of mitigation and cost
3 to complete estimates for mitigation, on Indian lands re-
4 sulting from Department of Defense activities.

5 SEC. 8051. Amounts collected for the use of the fa-
6 cilities of the National Science Center for Communications
7 and Electronics during the current fiscal year pursuant
8 to section 1459(g) of the Department of Defense Author-
9 ization Act, 1986, and deposited to the special account es-
10 tablished under subsection 1459(g)(2) of that Act are ap-
11 propriated and shall be available until expended for the
12 operation and maintenance of the Center as provided for
13 in subsection 1459(g)(2).

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

19 SEC. 8053. (a) None of the funds appropriated in this
20 Act may be expended by an entity of the Department of
21 Defense unless the entity, in expending the funds, com-
22 plies with the Buy American Act. For purposes of this
23 subsection, the term "Buy American Act" means title III
24 of the Act entitled "An Act making appropriations for the
25 Treasury and Post Office Departments for the fiscal year

1 ending June 30, 1934, and for other purposes”, approved
2 March 3, 1933 (41 U.S.C. 10a et seq.).

3 (b) If the Secretary of Defense determines that a per-
4 son has been convicted of intentionally affixing a label
5 bearing a “Made in America” inscription to any product
6 sold in or shipped to the United States that is not made
7 in America, the Secretary shall determine, in accordance
8 with section 2410f of title 10, United States Code, wheth-
9 er the person should be debarred from contracting with
10 the Department of Defense.

11 (c) In the case of any equipment or products pur-
12 chased with appropriations provided under this Act, it is
13 the sense of the Congress that any entity of the Depart-
14 ment of Defense, in expending the appropriation, purchase
15 only American-made equipment and products, provided
16 that American-made equipment and products are cost-
17 competitive, quality-competitive, and available in a timely
18 fashion.

19 SEC. 8054. None of the funds appropriated by this
20 Act shall be available for a contract for studies, analysis,
21 or consulting services entered into without competition on
22 the basis of an unsolicited proposal unless the head of the
23 activity responsible for the procurement determines—

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

4 (2) the purpose of the contract is to explore an
5 unsolicited proposal which offers significant sci-
6 entific or technological promise, represents the prod-
7 uct of original thinking, and was submitted in con-
8 fidence by one source; or

9 (3) the purpose of the contract is to take ad-
10 vantage of unique and significant industrial accom-
11 plishment by a specific concern, or to insure that a
12 new product or idea of a specific concern is given fi-
13 nancial support:

14 *Provided*, That this limitation shall not apply to contracts
15 in an amount of less than \$25,000, contracts related to
16 improvements of equipment that is in development or pro-
17 duction, or contracts as to which a civilian official of the
18 Department of Defense, who has been confirmed by the
19 Senate, determines that the award of such contract is in
20 the interest of the national defense.

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

24 (1) to establish a field operating agency; or

1 (2) to pay the basic pay of a member of the
2 Armed Forces or civilian employee of the depart-
3 ment who is transferred or reassigned from a head-
4 quarters activity if the member or employee's place
5 of duty remains at the location of that headquarters.

6 (b) The Secretary of Defense or Secretary of a mili-
7 tary department may waive the limitations in subsection
8 (a), on a case-by-case basis, if the Secretary determines,
9 and certifies to the Committees on Appropriations of the
10 House of Representatives and Senate that the granting
11 of the waiver will reduce the personnel requirements or
12 the financial requirements of the department.

13 (c) This section does not apply to field operating
14 agencies funded within the National Foreign Intelligence
15 Program.

16 SEC. 8056. Funds appropriated by this Act for intel-
17 ligence activities are deemed to be specifically authorized
18 by the Congress for purposes of section 504 of the Na-
19 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
20 year 2000 until the enactment of the Intelligence Author-
21 ization Act for Fiscal Year 2000.

22 SEC. 8057. Notwithstanding section 303 of Public
23 Law 96-487 or any other provision of law, the Secretary
24 of the Navy is authorized to lease real and personal prop-
25 erty at Naval Air Facility, Adak, Alaska, pursuant to 10

1 U.S.C. 2667(f), for commercial, industrial or other pur-
 2 poses: *Provided*, That notwithstanding any other provision
 3 of law, the Secretary of the Navy may remove hazardous
 4 materials from facilities, buildings, and structures at
 5 Adak, Alaska, and may demolish or otherwise dispose of
 6 such facilities, buildings, and structures.

7 (RESCISSIONS)

8 SEC. 8058. Of the funds provided in Department of
 9 Defense Appropriations Acts, the following funds are here-
 10 by rescinded as of the date of the enactment of this Act
 11 from the following accounts and programs in the specified
 12 amounts:

13 Under the heading, “Other Procurement, Air
 14 Force, 1999/2001”, \$5,405,000;

15 Under the heading, “Missile Procurement, Air
 16 Force, 1999/2001”, \$8,000,000 ; and

17 Under the heading, “Research, Development,
 18 Test and Evaluation, Air Force, 1999/2000”,
 19 \$40,000,000.

20 SEC. 8059. None of the funds available in this Act
 21 may be used to reduce the authorized positions for mili-
 22 tary (civilian) technicians of the Army National Guard,
 23 the Air National Guard, Army Reserve and Air Force Re-
 24 serve for the purpose of applying any administratively im-
 25 posed civilian personnel ceiling, freeze, or reduction on

1 military (civilian) technicians, unless such reductions are
2 a direct result of a reduction in military force structure.

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

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

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

1 ligence or counterintelligence support to Unified Com-
 2 mands, Defense Agencies and Joint Intelligence Activities,
 3 including the activities and programs included within the
 4 National Foreign Intelligence Program (NFIP), the Joint
 5 Military Intelligence Program (JMIP), and the Tactical
 6 Intelligence and Related Activities (TIARA) aggregate:
 7 *Provided*, That nothing in this section authorizes deviation
 8 from established Reserve and National Guard personnel
 9 and training procedures.

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8064. (a) None of the funds appropriated in this
 22 Act may be transferred to or obligated from the Pentagon
 23 Reservation Maintenance Revolving Fund, unless the Sec-
 24 retary of Defense certifies that the total cost for the plan-
 25 ning, design, construction and installation of equipment

1 for the renovation of the Pentagon Reservation will not
2 exceed \$1,222,000,000.

3 (b) The Secretary shall, in conjunction with the Pen-
4 tagon Renovation, design and construct secure secretarial
5 offices and support facilities and security-related changes
6 to the subway entrance at the Pentagon Reservation.

7 SEC. 8065. (a) None of the funds available to the
8 Department of Defense for any fiscal year for drug inter-
9 diction or counter-drug activities may be transferred to
10 any other department or agency of the United States ex-
11 cept as specifically provided in an appropriations law.

12 (b) None of the funds available to the Central Intel-
13 ligence Agency for any fiscal year for drug interdiction
14 and counter-drug activities may be transferred to any
15 other department or agency of the United States except
16 as specifically provided in an appropriations law.

17 (TRANSFER OF FUNDS)

18 SEC. 8066. Appropriations available in this Act under
19 the heading “Operation and Maintenance, Defense-Wide”
20 for increasing energy and water efficiency in Federal
21 buildings may, during their period of availability, be trans-
22 ferred to other appropriations or funds of the Department
23 of Defense for projects related to increasing energy and
24 water efficiency, to be merged with and to be available
25 for the same general purposes, and for the same time pe-
26 riod, as the appropriation or fund to which transferred.

1 SEC. 8067. None of the funds appropriated by this
2 Act may be used for the procurement of ball and roller
3 bearings other than those produced by a domestic source
4 and of domestic origin: *Provided*, That the Secretary of
5 the military department responsible for such procurement
6 may waive this restriction on a case-by-case basis by certi-
7 fying in writing to the Committees on Appropriations of
8 the House of Representatives and the Senate, that ade-
9 quate domestic supplies are not available to meet Depart-
10 ment of Defense requirements on a timely basis and that
11 such an acquisition must be made in order to acquire ca-
12 pability for national security purposes.

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

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

1 that such an acquisition must be made in order to acquire
2 capability for national security purposes that is not avail-
3 able from United States manufacturers.

4 SEC. 8070. Notwithstanding any other provision of
5 law, each contract awarded by the Department of Defense
6 during the current fiscal year for construction or service
7 performed in whole or in part in a State which is not con-
8 tiguous with another State and has an unemployment rate
9 in excess of the national average rate of unemployment
10 as determined by the Secretary of Labor, shall include a
11 provision requiring the contractor to employ, for the pur-
12 pose of performing that portion of the contract in such
13 State that is not contiguous with another State, individ-
14 uals who are residents of such State and who, in the case
15 of any craft or trade, possess or would be able to acquire
16 promptly the necessary skills: *Provided*, That the Sec-
17 retary of Defense may waive the requirements of this sec-
18 tion, on a case-by-case basis, in the interest of national
19 security.

20 SEC. 8071. During the current fiscal year, the Army
21 shall use the former George Air Force Base as the airhead
22 for the National Training Center at Fort Irwin: *Provided*,
23 That none of the funds in this Act shall be obligated or
24 expended to transport Army personnel into Edwards Air

1 Force Base for training rotations at the National Training
2 Center.

3 SEC. 8072. (a) The Secretary of Defense shall sub-
4 mit, on a quarterly basis, a report to the congressional
5 defense committees, the Committee on International Rela-
6 tions of the House of Representatives and the Committee
7 on Foreign Relations of the Senate setting forth all costs
8 (including incremental costs) incurred by the Department
9 of Defense during the preceding quarter in implementing
10 or supporting resolutions of the United Nations Security
11 Council, including any such resolution calling for inter-
12 national sanctions, international peacekeeping operations,
13 and humanitarian missions undertaken by the Depart-
14 ment of Defense. The quarterly report shall include an ag-
15 gregate of all such Department of Defense costs by oper-
16 ation or mission.

17 (b) The Secretary of Defense shall detail in the quar-
18 terly reports all efforts made to seek credit against past
19 United Nations expenditures and all efforts made to seek
20 compensation from the United Nations for costs incurred
21 by the Department of Defense in implementing and sup-
22 porting United Nations activities.

23 SEC. 8073. (a) LIMITATION ON TRANSFER OF DE-
24 FENSE ARTICLES AND SERVICES.—Notwithstanding any
25 other provision of law, none of the funds available to the

1 Department of Defense for the current fiscal year may be
 2 obligated or expended to transfer to another nation or an
 3 international organization any defense articles or services
 4 (other than intelligence services) for use in the activities
 5 described in subsection (b) unless the congressional de-
 6 fense committees, the Committee on International Rela-
 7 tions of the House of Representatives, and the Committee
 8 on Foreign Relations of the Senate are notified 15 days
 9 in advance of such transfer.

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

11 (1) any international peacekeeping or peace-en-
 12 forcement operation under the authority of chapter
 13 VI or chapter VII of the United Nations Charter
 14 under the authority of a United Nations Security
 15 Council resolution; and

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

18 (c) REQUIRED NOTICE.—A notice under subsection

19 (a) shall include the following:

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

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

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

1 (A) a statement of whether the inventory
2 requirements of all elements of the Armed
3 Forces (including the reserve components) for
4 the type of equipment or supplies to be trans-
5 ferred have been met; and

6 (B) a statement of whether the items pro-
7 posed to be transferred will have to be replaced
8 and, if so, how the President proposes to pro-
9 vide funds for such replacement.

10 SEC. 8074. To the extent authorized by subchapter
11 VI of chapter 148 of title 10, United States Code, the
12 Secretary of Defense shall issue loan guarantees in sup-
13 port of United States defense exports not otherwise pro-
14 vided for: *Provided*, That the total contingent liability of
15 the United States for guarantees issued under the author-
16 ity of this section may not exceed \$15,000,000,000: *Pro-*
17 *vided further*, That the exposure fees charged and collected
18 by the Secretary for each guarantee, shall be paid by the
19 country involved and shall not be financed as part of a
20 loan guaranteed by the United States: *Provided further*,
21 That the Secretary shall provide quarterly reports to the
22 Committees on Appropriations, Armed Services and For-
23 eign Relations of the Senate and the Committees on Ap-
24 propriations, Armed Services and International Relations
25 in the House of Representatives on the implementation of

1 this program: *Provided further*, That amounts charged for
2 administrative fees and deposited to the special account
3 provided for under section 2540c(d) of title 10, shall be
4 available for paying the costs of administrative expenses
5 of the Department of Defense that are attributable to the
6 loan guarantee program under subchapter VI of chapter
7 148 of title 10, United States Code.

8 SEC. 8075. None of the funds available to the De-
9 partment of Defense under this Act shall be obligated or
10 expended to pay a contractor under a contract with the
11 Department of Defense for costs of any amount paid by
12 the contractor to an employee when—

13 (1) such costs are for a bonus or otherwise in
14 excess of the normal salary paid by the contractor
15 to the employee; and

16 (2) such bonus is part of restructuring costs as-
17 sociated with a business combination.

18 SEC. 8076. (a) None of the funds appropriated or
19 otherwise made available in this Act may be used to trans-
20 port or provide for the transportation of chemical muni-
21 tions or agents to the Johnston Atoll for the purpose of
22 storing or demilitarizing such munitions or agents.

23 (b) The prohibition in subsection (a) shall not apply
24 to any obsolete World War II chemical munition or agent

1 of the United States found in the World War II Pacific
2 Theater of Operations.

3 (c) The President may suspend the application of
4 subsection (a) during a period of war in which the United
5 States is a party.

6 SEC. 8077. None of the funds provided in title II of
7 this Act for “Former Soviet Union Threat Reduction”
8 may be obligated or expended to finance housing for any
9 individual who was a member of the military forces of the
10 Soviet Union or for any individual who is or was a member
11 of the military forces of the Russian Federation.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8078. During the current fiscal year, no more
14 than \$10,000,000 of appropriations made in this Act
15 under the heading “Operation and Maintenance, Defense-
16 Wide” may be transferred to appropriations available for
17 the pay of military personnel, to be merged with, and to
18 be available for the same time period as the appropriations
19 to which transferred, to be used in support of such per-
20 sonnel in connection with support and services for eligible
21 organizations and activities outside the Department of De-
22 fense pursuant to section 2012 of title 10, United States
23 Code.

24 SEC. 8079. For purposes of section 1553(b) of title
25 31, United States Code, any subdivision of appropriations
26 made in this Act under the heading “Shipbuilding and

1 Conversion, Navy” shall be considered to be for the same
2 purpose as any subdivision under the heading “Ship-
3 building and Conversion, Navy” appropriations in any
4 prior year, and the 1 percent limitation shall apply to the
5 total amount of the appropriation.

6 SEC. 8080. During the current fiscal year, in the case
7 of an appropriation account of the Department of Defense
8 for which the period of availability for obligation has ex-
9 pired or which has closed under the provisions of section
10 1552 of title 31, United States Code, and which has a
11 negative unliquidated or unexpended balance, an obliga-
12 tion or an adjustment of an obligation may be charged
13 to any current appropriation account for the same purpose
14 as the expired or closed account if—

15 (1) the obligation would have been properly
16 chargeable (except as to amount) to the expired or
17 closed account before the end of the period of avail-
18 ability or closing of that account;

19 (2) the obligation is not otherwise properly
20 chargeable to any current appropriation account of
21 the Department of Defense; and

22 (3) in the case of an expired account, the obli-
23 gation is not chargeable to a current appropriation
24 of the Department of Defense under the provisions
25 of section 1405(b)(8) of the National Defense Au-

14 SEC. 8081. Upon enactment of this Act, the Sec-
15 retary of Defense shall make the following transfers of
16 funds: *Provided*, That the amounts transferred shall be
17 available for the same purposes as the appropriations to
18 which transferred, and for the same time period as the
19 appropriation from which transferred: *Provided further*,
20 That the amounts shall be transferred between the fol-
21 lowing appropriations in the amount specified:

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

SSN-688 attack submarine program,
\$6,585,000;

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

2 Aircraft carrier service life extension

3 program, \$202,000;

4 LHD-1 amphibious assault ship pro-

5 gram, \$2,311,000;

6 LSD-41 cargo variant ship program,

7 \$566,000;

8 T-AO fleet oiler program,

9 \$3,494,000;

10 AO conversion program, \$133,000;

11 Craft, outfitting, and post delivery,

12 \$1,688,000;

13 To:

14 Under the heading, “Shipbuilding and

15 Conversion, Navy, 1995/2001”:

16 DDG-51 destroyer program,

17 \$27,079,000;

18 From:

19 Under the heading, “Shipbuilding and

20 Conversion, Navy, 1989/2000”:

21 DDG-51 destroyer program,

22 \$13,200,000;

23 Aircraft carrier service life extension

24 program, \$186,000;

1 LHD-1 amphibious assault ship pro-
2 gram, \$3,621,000;

3 LCAC landing craft, air cushioned
4 program, \$1,313,000;

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

6 AOE combat support ship program,
7 \$1,078,000;

8 AO conversion program, \$881,000;

9 T-AGOS drug interdiction conversion,
10 \$407,000;

11 Outfitting and post delivery,
12 \$219,000;

13 To:

14 Under the heading, “Shipbuilding and
15 Conversion, Navy, 1996/2000”:

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

18 From:

19 Under the heading, “Shipbuilding and
20 Conversion, Navy, 1990/2002”:

21 SSN-688 attack submarine program,
22 \$5,606,000;

23 DDG-51 destroyer program,
24 \$6,000,000;

1 ENTERPRISE refueling/moderniza-
2 tion program, \$2,306,000;
3 LHD-1 amphibious assault ship pro-
4 gram, \$183,000;
5 LSD-41 dock landing ship cargo vari-
6 ant program, \$501,000;
7 LCAC landing craft, air cushioned
8 program, \$345,000;
9 MCM mine countermeasures program,
10 \$1,369,000;
11 Moored training ship demonstration
12 program, \$1,906,000;
13 Oceanographic ship program,
14 \$1,296,000;
15 AOE combat support ship program,
16 \$4,086,000;
17 AO conversion program, \$143,000;
18 Craft, outfitting, post delivery, and
19 ship special support equipment,
20 \$1,209,000;
21 To:
22 Under the heading, “Shipbuilding and
23 Conversion, Navy, 1990/2002”:
24 T-AGOS surveillance ship program,
25 \$5,000,000;

1 Coast Guard icebreaker program,
2 \$8,153,000;

3 Under the heading, “Shipbuilding and
4 Conversion, Navy, 1996/2002”:

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

7 Under the heading, “Shipbuilding and
8 Conversion, Navy, 1998/2002”:

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

10 From:

11 Under the heading, “Shipbuilding and
12 Conversion, Navy, 1991/2001”:

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

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

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

19 LCAC landing craft, air cushioned
20 program, \$330,000;

21 AOE combat support ship program,
22 \$1,435,000;

23 To:

24 Under the heading, “Shipbuilding and
25 Conversion, Navy, 1998/2001”:

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

2 From:

3 Under the heading, “Shipbuilding and
4 Conversion, Navy, 1992/2001”:

5 SSN–21 attack submarine program,
6 \$11,983,000;

7 Craft, outfitting, post delivery, and
8 DBOF transfer, \$836,000;

9 Escalation, \$5,378,000;

10 To:

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

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

14 From:

15 Under the heading, “Shipbuilding and
16 Conversion, Navy, 1993/2002”:

17 Carrier replacement program(AP),
18 \$30,332,000;

19 LSD–41 cargo variant ship program,
20 \$676,000;

21 AOE combat support ship program,
22 \$2,066,000;

23 Craft, outfitting, post delivery, and
24 first destination transportation, and infla-
25 tion adjustments, \$2,127,000;

1 To:

2 Under the heading, “Shipbuilding and
3 Conversion, Navy, 1998/2002”:

4 CVN refuelings, \$29,884,000;

5 Under the heading, “Shipbuilding and
6 Conversion, Navy, 1999/2002”:

7 Craft, outfitting, post delivery, conver-
8 sions, and first destination transportation,
9 \$5,317,000;

10 From:

11 Under the heading, “Shipbuilding and
12 Conversion, Navy, 1994/2003”:

13 LHD–1 amphibious assault ship pro-
14 gram, \$18,349,000;

15 Oceanographic ship program, \$9,000;

16 To:

17 Under the heading, “Shipbuilding and
18 Conversion, Navy, 1994/2003”:

19 DDG–51 destroyer program,
20 \$18,349,000;

21 Under the heading, “Shipbuilding and
22 Conversion, Navy, 1999/2003”:

23 Craft, outfitting, post delivery, conver-
24 sions, and first destination transportation,
25 \$9,000;

1 From:

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

4 SSN–21 attack submarine program,
5 \$10,100,000;

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

8 To:

9 Under the heading, “Shipbuilding and
10 Conversion, Navy, 1996/2000”:

11 DDG–51 destroyer program,
12 \$3,723,000;

13 LPD–17 amphibious transport dock
14 ship, \$13,477,000.

15 SEC. 8082. Funds appropriated in title II of this Act
16 and for the Defense Health Program in title VI of this
17 Act for supervision and administration costs for facilities
18 maintenance and repair, minor construction, or design
19 projects may be obligated at the time the reimbursable
20 order is accepted by the performing activity: *Provided*,
21 That for the purpose of this section, supervision and ad-
22 ministration costs includes all in-house Government cost.

23 SEC. 8083. During the current fiscal year, the Sec-
24 retary of Defense may waive reimbursement of the cost
25 of conferences, seminars, courses of instruction, or similar

1 educational activities of the Asia-Pacific Center for Secu-
2 rity Studies for military officers and civilian officials of
3 foreign nations if the Secretary determines that attend-
4 ance by such personnel, without reimbursement, is in the
5 national security interest of the United States: *Provided*,
6 That costs for which reimbursement is waived pursuant
7 to this subsection shall be paid from appropriations avail-
8 able for the Asia-Pacific Center.

9 SEC. 8084. (a) Notwithstanding any other provision
10 of law, the Chief of the National Guard Bureau may per-
11 mit the use of equipment of the National Guard Distance
12 Learning Project by any person or entity on a space-avail-
13 able, reimbursable basis. The Chief of the National Guard
14 Bureau shall establish the amount of reimbursement for
15 such use on a case-by-case basis.

16 (b) Amounts collected under subsection (a) shall be
17 credited to funds available for the National Guard Dis-
18 tance Learning Project and be available to defray the costs
19 associated with the use of equipment of the project under
20 that subsection. Such funds shall be available for such
21 purposes without fiscal year limitation.

22 SEC. 8085. Using funds available by this Act or any
23 other Act, the Secretary of the Air Force, pursuant to a
24 determination under section 2690 of title 10, United
25 States Code, may implement cost-effective agreements for

1 required heating facility modernization in the
2 Kaiserslautern Military Community in the Federal Repub-
3 lic of Germany: *Provided*, That in the City of
4 Kaiserslautern such agreements will include the use of
5 United States anthracite as the base load energy for mu-
6 nicipal district heat to the United States Defense installa-
7 tions: *Provided further*, That at Landstuhl Army Regional
8 Medical Center and Ramstein Air Base, furnished heat
9 may be obtained from private, regional or municipal serv-
10 ices, if provisions are included for the consideration of
11 United States coal as an energy source.

12 SEC. 8086. During the current fiscal year, refunds
13 attributable to the use of the Government travel card and
14 the Government Purchase Card by military personnel and
15 civilian employees of the Department of Defense and re-
16 funds attributable to official Government travel arranged
17 by Government Contracted Travel Management Centers
18 may be credited to the accounts current when the refunds
19 are received that are available for the same purposes as
20 the accounts originally charged.

21 SEC. 8087. Notwithstanding 31 U.S.C. 3902, during
22 the current fiscal year, interest penalties may be paid by
23 the Department of Defense from funds financing the oper-
24 ation of the military department or defense agency with
25 which the invoice or contract payment is associated.

1 SEC. 8088. (a) The Secretary of Defense may, on a
2 case-by-case basis, waive with respect to a foreign country
3 each limitation on the procurement of defense items from
4 foreign sources provided in law if the Secretary determines
5 that the application of the limitation with respect to that
6 country would invalidate cooperative programs entered
7 into between the Department of Defense and the foreign
8 country, or would invalidate reciprocal trade agreements
9 for the procurement of defense items entered into under
10 section 2531 of title 10, United States Code, and the
11 country does not discriminate against the same or similar
12 defense items produced in the United States for that coun-
13 try.

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

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

17 (2) options for the procurement of items that
18 are exercised after such date under contracts that
19 are entered into before such date if the option prices
20 are adjusted for any reason other than the applica-
21 tion of a waiver granted under subsection (a).

22 (c) Subsection (a) does not apply to a limitation re-
23 garding construction of public vessels, ball and roller bear-
24 ings, food, and clothing or textile materials as defined by
25 section 11 (chapters 50–65) of the Harmonized Tariff

1 Schedule and products classified under headings 4010,
2 4202, 4203, 6401 through 6406, 6505, 7019, 7218
3 through 7229, 7304.41 through 7304.49, 7306.40, 7502
4 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

5 SEC. 8089. Funds made available to the Civil Air Pa-
6 trol in this Act under the heading “Drug Interdiction and
7 Counter-Drug Activities, Defense” may be used for the
8 Civil Air Patrol Corporation’s counterdrug program, in-
9 cluding its demand reduction program involving youth
10 programs, as well as operational and training drug recon-
11 naissance missions for Federal, State and local govern-
12 ment agencies; for administrative costs, including the hir-
13 ing of Civil Air Patrol Corporation employees; for travel
14 and per diem expenses of Civil Air Patrol Corporation per-
15 sonnel in support of those missions; and for equipment
16 needed for mission support or performance: *Provided*,
17 That the Department of the Air Force should waive reim-
18 bursement from the Federal, State and local government
19 agencies for the use of these funds.

20 SEC. 8090. Notwithstanding any other provision of
21 law, the TRICARE managed care support contracts in ef-
22 fect, or in final stages of acquisition as of September 30,
23 1999, may be extended for two years: *Provided*, That any
24 such extension may only take place if the Secretary of De-
25 fense determines that it is in the best interest of the Gov-

ernment: *Provided further*, That any contract extension shall be based on the price in the final best and final offer for the last year of the existing contract as adjusted for inflation and other factors mutually agreed to by the contractor and the Government: *Provided further*, That notwithstanding any other provision of law, all future TRICARE managed care support contracts replacing contracts in effect, or in the final stages of acquisition as of September 30, 1998, may include a base contract period for transition and up to seven one-year option periods.

SEC. 8091. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by \$452,100,000 to reflect savings from revised economic assumptions, to be distributed as follows:

“Aircraft Procurement, Army”, \$8,000,000;
 “Missile Procurement, Army”, \$7,000,000;
 “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$9,000,000;
 “Procurement of Ammunition, Army”, \$6,000,000;
 “Other Procurement, Army”, \$19,000,000;
 “Aircraft Procurement, Navy”, \$44,000,000;
 “Weapons Procurement, Navy”, \$8,000,000;
 “Procurement of Ammunition, Navy and Marine Corps”, \$3,000,000;

1 “Shipbuilding and Conversion, Navy”,
 2 \$37,000,000;
 3 “Other Procurement, Navy”, \$23,000,000;
 4 “Procurement, Marine Corps”, \$5,000,000;
 5 “Aircraft Procurement, Air Force”,
 6 \$46,000,000;
 7 “Missile Procurement, Air Force”,
 8 \$14,000,000;
 9 “Procurement of Ammunition, Air Force”,
 10 \$2,000,000;
 11 “Other Procurement, Air Force”, \$44,400,000;
 12 “Procurement, Defense-Wide”, \$5,200,000;
 13 “Chemical Agents and Munitions Destruction,
 14 Army”, \$5,000,000;
 15 “Research, Development, Test and Evaluation,
 16 Army”, \$20,000,000;
 17 “Research, Development, Test and Evaluation,
 18 Navy”, \$40,900,000;
 19 “Research, Development, Test and Evaluation,
 20 Air Force”, \$76,900,000; and
 21 “Research, Development, Test and Evaluation,
 22 Defense-Wide”, \$28,700,000:
 23 *Provided*, That these reductions shall be applied propor-
 24 tionally to each budget activity, activity group and sub-

1 activity group and each program, project, and activity
2 within each appropriation account.

3 SEC. 8092. TRAINING AND OTHER PROGRAMS. (a)
4 PROHIBITION.—None of the funds made available by this
5 Act may be used to support any training program involv-
6 ing a unit of the security forces of a foreign country if
7 the Secretary of Defense has received credible information
8 from the Department of State that the unit has committed
9 a gross violation of human rights, unless all necessary cor-
10 rective steps have been taken.

11 (b) MONITORING.—The Secretary of Defense, in con-
12 sultation with the Secretary of State, shall ensure that
13 prior to a decision to conduct any training program re-
14 ferred to in subsection (a), full consideration is given to
15 all credible information available to the Department of
16 State relating to human rights violations by foreign secu-
17 rity forces.

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

22 SEC. 8093. The Secretary of Defense, in coordination
23 with the Secretary of Health and Human Services, may
24 carry out a program to distribute surplus dental equip-
25 ment of the Department of Defense, at no cost to the De-

1 partment of Defense, to Indian health service facilities and
 2 to federally-qualified health centers (within the meaning
 3 of section 1905(l)(2)(B) of the Social Security Act (42
 4 U.S.C. 1396d(l)(2)(B))).

5 SEC. 8094. Notwithstanding any other provision in
 6 this Act, the total amount appropriated in this Act is here-
 7 by reduced by \$209,300,000 to reflect savings from the
 8 pay of civilian personnel, to be distributed as follows:

9 “Operation and Maintenance, Army”,
 10 \$45,100,000;

11 “Operation and Maintenance, Navy”,
 12 \$74,400,000;

13 “Operation and Maintenance, Air Force”,
 14 \$59,800,000; and

15 “Operation and Maintenance, Defense-Wide”,
 16 \$30,000,000.

17 SEC. 8095. Notwithstanding any other provision in
 18 this Act, the total amount appropriated in this Act is here-
 19 by reduced by \$206,600,000 to reflect savings from favor-
 20 able foreign currency fluctuations, to be distributed as fol-
 21 lows:

22 “Operation and Maintenance, Army”,
 23 \$138,000,000;

24 “Operation and Maintenance, Navy”,
 25 \$10,600,000;

1 “Operation and Maintenance, Marine Corps”,
2 \$2,000,000;

3 “Operation and Maintenance, Air Force”,
4 \$43,000,000; and

5 “Operation and Maintenance, Defense-Wide”,
6 \$13,000,000.

7 SEC. 8096. Notwithstanding any other provision in
8 this Act, the total amount appropriated in this Act is here-
9 by reduced by \$250,307,000 to reflect savings from reduc-
10 tions in the price of bulk fuel, to be distributed as follows:

11 “Operation and Maintenance, Army”,
12 \$56,000,000;

13 “Operation and Maintenance, Navy”,
14 \$67,000,000;

15 “Operation and Maintenance, Marine Corps”,
16 \$7,700,000;

17 “Operation and Maintenance, Air Force”,
18 \$62,000,000;

19 “Operation and Maintenance, Defense-Wide”,
20 \$34,000,000;

21 “Operation and Maintenance, Army Reserve”,
22 \$4,107,000;

23 “Operation and Maintenance, Navy Reserve”,
24 \$2,700,000;

1 “Operation and Maintenance, Air Force Re-
2 serve”, \$5,000,000;

3 “Operation and Maintenance, Army National
4 Guard” \$8,700,000; and

5 “Operation and Maintenance, Air National
6 Guard”, \$3,100,000.

7 SEC. 8097. Notwithstanding any other provision of
8 law, the Secretary of Defense may retain all or a portion
9 of the family housing at Fort Buchanan, Puerto Rico, as
10 the Secretary deems necessary to meet military family
11 housing needs arising out of the relocation of elements of
12 the United States Army South to Fort Buchanan.

13 SEC. 8098. Funds appropriated to the Department
14 of the Navy in title II of this Act may be available to re-
15 place lost and canceled Treasury checks issued to Trans
16 World Airlines in the total amount of \$255,333.24 for
17 which timely claims were filed and for which detailed sup-
18 porting records no longer exist.

19 SEC. 8099. Notwithstanding any other provision of
20 law, the Chief of the National Guard Bureau, or his des-
21 ignee, may waive payment of all or part of the consider-
22 ation in the case of a lease of personal property for a pe-
23 riod not in excess of one year to—

24 (1) any department or agency of the Federal
25 Government;

1 (2) any State or local government, including
2 any interstate organization established by agreement
3 of two or more States;

4 (3) any organization determined by the Chief of
5 the National Guard Bureau, or his designee, to be
6 a youth or charitable organization; or

7 (4) any other entity that the Chief of the Na-
8 tional Guard Bureau, or his designee, approves on a
9 case-by-case basis.

10 SEC. 8100. In the current fiscal year and hereafter,
11 funds appropriated for the Pacific Disaster Center may
12 be obligated to carry out such missions as the Secretary
13 of Defense may specify for disaster information manage-
14 ment and related supporting activities in the geographic
15 area of responsibility of the Commander in Chief, Pacific
16 and beyond in support of a global disaster information
17 network: *Provided*, That the Secretary may enable the Pa-
18 cific Disaster Center and its derivatives to enter into flexi-
19 ble public-private cooperative arrangements for the delega-
20 tion or implementation of some or all of its missions and
21 accept and provide grants, or other remuneration to or
22 from any agency of the Federal government, state or local
23 government, private source or foreign government to carry
24 out any of its activities: *Provided further*, That the Pacific
25 Disaster Center may not accept any remuneration or pro-

1 vide any service or grant which could compromise national
2 security.

3 SEC. 8101. Notwithstanding any other provision in
4 this Act, the total amount appropriated in Title I of this
5 Act is hereby reduced by \$1,838,426,000 to reflect
6 amounts appropriated in H.R. 1141, as enacted. This
7 amount is to be distributed as follows:

8 “Military Personnel, Army”, \$559,533,000;

9 “Military Personnel, Navy”, \$436,773,000;

10 “Military Personnel, Marine Corps”,
11 \$177,980,000;

12 “Military Personnel, Air Force”, \$471,892,000;

13 “Reserve Personnel, Army”, \$40,574,000;

14 “Reserve Personnel, Navy”, \$29,833,000;

15 “Reserve Personnel, Marine Corps”,
16 \$7,820,000;

17 “Reserve Personnel, Air Force”, \$13,143,000;

18 “National Guard Personnel, Army”,
19 \$70,416,000; and

20 “National Guard Personnel, Air Force”,
21 \$30,462,000.

22 SEC. 8102. Notwithstanding any other provision of
23 law, that not more than twenty-five per centum of funds
24 provided in this Act, may be obligated for environmental
25 remediation under indefinite delivery/indefinite quantity

1 contracts with a total contract value of \$130,000,000 or
2 higher.

3 SEC. 8103. Of the funds made available under the
4 heading “Operation and Maintenance, Air Force”,
5 \$5,000,000 shall be transferred to the Department of
6 Transportation to enable the Secretary of Transportation
7 to realign railroad track on Elmendorf Air Force Base.

8 SEC. 8104. (a) Of the amounts provided in Title II
9 of this Act, not less than \$1,353,900,000 shall be available
10 for the missions of the Department of Defense related to
11 combating terrorism inside and outside the United States.

12 (b) The budget of the United States Government sub-
13 mitted to Congress under section 1105 of title 31, United
14 States Code, for each fiscal year after fiscal year 2000
15 shall set forth separately for a single account the amount
16 requested for the missions of the Department of Defense
17 related to combating terrorism inside and outside the
18 United States.

19 SEC. 8105. None of the funds appropriated by this
20 Act shall be used for the support of any nonappropriated
21 funds activity of the Department of Defense that procures
22 malt beverages and wine with nonappropriated funds for
23 resale (including such alcoholic beverages sold by the
24 drink) on a military installation located in the United
25 States unless such malt beverages and wine are procured

1 within that State, or in the case of the District of Colum-
2 bia, within the District of Columbia, in which the military
3 installation is located: *Provided*, That in a case in which
4 the military installation is located in more than one State,
5 purchases may be made in any State in which the installa-
6 tion is located: *Provided further*, That such local procure-
7 ment requirements for malt beverages and wine shall
8 apply to all alcoholic beverages only for military installa-
9 tions in States which are not contiguous with another
10 State: *Provided further*, That alcoholic beverages other
11 than wine and malt beverages, in contiguous States and
12 the District of Columbia shall be procured from the most
13 competitive source, price and other factors considered.

14 SEC. 8106. (a) The Secretary of the Air Force may
15 obtain transportation for operational support purposes, in-
16 cluding transportation for combatant Commanders in
17 Chief, by lease of aircraft, on such terms and conditions
18 as the Secretary may deem appropriate, consistent with
19 this section, through an operating lease consistent with
20 OMB Circular A-11.

21 (b) The term of any lease into which the Secretary
22 enters under this section shall not exceed ten years from
23 the date on which the lease takes effect.

24 (c) The Secretary may include terms and conditions
25 in any lease into which the Secretary enters under this

1 section that are customary in the leasing of aircraft by
2 a nongovernmental lessor to a nongovernmental lessee.

3 (d) The Secretary may, in connection with any lease
4 into which the Secretary enters under this section, to the
5 extent the Secretary deems appropriate, provide for special
6 payments to the lessor if either the Secretary terminates
7 or cancels the lease prior to the expiration of its term or
8 the aircraft is damaged or destroyed prior to the expira-
9 tion of the term of the lease. In the event of termination
10 or cancellation of the lease, the total value of such pay-
11 ments shall not exceed the value of one year's lease pay-
12 ment.

13 (e) Notwithstanding any other provision of law any
14 payments required under a lease under this section, and
15 any payments made pursuant to subsection (d), may be
16 made from—

17 (1) appropriations available for the performance
18 of the lease at the time the lease takes effect;

19 (2) appropriations for the operation and main-
20 tenance available at the time which the payment is
21 due; and

22 (3) funds appropriated for those payments.

23 (f) The authority granted to the Secretary of the Air
24 Force by this section is separate from and in addition to,
25 and shall not be construed to impair or otherwise affect,

1 the authority of the Secretary to procure transportation
2 or enter into leases under a provision of law other than
3 this section.

4 SEC. 8107. The Communications Act is amended in
5 section 337(b) (47 U.S.C. 337(b)), by deleting paragraph
6 (2). Upon enactment of this provision, the FCC shall ini-
7 tiate the competitive bidding process in fiscal year 1999
8 and shall conduct the competitive bidding in a manner
9 that ensures that all proceeds of such bidding are depos-
10 ited in accordance with section 309(j)(8) of the Act not
11 later than September 30, 2000. To expedite the assign-
12 ment by competitive bidding of the frequencies identified
13 in section 337(a)(2) of the Act, the rules governing such
14 frequencies shall be effective immediately upon publication
15 in the Federal Register, notwithstanding 5 U.S.C. 553(d),
16 801(a)(3), 804(2), and 806(a). Chapter 6 of such title,
17 15 U.S.C. 632, and 44 U.S.C. 3507 and 3512, shall not
18 apply to the rules and competitive bidding procedures gov-
19 erning such frequencies. Notwithstanding section 309(b)
20 of the Act, no application for an instrument of authoriza-
21 tion for such frequencies shall be granted by the Commis-
22 sion earlier than 7 days following issuance of public notice
23 by the Commission of the acceptance for filing of such ap-
24 plication or of any substantial amendment thereto. Not-
25 withstanding section 309(d)(1) of such Act, the Commis-

1 sion may specify a period (no less than 5 days following
2 issuance of such public notice) for the filing of petitions
3 to deny any application for an instrument of authorization
4 for such frequencies.

5 SEC. 8108. Notwithstanding any other provision in
6 this Act, the total amount appropriated in this Act for
7 Titles II and III is hereby reduced by \$3,100,000,000 to
8 reflect supplemental appropriations provided under Public
9 Law 106–31 for Readiness/Munitions; Operational Rapid
10 Response Transfer Fund; Spare Parts; Depot Mainte-
11 nance; Recruiting; Readiness Training/OPTEMPO; and
12 Base Operations.

13 This Act may be cited as the “Department of Defense
14 Appropriations Act, 2000”.

Calendar No. 122

106TH CONGRESS
1ST Session

S. 1122

[Report No. 106-53]

A BILL

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

MAY 25, 1999

Read twice and placed on the calendar