

Calendar No. 563106TH CONGRESS
2^D SESSION**S. 2593****[Report No. 106-298]**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18, 2000

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, 2001, 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, 2001, 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,
interest on deposits, gratuities, permanent change of sta-
tion travel (including all expenses thereof for organiza-
tional movements), and expenses of temporary duty travel
between permanent duty stations, for members of the
Army on active duty (except members of reserve compo-
nents provided for elsewhere), cadets, and aviation cadets;
and for payments pursuant to section 156 of Public Law
97–377, as amended (42 U.S.C. 402 note), to section
229(b) of the Social Security Act (42 U.S.C. 429(b)), and
to the Department of Defense Military Retirement Fund,
\$22,173,929,000.

16

MILITARY PERSONNEL, NAVY

17

For pay, allowances, individual clothing, subsistence,
interest on deposits, gratuities, permanent change of sta-
tion travel (including all expenses thereof for organiza-
tional movements), and expenses of temporary duty travel
between permanent duty stations, for members of the
Navy on active duty (except members of the Reserve pro-
vided for elsewhere), midshipmen, and aviation cadets; and
for payments pursuant to section 156 of Public Law 97–
377, as amended (42 U.S.C. 402 note), to section 229(b)

25

1 of the Social Security Act (42 U.S.C. 429(b)), and to the
2 Department of Defense Military Retirement Fund,
3 \$17,877,215,000.

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 Ma-
10 rine Corps on active duty (except members of the Reserve
11 provided for elsewhere); and for payments pursuant to sec-
12 tion 156 of Public Law 97-377, as amended (42 U.S.C.
13 402 note), to section 229(b) of the Social Security Act
14 (42 U.S.C. 429(b)), and to the Department of Defense
15 Military Retirement Fund, \$6,831,373,000.

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 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)), and
2 to the Department of Defense Military Retirement Fund,
3 \$18,110,764,000.

4 RESERVE PERSONNEL, ARMY

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Army Re-
7 serve on active duty under sections 10211, 10302, and
8 3038 of title 10, United States Code, or while serving on
9 active duty under section 12301(d) of title 10, United
10 States Code, in connection with performing duty specified
11 in section 12310(a) of title 10, United States Code, or
12 while undergoing reserve training, or while performing
13 drills or equivalent duty or other duty, and for members
14 of the Reserve Officers' Training Corps, and expenses au-
15 thorized by section 16131 of title 10, United States Code;
16 and for payments to the Department of Defense Military
17 Retirement Fund, \$2,458,961,000.

18 RESERVE PERSONNEL, NAVY

19 For pay, allowances, clothing, subsistence, gratuities,
20 travel, and related expenses for personnel of the Navy Re-
21 serve on active duty under section 10211 of title 10,
22 United States Code, or while serving on active duty under
23 section 12301(d) of title 10, United States Code, in con-
24 nection with performing duty specified in section 12310(a)
25 of title 10, United States Code, or while undergoing re-

1 serve training, or while performing drills or equivalent
2 duty, and for members of the Reserve Officers' Training
3 Corps, and expenses authorized by section 16131 of title
4 10, United States Code; and for payments to the Depart-
5 ment of Defense Military Retirement Fund,
6 \$1,539,490,000.

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 equiv-
16 alent duty, and for members of the Marine Corps platoon
17 leaders class, and expenses authorized by section 16131
18 of title 10, United States Code; and for payments to the
19 Department of Defense Military Retirement Fund,
20 \$446,586,000.

21 RESERVE PERSONNEL, AIR FORCE

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

1 active duty under section 12301(d) of title 10, United
2 States Code, in connection with performing duty specified
3 in section 12310(a) of title 10, United States Code, or
4 while undergoing reserve training, or while performing
5 drills or equivalent duty or other duty, and for members
6 of the Air Reserve Officers' Training Corps, and expenses
7 authorized by section 16131 of title 10, United States
8 Code; and for payments to the Department of Defense
9 Military Retirement Fund, \$963,752,000.

10 NATIONAL GUARD PERSONNEL, ARMY

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Army Na-
13 tional Guard while on duty under section 10211, 10302,
14 or 12402 of title 10 or section 708 of title 32, United
15 States Code, or while serving on duty under section
16 12301(d) of title 10 or section 502(f) of title 32, United
17 States Code, in connection with performing duty specified
18 in section 12310(a) of title 10, United States Code, or
19 while undergoing training, or while performing drills or
20 equivalent duty or other duty, and expenses authorized by
21 section 16131 of title 10, United States Code; and for pay-
22 ments to the Department of Defense Military Retirement
23 Fund, \$3,781,236,000.

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 \$1,634,181,000.

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 author-
21 ized by law; and not to exceed \$10,616,000 can be used
22 for emergencies and extraordinary expenses, to be ex-
23 pended on the approval or authority of the Secretary of
24 the Army, and payments may be made on his certificate
25 of necessity for confidential military purposes,

1 \$19,049,881,000 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 \$5,146,000 can be used for emergencies and extraordinary
13 expenses, to be expended on the approval or authority of
14 the Secretary of the Navy, and payments may be made
15 on his certificate of necessity for confidential military pur-
16 poses, \$23,398,254,000 and, in addition, \$50,000,000
17 shall be derived by transfer from the National Defense
18 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, \$2,729,758,000.

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 \$7,878,000 can be
6 used for emergencies and extraordinary expenses, to be ex-
7 pended on the approval or authority of the Secretary of
8 the Air Force, and payments may be made on his certifi-
9 cate of necessity for confidential military purposes,
10 \$22,268,977,000 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 military
17 departments), as authorized by law, \$11,991,688,000, of
18 which not to exceed \$25,000,000 may be available for the
19 CINC initiative fund account; and of which not to exceed
20 \$30,000,000 can be used for emergencies and extraor-
21 dinary expenses, to be expended on the approval or author-
22 ity of the Secretary of Defense, and payments may be
23 made on his certificate of necessity for confidential mili-
24 tary 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, \$1,529,418,000.

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, \$968,946,000.

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 passenger
23 motor vehicles; travel and transportation; care of the dead;
24 recruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$141,159,000.

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 motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$1,893,859,000.

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 and
25 equipment (including aircraft), \$3,330,535,000.

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 Na-
11 tional Guard; and expenses incident to the maintenance
12 and use of supplies, materials, and equipment, including
13 such as may be furnished from stocks under the control
14 of agencies of the Department of Defense; travel expenses
15 (other than mileage) on the same basis as authorized by
16 law for Air National Guard personnel on active Federal
17 duty, for Air National Guard commanders while inspecting
18 units in compliance with National Guard Bureau regula-
19 tions when specifically authorized by the Chief, National
20 Guard Bureau, \$3,481,775,000.

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 \$4,100,577,000, to remain available until expended: *Pro-*

1 *vided*, That the Secretary of Defense may transfer these
 2 funds only to military personnel accounts; operation and
 3 maintenance accounts within this title, the Defense Health
 4 Program appropriation, and to working capital funds: *Pro-*
 5 *vided further*, That the funds transferred shall be merged
 6 with and shall be available for the same purposes and for
 7 the same time period, as the appropriation to which trans-
 8 ferred: *Provided further*, That upon a determination that
 9 all or part of the funds transferred from this appropriation
 10 are not necessary for the purposes provided herein, such
 11 amounts may be transferred back to this appropriation:
 12 *Provided further*, That the transfer authority provided in
 13 this paragraph is in addition to any other transfer author-
 14 ity contained elsewhere in this Act.

15 UNITED STATES COURTS 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 \$8,574,000, 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, \$389,932,000, to
 24 remain available until transferred: *Provided*, That the Sec-
 25 retary 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, \$294,038,000, to
16 remain available until transferred: *Provided*, That the Sec-
17 retary 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, \$376,300,000,
8 to remain available until transferred: *Provided*, That the
9 Secretary of the Air Force shall, upon determining that
10 such funds are required for environmental restoration, re-
11 duction and recycling of hazardous waste, removal of un-
12 safe buildings and debris of the Department of the Air
13 Force, or for similar purposes, transfer the funds made
14 available by this appropriation to other appropriations
15 made available to the Department of the Air Force, to be
16 merged with and to be available for the same purposes
17 and for the same time period as the appropriations to
18 which transferred: *Provided further*, That upon a deter-
19 mination that all or part of the funds transferred from
20 this appropriation are not necessary for the purposes pro-
21 vided herein, such amounts may be transferred back to
22 this appropriation.

1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$21,412,000, to re-
4 main available until transferred: *Provided*, That the Sec-
5 retary of Defense shall, upon determining that such funds
6 are required for environmental restoration, reduction and
7 recycling of hazardous waste, removal of unsafe buildings
8 and debris of the Department of Defense, or for similar
9 purposes, transfer the funds made available by this appro-
10 priation to other appropriations made available to the De-
11 partment of Defense, to be merged with and to be avail-
12 able for the same purposes and for the same time period
13 as the appropriations to which transferred: *Provided fur-*
14 *ther*, That upon a determination that all or part of the
15 funds transferred from this appropriation are not nec-
16 essary 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, \$231,499,000, to
22 remain available until transferred: *Provided*, That the Sec-
23 retary 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 Depart-
2 ment of Defense, transfer the funds made available by this
3 appropriation to other appropriations made available to
4 the Department of the Army, to be merged with and to
5 be available for the same purposes and for the same time
6 period as the appropriations to which transferred: *Pro-*
7 *vided further*, That upon a determination that all or part
8 of the funds transferred from this appropriation are not
9 necessary for the purposes provided herein, such amounts
10 may be transferred back to this appropriation.

11 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

12 For expenses relating to the Overseas Humanitarian,
13 Disaster, and Civic Aid programs of the Department of
14 Defense (consisting of the programs provided under sec-
15 tions 401, 402, 404, 2547, and 2551 of title 10, United
16 States Code), \$55,900,000, to remain available until Sep-
17 tember 30, 2002.

18 FORMER SOVIET UNION THREAT REDUCTION

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

1 to the training and support of defense and military per-
2 sonnel for demilitarization and protection of weapons,
3 weapons components and weapons technology and exper-
4 tise, \$458,400,000, to remain available until September
5 30, 2003: *Provided*, That of the amounts provided under
6 this heading, \$25,000,000 shall be available only to sup-
7 port the dismantling and disposal of nuclear submarines
8 and submarine reactor components in the Russian Far
9 East.

10 TITLE III

11 PROCUREMENT

12 AIRCRAFT PROCUREMENT, ARMY

13 For construction, procurement, production, modifica-
14 tion, and modernization of aircraft, equipment, including
15 ordnance, ground handling equipment, spare parts, and
16 accessories therefor; specialized equipment and training
17 devices; expansion of public and private plants, including
18 the land necessary therefor, for the foregoing purposes,
19 and such lands and interests therein, may be acquired,
20 and construction prosecuted thereon prior to approval of
21 title; and procurement and installation of equipment, ap-
22 pliances, and machine tools in public and private plants;
23 reserve plant and Government and contractor-owned
24 equipment layaway; and other expenses necessary for the

1 foregoing purposes, \$1,532,862,000, to remain available
2 for obligation until September 30, 2003.

3 MISSILE PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-
5 tion, and modernization of missiles, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$1,329,781,000, to remain available
17 for obligation until September 30, 2003.

18 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

19 VEHICLES, ARMY

20 For construction, procurement, production, and
21 modification of weapons and tracked combat vehicles,
22 equipment, including ordnance, spare parts, and acces-
23 sories therefor; specialized equipment and training devices;
24 expansion of public and private plants, including the land
25 necessary therefor, for the foregoing purposes, and such

1 lands and interests therein, may be acquired, and con-
2 struction prosecuted thereon prior to approval of title; and
3 procurement and installation of equipment, appliances,
4 and machine tools in public and private plants; reserve
5 plant and Government and contractor-owned equipment
6 layaway; and other expenses necessary for the foregoing
7 purposes, \$2,166,574,000, to remain available for obliga-
8 tion until September 30, 2003.

9 PROCUREMENT OF AMMUNITION, ARMY

10 For construction, procurement, production, and
11 modification of ammunition, and accessories therefor; spe-
12 cialized equipment and training devices; expansion of pub-
13 lic and private plants, including ammunition facilities au-
14 thorized by section 2854 of title 10, United States Code,
15 and the land necessary therefor, for the foregoing pur-
16 poses, and such lands and interests therein, may be ac-
17 quired, and construction prosecuted thereon prior to ap-
18 proval of title; and procurement and installation of equip-
19 ment, appliances, and machine tools in public and private
20 plants; reserve plant and Government and contractor-
21 owned equipment layaway; and other expenses necessary
22 for the foregoing purposes, \$1,212,149,000, to remain
23 available for obligation until September 30, 2003.

1 OTHER PROCUREMENT, ARMY

2 For construction, procurement, production, and
3 modification of vehicles, including tactical, support, and
4 non-tracked combat vehicles; the purchase of not to exceed
5 35 passenger motor vehicles for replacement only; and the
6 purchase of 12 vehicles required for physical security of
7 personnel, notwithstanding price limitations applicable to
8 passenger vehicles but not to exceed \$200,000 per vehicle;
9 communications and electronic equipment; other support
10 equipment; spare parts, ordnance, and accessories there-
11 for; specialized equipment and training devices; expansion
12 of public and private plants, including the land necessary
13 therefor, for the foregoing purposes, and such lands and
14 interests therein, may be acquired, and construction pros-
15 ecuted thereon prior to approval of title; and procurement
16 and installation of equipment, appliances, and machine
17 tools in public and private plants; reserve plant and Gov-
18 ernment and contractor-owned equipment layaway; and
19 other expenses necessary for the foregoing purposes,
20 \$4,060,728,000, to remain available for obligation until
21 September 30, 2003.

22 AIRCRAFT PROCUREMENT, NAVY

23 For construction, procurement, production, modifica-
24 tion, and modernization of aircraft, equipment, including
25 ordnance, spare parts, and accessories therefor; specialized

1 equipment; expansion of public and private plants, includ-
2 ing the land necessary therefor, and such lands and inter-
3 ests therein, may be acquired, and construction prosecuted
4 thereon prior to approval of title; and procurement and
5 installation of equipment, appliances, and machine tools
6 in public and private plants; reserve plant and Govern-
7 ment and contractor-owned equipment layaway,
8 \$8,426,499,000, to remain available for obligation until
9 September 30, 2003.

10 WEAPONS PROCUREMENT, NAVY

11 For construction, procurement, production, modifica-
12 tion, and modernization of missiles, torpedoes, other weap-
13 ons, and related support equipment including spare parts,
14 and accessories therefor; expansion of public and private
15 plants, including the land necessary therefor, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; and
18 procurement and installation of equipment, appliances,
19 and machine tools in public and private plants; reserve
20 plant and Government and contractor-owned equipment
21 layaway, \$1,571,650,000, to remain available for obliga-
22 tion until September 30, 2003.

1 public and private plants, including land necessary there-
2 for, and such lands and interests therein, may be acquired,
3 and construction prosecuted thereon prior to approval of
4 title, as follows:

5 Carrier Replacement Program, \$4,053,653,000;

6 Carrier Replacement Program (AP),

7 \$21,869,000;

8 NSSN, \$1,203,012,000;

9 NSSM (AP), \$508,222,000;

10 CVN Refuelings, \$703,441,000;

11 CVN Refuelings (AP), \$25,000,000;

12 Submarine Refuelings, \$210,414,000;

13 Submarine Refuelings (AP), \$72,277,000;

14 DDG-51 destroyer program, \$2,713,559,000;

15 DDG-51 destroyer program (AP),

16 \$500,000,000;

17 LPD-17 Program Cost Growth, \$285,000,000;

18 LPD-17 (AP), \$200,000,000;

19 LHD-8 (AP), \$460,000,000;

20 ADC(X), \$338,951,000;

21 LCAC landing craft air cushion program,

22 \$15,615,000; and

23 For craft, outfitting, post delivery, conversions,

24 and first destination transformation transportation,

25 \$301,077,000;

1 In all: \$11,612,090,000, to remain available for obli-
2 gation until September 30, 2005: *Provided*, That addi-
3 tional obligations may be incurred after September 30,
4 2005, for engineering services, tests, evaluations, and
5 other such budgeted work that must be performed in the
6 final stage of ship construction: *Provided further*, That
7 none of the funds provided under this heading for the con-
8 struction or conversion of any naval vessel to be con-
9 structed in shipyards in the United States shall be ex-
10 pended in foreign facilities for the construction of major
11 components of such vessel: *Provided further*, That none
12 of the funds provided under this heading shall be used
13 for the construction of any naval vessel in foreign ship-
14 yards: *Provided further*, That the Secretary of the Navy
15 is hereby granted the authority to enter into contracts for
16 an LHD-1 Amphibious Assault Ship and LPD-17 Class
17 Ships which shall be funded on an incremental basis.

18 OTHER PROCUREMENT, NAVY

19 For procurement, production, and modernization of
20 support equipment and materials not otherwise provided
21 for, Navy ordnance (except ordnance for new aircraft, new
22 ships, and ships authorized for conversion); the purchase
23 of not to exceed 63 passenger motor vehicles for replace-
24 ment only, and the purchase of one vehicle required for
25 physical security of personnel, notwithstanding price limi-

1 tations applicable to passenger vehicles but not to exceed
2 \$200,000; expansion of public and private plants, includ-
3 ing the land necessary therefor, and such lands and inter-
4 ests therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; and procurement and
6 installation of equipment, appliances, and machine tools
7 in public and private plants; reserve plant and Govern-
8 ment and contractor-owned equipment layaway,
9 \$3,400,180,000, to remain available for obligation until
10 September 30, 2003.

11 PROCUREMENT, MARINE CORPS

12 For expenses necessary for the procurement, manu-
13 facture, and modification of missiles, armament, military
14 equipment, spare parts, and accessories therefor; plant
15 equipment, appliances, and machine tools, and installation
16 thereof in public and private plants; reserve plant and
17 Government and contractor-owned equipment layaway; ve-
18 hicles for the Marine Corps, including the purchase of not
19 to exceed 33 passenger motor vehicles for replacement
20 only; and expansion of public and private plants, including
21 land necessary therefor, and such lands and interests
22 therein, may be acquired, and construction prosecuted
23 thereon prior to approval of title, \$1,196,368,000, to re-
24 main available for obligation until September 30, 2003.

1 AIRCRAFT PROCUREMENT, AIR FORCE

2 For construction, procurement, lease, and modifica-
3 tion of aircraft and equipment, including armor and arma-
4 ment, specialized ground handling equipment, and train-
5 ing devices, spare parts, and accessories therefor; special-
6 ized equipment; expansion of public and private plants,
7 Government-owned equipment and installation thereof in
8 such plants, erection of structures, and acquisition of land,
9 for the foregoing purposes, and such lands and interests
10 therein, may be acquired, and construction prosecuted
11 thereon prior to approval of title; reserve plant and Gov-
12 ernment and contractor-owned equipment layaway; and
13 other expenses necessary for the foregoing purposes in-
14 cluding rents and transportation of things,
15 \$7,289,934,000, to remain available for obligation until
16 September 30, 2003.

17 MISSILE PROCUREMENT, AIR FORCE

18 For construction, procurement, and modification of
19 missiles, spacecraft, rockets, and related equipment, in-
20 cluding spare parts and accessories therefor, ground han-
21 dling equipment, and training devices; expansion of public
22 and private plants, Government-owned equipment and in-
23 stallation thereof in such plants, erection of structures,
24 and acquisition of land, for the foregoing purposes, and
25 such lands and interests therein, may be acquired, and

1 construction prosecuted thereon prior to approval of title;
2 reserve plant and Government and contractor-owned
3 equipment layaway; and other expenses necessary for the
4 foregoing purposes including rents and transportation of
5 things, \$2,920,815,000, to remain available for obligation
6 until September 30, 2003.

7 PROCUREMENT OF AMMUNITION, AIR FORCE

8 For construction, procurement, production, and
9 modification of ammunition, and accessories therefor; spe-
10 cialized equipment and training devices; expansion of pub-
11 lic and private plants, including ammunition facilities au-
12 thorized by section 2854 of title 10, United States Code,
13 and the land necessary therefor, for the foregoing pur-
14 poses, and such lands and interests therein, may be ac-
15 quired, and construction prosecuted thereon prior to ap-
16 proval of title; and procurement and installation of equip-
17 ment, appliances, and machine tools in public and private
18 plants; reserve plant and Government and contractor-
19 owned equipment layaway; and other expenses necessary
20 for the foregoing purposes, \$654,808,000, to remain avail-
21 able for obligation until September 30, 2003.

22 OTHER PROCUREMENT, AIR FORCE

23 For procurement and modification of equipment (in-
24 cluding ground guidance and electronic control equipment,
25 and ground electronic and communication equipment),

1 and supplies, materials, and spare parts therefor, not oth-
2 erwise provided for; the purchase of not to exceed 173,
3 passenger motor vehicles for replacement only, and the
4 purchase of one vehicle required for physical security of
5 personnel, notwithstanding price limitations applicable to
6 passenger vehicles but not to exceed \$200,000; lease of
7 passenger motor vehicles; and expansion of public and pri-
8 vate plants, Government-owned equipment and installa-
9 tion thereof in such plants, erection of structures, and ac-
10 quisition of land, for the foregoing purposes, and such
11 lands and interests therein, may be acquired, and con-
12 struction prosecuted thereon, prior to approval of title; re-
13 serve plant and Government and contractor-owned equip-
14 ment layaway, \$7,605,027,000, to remain available for ob-
15 ligation until September 30, 2003.

16 PROCUREMENT, DEFENSE-WIDE

17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses of activities and agencies of the Depart-
19 ment of Defense (other than the military departments)
20 necessary for procurement, production, and modification
21 of equipment, supplies, materials, and spare parts there-
22 for, not otherwise provided for; the purchase of not to ex-
23 ceed 115 passenger motor vehicles for replacement only;
24 the purchase of 10 vehicles required for physical security
25 of personnel, notwithstanding price limitations applicable

1 to passenger vehicles but not to exceed \$250,000 per vehi-
2 cle; expansion of public and private plants, equipment, and
3 installation thereof in such plants, erection of structures,
4 and acquisition of land for the foregoing purposes, and
5 such lands and interests therein, may be acquired, and
6 construction prosecuted thereon prior to approval of title;
7 reserve plant and Government and contractor-owned
8 equipment layaway, \$2,294,908,000, to remain available
9 for obligation until September 30, 2003.

10 NATIONAL GUARD AND RESERVE EQUIPMENT

11 For procurement of aircraft, missiles, tracked combat
12 vehicles, ammunition, other weapons, and other procure-
13 ment for the reserve components of the Armed Forces,
14 \$150,000,000, to remain available for obligation until Sep-
15 tember 30, 2003: *Provided*, That the Chiefs of the Reserve
16 and National Guard components shall, not later than 30
17 days after the enactment of this Act, individually submit
18 to the congressional defense committees the modernization
19 priority assessment for their respective Reserve or Na-
20 tional Guard component.

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

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$5,683,675,000, to remain avail-
10 able for obligation until September 30, 2002.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 NAVY

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 fa-
16 cilities and equipment, \$8,812,070,000, to remain avail-
17 able for obligation until September 30, 2002: *Provided*,
18 That funds appropriated in this paragraph which are
19 available for the V-22 may be used to meet unique re-
20 quirements of the Special Operation Forces.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
22 AIR FORCE

23 For expenses necessary for basic and applied sci-
24 entific research, development, test and evaluation, includ-
25 ing maintenance, rehabilitation, lease, and operation of fa-

1 cilities and equipment, \$13,931,145,000, to remain avail-
2 able for obligation until September 30, 2002.

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

5 For expenses of activities and agencies of the Depart-
6 ment of Defense (other than the military departments),
7 necessary for basic and applied scientific research, devel-
8 opment, test and evaluation; advanced research projects
9 as may be designated and determined by the Secretary
10 of Defense, pursuant to law; maintenance, rehabilitation,
11 lease, and operation of facilities and equipment,
12 \$10,952,039,000, to remain available for obligation until
13 September 30, 2002.

14 OPERATIONAL TEST AND EVALUATION, DEFENSE

15 For expenses, not otherwise provided for, necessary
16 for the independent activities of the Director, Operational
17 Test and Evaluation in the direction and supervision of
18 operational test and evaluation, including initial oper-
19 ational test and evaluation which is conducted prior to,
20 and in support of, production decisions; joint operational
21 testing and evaluation; and administrative expenses in
22 connection therewith, \$218,560,000, to remain available
23 for obligation until September 30, 2002.

1 TITLE V
2 REVOLVING AND MANAGEMENT FUNDS
3 DEFENSE WORKING CAPITAL FUNDS

4 For the Defense Working Capital Funds;
5 \$916,276,000: *Provided*, That during fiscal year 2001,
6 funds in the Defense Working Capital Funds may be used
7 for the purchase of not to exceed 330 passenger carrying
8 motor vehicles for replacement only for the Defense Secu-
9 rity Service.

10 NATIONAL DEFENSE SEALIFT FUND

11 For National Defense Sealift Fund programs,
12 projects, and activities, and for expenses of the National
13 Defense Reserve Fleet, as established by section 11 of the
14 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
15 \$388,158,000, to remain available until expended: *Pro-*
16 *vided*, That none of the funds provided in this paragraph
17 shall be used to award a new contract that provides for
18 the acquisition of any of the following major components
19 unless such components are manufactured in the United
20 States: auxiliary equipment, including pumps, for all ship-
21 board services; propulsion system components (that is; en-
22 gines, reduction gears, and propellers); shipboard cranes;
23 and spreaders for shipboard cranes: *Provided further*, That
24 the exercise of an option in a contract awarded through
25 the obligation of previously appropriated funds shall not

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

11 NATIONAL DEFENSE AIRLIFT FUND

12 For National Defense Airlift Fund programs,
13 projects, and activities, \$2,890,923,000, to remain avail-
14 able until expended: *Provided*, That these funds shall only
15 be available for transfer to the appropriate C-17 program
16 P-1 line items of Titles III of this Act for the purposes
17 specified in this section: *Provided further*, That the funds
18 transferred under the authority provided within this sec-
19 tion shall be merged with and shall be available for the
20 same purposes, and for the same time period, as the ap-
21 propriation to which transferred: *Provided further*, That
22 the transfer authority provided in this section is in addi-
23 tion to any other transfer authority contained elsewhere
24 in this Act.

1 TITLE VI
2 OTHER DEPARTMENT OF DEFENSE PROGRAMS
3 DEFENSE HEALTH PROGRAM

4 For expenses, not otherwise provided for, for medical
5 and health care programs of the Department of Defense,
6 as authorized by law, \$12,130,179,000, of which
7 \$11,437,293,000 shall be for Operation and maintenance,
8 of which not to exceed 2 percent shall remain available
9 until September 30, 2002; of which \$290,006,000, to re-
10 main available for obligation until September 30, 2003,
11 shall be for Procurement; of which \$402,880,000, to re-
12 main available for obligation until September 30, 2002,
13 shall be for Research, development, test and evaluation;
14 and of which \$10,000,000 shall be available for HIV pre-
15 vention educational activities undertaken in connection
16 with U.S. military training, exercises, and humanitarian
17 assistance activities conducted in African nations.

18 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
19 DEFENSE

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

1 are not in the chemical weapon stockpile, \$979,400,000,
2 of which \$600,000,000 shall be for Operation and main-
3 tenance to remain available until September 30, 2002,
4 \$105,000,000 shall be for Procurement to remain avail-
5 able until September 30, 2003, and \$274,400,000 shall
6 be for Research, development, test and evaluation to re-
7 main available until September 30, 2002: *Provided*, That
8 of the funds available under this heading, \$1,000,000
9 shall be available until expended each year only for a
10 Johnston Atoll off-island leave program: *Provided further*,
11 That the Secretaries concerned shall, pursuant to uni-
12 form regulations, prescribe travel and transportation al-
13 lowances for travel by participants in the off-island leave
14 program.

15 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
16 DEFENSE
17 (INCLUDING TRANSFER OF FUNDS)

18 For drug interdiction and counter-drug activities of
19 the Department of Defense, for transfer to appropriations
20 available to the Department of Defense for military per-
21 sonnel of the reserve components serving under the provi-
22 sions of title 10 and title 32, United States Code; for Op-
23 eration and maintenance; for Procurement; and for Re-
24 search, development, test and evaluation, \$933,700,000:
25 *Provided*, That the funds appropriated under this heading

1 shall be available for obligation for the same time period
2 and for the same purpose as the appropriation to which
3 transferred: *Provided further*, That the transfer authority
4 provided under this heading is in addition to any transfer
5 authority contained elsewhere in this Act.

6 OFFICE OF THE INSPECTOR GENERAL

7 For expenses and activities of the Office of the In-
8 spector General in carrying out the provisions of the In-
9 spector General Act of 1978, as amended, \$147,545,000,
10 of which \$144,245,000 shall be for Operation and mainte-
11 nance, of which not to exceed \$700,000 is available for
12 emergencies and extraordinary expenses to be expended on
13 the approval or authority of the Inspector General, and
14 payments may be made on the Inspector General's certifi-
15 cate of necessity for confidential military purposes; and
16 of which \$3,300,000 to remain available until September
17 30, 2003, shall be for Procurement.

18 TITLE VII

19 RELATED AGENCIES

20 CENTRAL INTELLIGENCE AGENCY

21 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

22 DISABILITY SYSTEM FUND

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

1 Intelligence Agency Retirement and Disability System,
2 \$216,000,000.

3 INTELLIGENCE COMMUNITY MANAGEMENT
4 ACCOUNT

5 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of the Intelligence Commu-
8 nity Management Account, \$177,331,000, of which
9 \$22,557,000 for the Advanced Research and Development
10 Committee shall remain available until September 30,
11 2002: *Provided*, That of the funds appropriated under this
12 heading, \$27,000,000 shall be transferred to the Depart-
13 ment of Justice for the National Drug Intelligence Center
14 to support the Department of Defense's counter-drug in-
15 telligence responsibilities, and of the said amount,
16 \$1,500,000 for Procurement shall remain available until
17 September 30, 2002, and \$1,000,000 for Research, devel-
18 opment, test and evaluation shall remain available until
19 September 30, 2002.

20 PAYMENT TO KAHO'OLAWA

21 For payment to Kaho'olawe Island Conveyance, Re-
22 mediation, and Environmental Restoration Fund, as au-
23 thorized by law, \$60,000,000, to remain available until ex-
24 pended.

1 NATIONAL SECURITY EDUCATION TRUST FUND

2 For the purposes of title VIII of Public Law 102–
3 183, \$6,950,000, to be derived from the National Security
4 Education Trust Fund, to remain available until ex-
5 pended.

6 TITLE VIII

7 GENERAL PROVISIONS—DEPARTMENT OF

8 DEFENSE

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

12 SEC. 8002. During the current fiscal year, provisions
13 of law prohibiting the payment of compensation to, or em-
14 ployment of, any person not a citizen of the United States
15 shall not apply to personnel of the Department of Defense:
16 *Provided*, That salary increases granted to direct and indi-
17 rect hire foreign national employees of the Department of
18 Defense funded by this Act shall not be at a rate in excess
19 of the percentage increase authorized by law for civilian
20 employees of the Department of Defense whose pay is
21 computed under the provisions of section 5332 of title 5,
22 United States Code, or at a rate in excess of the percent-
23 age increase provided by the appropriate host nation to
24 its own employees, whichever is higher: *Provided further*,
25 That this section shall not apply to Department of De-

1 fense foreign service national employees serving at United
2 States diplomatic missions whose pay is set by the Depart-
3 ment of State under the Foreign Service Act of 1980: *Pro-*
4 *vided further*, That the limitations of this provision shall
5 not apply to foreign national employees of the Department
6 of Defense in the Republic of Turkey.

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

10 SEC. 8004. No more than 20 percent of the appro-
11 priations in this Act which are limited for obligation dur-
12 ing the current fiscal year shall be obligated during the
13 last 2 months of the fiscal year: *Provided*, That this sec-
14 tion shall not apply to obligations for support of active
15 duty training of reserve components or summer camp
16 training of the Reserve Officers' Training Corps.

17 (TRANSFER OF FUNDS)

18 SEC. 8005. Upon determination by the Secretary of
19 Defense that such action is necessary in the national inter-
20 est, he may, with the approval of the Office of Manage-
21 ment and Budget, transfer not to exceed \$2,000,000,000
22 of working capital funds of the Department of Defense
23 or funds made available in this Act to the Department
24 of Defense for military functions (except military con-
25 struction) between such appropriations or funds or any
26 subdivision thereof, to be merged with and to be available

1 for the same purposes, and for the same time period, as
2 the appropriation or fund to which transferred: *Provided*,
3 That such authority to transfer may not be used unless
4 for higher priority items, based on unforeseen military re-
5 quirements, than those for which originally appropriated
6 and in no case where the item for which funds are re-
7 quested has been denied by the Congress: *Provided further*,
8 That the Secretary of Defense shall notify the Congress
9 promptly of all transfers made pursuant to this authority
10 or any other authority in this Act: *Provided further*, That
11 no part of the funds in this Act shall be available to pre-
12 pare or present a request to the Committees on Appropria-
13 tions for reprogramming of funds, unless for higher pri-
14 ority items, based on unforeseen military requirements,
15 than those for which originally appropriated and in no
16 case where the item for which reprogramming is requested
17 has been denied by the Congress.

18 (TRANSFER OF FUNDS)

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

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

14 SEC. 8007. Funds appropriated by this Act may not
15 be used to initiate a special access program without prior
16 notification 30 calendar days in session to the congres-
17 sional defense committees.

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

1 less the congressional defense committees have been noti-
2 fied at least 30 days in advance of the proposed contract
3 award: *Provided*, That no part of any appropriation con-
4 tained in this Act shall be available to initiate a multiyear
5 contract for which the economic order quantity advance
6 procurement is not funded at least to the limits of the
7 Government's liability: *Provided further*, That no part of
8 any appropriation contained in this Act shall be available
9 to initiate multiyear procurement contracts for any sys-
10 tems or component thereof if the value of the multiyear
11 contract would exceed \$500,000,000 unless specifically
12 provided in this Act: *Provided further*, That no multiyear
13 procurement contract can be terminated without 10-day
14 prior notification to the congressional defense committees:
15 *Provided further*, That the execution of multiyear author-
16 ity shall require the use of a present value analysis to de-
17 termine lowest cost compared to an annual procurement.

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

20 M2A3 Bradley fighting vehicle; DDG-51 de-
21 stroyer; C-17; and UH-60/CH-60 aircraft.

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

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

23 SEC. 8010. (a) During fiscal year 2001, the civilian
24 personnel of the Department of Defense may not be man-
25 aged on the basis of any end-strength, and the manage-

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

5 (b) The fiscal year 2002 budget request for the De-
6 partment of Defense as well as all justification material
7 and other documentation supporting the fiscal year 2002
8 Department of Defense budget request shall be prepared
9 and submitted to the Congress as if subsections (a) and
10 (b) of this provision were effective with regard to fiscal
11 year 2002.

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

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

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

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

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

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

12 SEC. 8014. None of the funds appropriated by this
13 Act shall be available to convert to contractor performance
14 an activity or function of the Department of Defense that,
15 on or after the date of the enactment of this Act, is per-
16 formed by more than 10 Department of Defense civilian
17 employees until a most efficient and cost-effective organi-
18 zation analysis is completed on such activity or function
19 and certification of the analysis is made to the Committees
20 on Appropriations of the House of Representatives and the
21 Senate: *Provided*, That this section and subsections (a),
22 (b), and (c) of 10 U.S.C. 2461 shall not apply to a com-
23 mercial or industrial type function of the Department of
24 Defense that: (1) is included on the procurement list es-
25 tablished pursuant to section 2 of the Act of June 25,

1 1938 (41 U.S.C. 47), popularly referred to as the Javits-
2 Wagner-O'Day Act; (2) is planned to be converted to per-
3 formance by a qualified nonprofit agency for the blind or
4 by a qualified nonprofit agency for other severely handi-
5 capped individuals in accordance with that Act; or (3) is
6 planned to be converted to performance by a qualified firm
7 under 51 percent Native American ownership.

8 (TRANSFER OF FUNDS)

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

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

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

17 SEC. 8017. None of the funds appropriated by this
18 Act available for the Civilian Health and Medical Program
19 of the Uniformed Services (CHAMPUS) or Tricare shall
20 be available for the reimbursement of any health care pro-
21 vider for inpatient mental health service for care received
22 when a patient is referred to a provider of inpatient men-
23 tal health care or residential treatment care by a medical
24 or health care professional having an economic interest in
25 the facility to which the patient is referred: *Provided*, That

1 this limitation does not apply in the case of inpatient men-
2 tal health services provided under the program for persons
3 with disabilities under subsection (d) of section 1079 of
4 title 10, United States Code, provided as partial hospital
5 care, or provided pursuant to a waiver authorized by the
6 Secretary of Defense because of medical or psychological
7 circumstances of the patient that are confirmed by a
8 health professional who is not a Federal employee after
9 a review, pursuant to rules prescribed by the Secretary,
10 which takes into account the appropriate level of care for
11 the patient, the intensity of services required by the pa-
12 tient, and the availability of that care.

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

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

1 of the host nation, in lieu of direct monetary transfers to
2 the United States Treasury: *Provided*, That such credits
3 may be utilized only for the construction of facilities to
4 support United States military forces in that host nation,
5 or such real property maintenance and base operating
6 costs that are currently executed through monetary trans-
7 fers to such host nations: *Provided further*, That the De-
8 partment of Defense's budget submission for fiscal year
9 2002 shall identify such sums anticipated in residual value
10 settlements, and identify such construction, real property
11 maintenance or base operating costs that shall be funded
12 by the host nation through such credits: *Provided further*,
13 That all military construction projects to be executed from
14 such accounts must be previously approved in a prior Act
15 of Congress: *Provided further*, That each such executive
16 agreement with a NATO member host nation shall be re-
17 ported to the congressional defense committees, the Com-
18 mittee on International Relations of the House of Rep-
19 resentatives and the Committee on Foreign Relations of
20 the Senate 30 days prior to the conclusion and endorse-
21 ment of any such agreement established under this provi-
22 sion.

23 SEC. 8020. None of the funds available to the De-
24 partment of Defense may be used to demilitarize or dis-

1 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
2 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols.

3 SEC. 8021. No more than \$500,000 of the funds ap-
4 propriated or made available in this Act shall be used dur-
5 ing a single fiscal year for any single relocation of an orga-
6 nization, unit, activity or function of the Department of
7 Defense into or within the National Capital Region: *Pro-*
8 *vided*, That the Secretary of Defense may waive this re-
9 striction on a case-by-case basis by certifying in writing
10 to the congressional defense committees that such a relo-
11 cation is required in the best interest of the Government.

12 SEC. 8022. In addition to the funds provided else-
13 where in this Act, \$8,000,000 is appropriated only for in-
14 centive payments authorized by section 504 of the Indian
15 Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That
16 contractors participating in the test program established
17 by section 854 of Public Law 101-189 (15 U.S.C. 637
18 note) shall be eligible for the program established by sec-
19 tion 504 of the Indian Financing Act of 1974 (25 U.S.C.
20 1544).

21 SEC. 8023. During the current fiscal year, funds ap-
22 propriated or otherwise available for any Federal agency,
23 the Congress, the judicial branch, or the District of Co-
24 lumbia may be used for the pay, allowances, and benefits
25 of an employee as defined by section 2105 of title 5,

1 United States Code, or an individual employed by the gov-
2 ernment of the District of Columbia, permanent or tem-
3 porary indefinite, who—

4 (1) is a member of a Reserve component of the
5 Armed Forces, as described in section 10101 of title
6 10, United States Code, or the National Guard, as
7 described in section 101 of title 32, United States
8 Code;

9 (2) performs, for the purpose of providing mili-
10 tary aid to enforce the law or providing assistance
11 to civil authorities in the protection or saving of life
12 or property or prevention of injury—

13 (A) Federal service under sections 331,
14 332, 333, or 12406 of title 10, United States
15 Code, or other provision of law, as applicable;
16 or

17 (B) full-time military service for his or her
18 State, the District of Columbia, the Common-
19 wealth of Puerto Rico, or a territory of the
20 United States; and

21 (3) requests and is granted—

22 (A) leave under the authority of this sec-
23 tion; or

24 (B) annual leave, which may be granted
25 without regard to the provisions of sections

1 5519 and 6323(b) of title 5, United States
2 Code, if such employee is otherwise entitled to
3 such annual leave:

4 *Provided*, That any employee who requests leave under
5 subsection (3)(A) for service described in subsection (2)
6 of this section is entitled to such leave, subject to the pro-
7 visions of this section and of the last sentence of section
8 6323(b) of title 5, United States Code, and such leave
9 shall be considered leave under section 6323(b) of title 5,
10 United States Code.

11 SEC. 8024. None of the funds appropriated by this
12 Act shall be available to perform any cost study pursuant
13 to the provisions of OMB Circular A-76 if the study being
14 performed exceeds a period of 24 months after initiation
15 of such study with respect to a single function activity or
16 48 months after initiation of such study for a multi-func-
17 tion activity.

18 SEC. 8025. Funds appropriated by this Act for the
19 American Forces Information Service shall not be used for
20 any national or international political or psychological ac-
21 tivities.

22 SEC. 8026. Notwithstanding any other provision of
23 law or regulation, the Secretary of Defense may adjust
24 wage rates for civilian employees hired for certain health
25 care occupations as authorized for the Secretary of Vet-

1 erans Affairs by section 7455 of title 38, United States
2 Code.

3 SEC. 8027. None of the funds appropriated or made
4 available in this Act shall be used to reduce or disestablish
5 the operation of the 53rd Weather Reconnaissance Squad-
6 ron of the Air Force Reserve, if such action would reduce
7 the WC-130 Weather Reconnaissance mission below the
8 levels funded in this Act.

9 SEC. 8028. (a) Of the funds for the procurement of
10 supplies or services appropriated by this Act, qualified
11 nonprofit agencies for the blind or other severely handi-
12 capped shall be afforded the maximum practicable oppor-
13 tunity to participate as subcontractors and suppliers in the
14 performance of contracts let by the Department of De-
15 fense.

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

24 (c) For the purpose of this section, the phrase “quali-
25 fied nonprofit agency for the blind or other severely handi-

1 capped” means a nonprofit agency for the blind or other
2 severely handicapped that has been approved by the Com-
3 mittee for the Purchase from the Blind and Other Severely
4 Handicapped under the Javits-Wagner-O’Day Act (41
5 U.S.C. 46–48).

6 SEC. 8029. During the current fiscal year, net re-
7 ceipts pursuant to collections from third party payers pur-
8 suant to section 1095 of title 10, United States Code, shall
9 be made available to the local facility of the uniformed
10 services responsible for the collections and shall be over
11 and above the facility’s direct budget amount.

12 SEC. 8030. During the current fiscal year, the De-
13 partment of Defense is authorized to incur obligations of
14 not to exceed \$350,000,000 for purposes specified in sec-
15 tion 2350j(c) of title 10, United States Code, in anticipa-
16 tion of receipt of contributions, only from the Government
17 of Kuwait, under that section: *Provided*, That upon re-
18 ceipt, such contributions from the Government of Kuwait
19 shall be credited to the appropriations or fund which in-
20 curred such obligations.

21 SEC. 8031. Of the funds made available in this Act,
22 not less than \$21,417,000 shall be available for the Civil
23 Air Patrol Corporation, of which \$19,417,000 shall be
24 available for Civil Air Patrol Corporation operation and
25 maintenance to support readiness activities which includes

1 \$2,000,000 for the Civil Air Patrol counterdrug program:
2 *Provided*, That funds identified for “Civil Air Patrol”
3 under this section are intended for and shall be for the
4 exclusive use of the Civil Air Patrol Corporation and not
5 for the Air Force or any unit thereof.

6 SEC. 8032. (a) None of the funds appropriated in this
7 Act are available to establish a new Department of De-
8 fense (department) federally funded research and develop-
9 ment center (FFRDC), either as a new entity, or as a
10 separate entity administrated by an organization man-
11 aging another FFRDC, or as a nonprofit membership cor-
12 poration consisting of a consortium of other FFRDCs and
13 other non-profit entities.

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

1 (c) Notwithstanding any other provision of law, none
2 of the funds available to the department from any source
3 during fiscal year 2001 may be used by a defense FFRDC,
4 through a fee or other payment mechanism, for construc-
5 tion of new buildings, for payment of cost sharing for
6 projects funded by Government grants, for absorption of
7 contract overruns, or for certain charitable contributions,
8 not to include employee participation in community service
9 and/or development.

10 (d) Notwithstanding any other provision of law, of
11 the funds available to the department during fiscal year
12 2001, not more than 6,227 staff years of technical effort
13 (staff years) may be funded for defense FFRDCs: *Pro-*
14 *vided*, That of the specific amount referred to previously
15 in this subsection, not more than 1,009 staff years may
16 be funded for the defense studies and analysis FFRDCs.

17 (e) The Secretary of Defense shall, with the submis-
18 sion of the department's fiscal year 2002 budget request,
19 submit a report presenting the specific amounts of staff
20 years of technical effort to be allocated for each defense
21 FFRDC during that fiscal year.

22 SEC. 8033. None of the funds appropriated or made
23 available in this Act shall be used to procure carbon, alloy
24 or armor steel plate for use in any Government-owned fa-
25 cility or property under the control of the Department of

1 Defense which were not melted and rolled in the United
2 States or Canada: *Provided*, That these procurement re-
3 strictions shall apply to any and all Federal Supply Class
4 9515, American Society of Testing and Materials (ASTM)
5 or American Iron and Steel Institute (AISI) specifications
6 of carbon, alloy or armor steel plate: *Provided further*,
7 That the Secretary of the military department responsible
8 for the procurement may waive this restriction on a case-
9 by-case basis by certifying in writing to the Committees
10 on Appropriations of the House of Representatives and the
11 Senate that adequate domestic supplies are not available
12 to meet Department of Defense requirements on a timely
13 basis and that such an acquisition must be made in order
14 to acquire capability for national security purposes: *Pro-*
15 *vided further*, That these restrictions shall not apply to
16 contracts which are in being as of the date of the enact-
17 ment of this Act.

18 SEC. 8034. For the purposes of this Act, the term
19 “congressional defense committees” means the Armed
20 Services Committee of the House of Representatives, the
21 Armed Services Committee of the Senate, the Sub-
22 committee on Defense of the Committee on Appropriations
23 of the Senate, and the Subcommittee on Defense of the
24 Committee on Appropriations of the House of Representa-
25 tives.

1 SEC. 8035. During the current fiscal year, the De-
2 partment of Defense may acquire the modification, depot
3 maintenance and repair of aircraft, vehicles and vessels
4 as well as the production of components and other De-
5 fense-related articles, through competition between De-
6 partment of Defense depot maintenance activities and pri-
7 vate firms: *Provided*, That the Senior Acquisition Execu-
8 tive of the military department or defense agency con-
9 cerned, with power of delegation, shall certify that success-
10 ful bids include comparable estimates of all direct and in-
11 direct costs for both public and private bids: *Provided fur-*
12 *ther*, That Office of Management and Budget Circular A-
13 76 shall not apply to competitions conducted under this
14 section.

15 SEC. 8036. (a)(1) If the Secretary of Defense, after
16 consultation with the United States Trade Representative,
17 determines that a foreign country which is party to an
18 agreement described in paragraph (2) has violated the
19 terms of the agreement by discriminating against certain
20 types of products produced in the United States that are
21 covered by the agreement, the Secretary of Defense shall
22 rescind the Secretary's blanket waiver of the Buy Amer-
23 ican Act with respect to such types of products produced
24 in that foreign country.

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

7 (b) The Secretary of Defense shall submit to the Con-
8 gress a report on the amount of Department of Defense
9 purchases from foreign entities in fiscal year 2001. Such
10 report shall separately indicate the dollar value of items
11 for which the Buy American Act was waived pursuant to
12 any agreement described in subsection (a)(2), the Trade
13 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
14 international agreement to which the United States is a
15 party.

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

22 SEC. 8037. Appropriations contained in this Act that
23 remain available at the end of the current fiscal year as
24 a result of energy cost savings realized by the Department
25 of Defense shall remain available for obligation for the

1 next fiscal year to the extent, and for the purposes, pro-
2 vided in section 2865 of title 10, United States Code.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8038. Amounts deposited during the current fis-
5 cal year to the special account established under 40 U.S.C.
6 485(h)(2) and to the special account established under 10
7 U.S.C. 2667(d)(1) are appropriated and shall be available
8 until transferred by the Secretary of Defense to current
9 applicable appropriations or funds of the Department of
10 Defense under the terms and conditions specified by 40
11 U.S.C. 485(h)(2)(A) and (B) and 10 U.S.C.
12 2667(d)(1)(B), to be merged with and to be available for
13 the same time period and the same purposes as the appro-
14 priation to which transferred.

15 SEC. 8039. The President shall include with each
16 budget for a fiscal year submitted to the Congress under
17 section 1105 of title 31, United States Code, materials
18 that shall identify clearly and separately the amounts re-
19 quested in the budget for appropriation for that fiscal year
20 for salaries and expenses related to administrative activi-
21 ties of the Department of Defense, the military depart-
22 ments, and the defense agencies.

23 SEC. 8040. Notwithstanding any other provision of
24 law, funds available for “Drug Interdiction and Counter-
25 Drug Activities, Defense” may be obligated for the Young
26 Marines program.

1 SEC. 8041. 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 30 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 2001 and 2002, and the specific
14 expenditures to be made using funds transferred from this
15 account during fiscal year 2001.

16 SEC. 8042. 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. 8043. 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. 8044. (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 2002 budget request for the De-
17 partment of Defense as well as all justification material
18 and other documentation supporting the fiscal year 2002
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 2000 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. 8045. 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, 2002: *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. 8046. 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. 8047. Of the funds appropriated by the Depart-
21 ment of Defense under the heading “Operation and Main-
22 tenance, Defense-Wide”, not less than \$10,000,000 shall
23 be 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. 8048. 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. 8049. (a) None of the funds appropriated in this
15 Act may be expended by an entity of the Department of
16 Defense unless the entity, in expending the funds, com-
17 plies with the Buy American Act. For purposes of this
18 subsection, the term “Buy American Act” means title III
19 of the Act entitled “An Act making appropriations for the
20 Treasury and Post Office Departments for the fiscal year
21 ending June 30, 1934, and for other purposes”, approved
22 March 3, 1933 (41 U.S.C. 10a et seq.).

23 (b) If the Secretary of Defense determines that a per-
24 son has been convicted of intentionally affixing a label
25 bearing a “Made in America” inscription to any product

1 sold in or shipped to the United States that is not made
2 in America, the Secretary shall determine, in accordance
3 with section 2410f of title 10, United States Code, wheth-
4 er the person should be debarred from contracting with
5 the Department of Defense.

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

14 SEC. 8050. None of the funds appropriated by this
15 Act shall be available for a contract for studies, analysis,
16 or consulting services entered into without competition on
17 the basis of an unsolicited proposal unless the head of the
18 activity responsible for the procurement determines—

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

22 (2) the purpose of the contract is to explore an
23 unsolicited proposal which offers significant sci-
24 entific or technological promise, represents the prod-

1 uct of original thinking, and was submitted in con-
2 fidence by one source; or

3 (3) the purpose of the contract is to take ad-
4 vantage of unique and significant industrial accom-
5 plishment by a specific concern, or to insure that a
6 new product or idea of a specific concern is given fi-
7 nancial support:

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

15 SEC. 8051. (a) Except as provided in subsections (b)
16 and (c), none of the funds made available by this Act may
17 be used—

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

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

24 (b) The Secretary of Defense or Secretary of a mili-
25 tary department may waive the limitations in subsection

1 (a), on a case-by-case basis, if the Secretary determines,
2 and certifies to the Committees on Appropriations of the
3 House of Representatives and Senate that the granting
4 of the waiver will reduce the personnel requirements or
5 the financial requirements of the department.

6 (c) This section does not apply to field operating
7 agencies funded within the National Foreign Intelligence
8 Program.

9 SEC. 8052. Funds appropriated by this Act, or made
10 available by the transfer of funds in this Act for intel-
11 ligence activities are deemed to be specifically authorized
12 by the Congress for purposes of section 504 of the Na-
13 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
14 year 2001 until the enactment of the Intelligence Author-
15 ization Act for Fiscal Year 2001.

16 SEC. 8053. Notwithstanding section 303 of Public
17 Law 96–487 or any other provision of law, the Secretary
18 of the Navy is authorized to lease real and personal prop-
19 erty at Naval Air Facility, Adak, Alaska, pursuant to 10
20 U.S.C. 2667(f), for commercial, industrial or other pur-
21 poses: *Provided*, That notwithstanding any other provision
22 of law, the Secretary of the Navy may remove hazardous
23 materials from facilities, buildings, and structures at
24 Adak, Alaska, and may demolish or otherwise dispose of
25 such facilities, buildings, and structures.

(RESCISSIONS)

1
2 SEC. 8054. Of the funds provided in Department of
3 Defense Acts, the following funds are hereby rescinded as
4 of the date of the enactment of this Act or October 1,
5 2000, whichever is later, from the following accounts and
6 programs in the specified amounts:

7 “Weapons and Tracked Combat Vehicles, 2000/
8 2002”, \$59,000,000;

9 “Aircraft Procurement, Air Force, 2000/2002”,
10 \$24,000,000;

11 “Other Procurement, Army, 2000/2002”,
12 \$29,300,000;

13 “Missile Procurement, Air Force, 2000/2002”,
14 \$30,000,000; and

15 “Research, Development, Test and Evaluation,
16 Army, 2000/2001”, \$27,000,000.

17 SEC. 8055. None of the funds available in this Act
18 may be used to reduce the authorized positions for mili-
19 tary (civilian) technicians of the Army National Guard,
20 the Air National Guard, Army Reserve and Air Force Re-
21 serve for the purpose of applying any administratively im-
22 posed civilian personnel ceiling, freeze, or reduction on
23 military (civilian) technicians, unless such reductions are
24 a direct result of a reduction in military force structure.

1 SEC. 8056. None of the funds appropriated or other-
2 wise made available in this Act may be obligated or ex-
3 pended for assistance to the Democratic People's Republic
4 of North Korea unless specifically appropriated for that
5 purpose.

6 SEC. 8057. During the current fiscal year, funds ap-
7 propriated in this Act are available to compensate mem-
8 bers of the National Guard for duty performed pursuant
9 to a plan submitted by a Governor of a State and approved
10 by the Secretary of Defense under section 112 of title 32,
11 United States Code: *Provided*, That during the perform-
12 ance of such duty, the members of the National Guard
13 shall be under State command and control: *Provided fur-*
14 *ther*, That such duty shall be treated as full-time National
15 Guard duty for purposes of sections 12602(a)(2) and
16 (b)(2) of title 10, United States Code.

17 SEC. 8058. Funds appropriated in this Act for oper-
18 ation and maintenance of the Military Departments, Uni-
19 fied and Specified Commands and Defense Agencies shall
20 be available for reimbursement of pay, allowances and
21 other expenses which would otherwise be incurred against
22 appropriations for the National Guard and Reserve when
23 members of the National Guard and Reserve provide intel-
24 ligence or counterintelligence support to Unified and Spec-
25 ified Commands, Defense Agencies and Joint Intelligence

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

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8059. None of the funds appropriated in this
10 Act may be transferred to or obligated from the Pentagon
11 Reservation Maintenance Revolving Fund, unless the Sec-
12 retary of Defense certifies that the total cost for the plan-
13 ning, design, construction and installation of equipment
14 for the renovation of the Pentagon Reservation will not
15 exceed \$1,222,000,000.

16 SEC. 8060. (a) None of the funds available to the
17 Department of Defense for any fiscal year for drug inter-
18 diction or counter-drug activities may be transferred to
19 any other department or agency of the United States ex-
20 cept as specifically provided in an appropriations law.

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

(TRANSFER OF FUNDS)

1
2 SEC. 8061. Appropriations available in this Act under
3 the heading “Operation and Maintenance, Defense-Wide”
4 for increasing energy and water efficiency in Federal
5 buildings may, during their period of availability, be trans-
6 ferred to other appropriations or funds of the Department
7 of Defense for projects related to increasing energy and
8 water efficiency, to be merged with and to be available
9 for the same general purposes, and for the same time pe-
10 riod, as the appropriation or fund to which transferred.

11 SEC. 8062. None of the funds appropriated by this
12 Act may be used for the procurement of ball and roller
13 bearings other than those produced by a domestic source
14 and of domestic origin: *Provided*, That the Secretary of
15 the military department responsible for such procurement
16 may waive this restriction on a case-by-case basis by certi-
17 fying in writing to the Committees on Appropriations of
18 the House of Representatives and the Senate, that ade-
19 quate domestic supplies are not available to meet Depart-
20 ment of Defense requirements on a timely basis and that
21 such an acquisition must be made in order to acquire ca-
22 pability for national security purposes.

23 SEC. 8063. Notwithstanding any other provision of
24 law, funds available to the Department of Defense shall
25 be made available to provide transportation of medical

1 supplies and equipment, on a nonreimbursable basis, to
2 American Samoa, and funds available to the Department
3 of Defense shall be made available to provide transpor-
4 tation of medical supplies and equipment, on a non-
5 reimbursable basis, to the Indian Health Service when it
6 is in conjunction with a civil-military project.

7 SEC. 8064. None of the funds in this Act may be
8 used to purchase any supercomputer which is not manu-
9 factured in the United States, unless the Secretary of De-
10 fense certifies to the congressional defense committees
11 that such an acquisition must be made in order to acquire
12 capability for national security purposes that is not avail-
13 able from United States manufacturers.

14 SEC. 8065. Notwithstanding any other provision of
15 law, the Naval shipyards of the United States shall be eli-
16 gible to participate in any manufacturing extension pro-
17 gram financed by funds appropriated in this or any other
18 Act.

19 SEC. 8066. Notwithstanding any other provision of
20 law, each contract awarded by the Department of Defense
21 during the current fiscal year for construction or service
22 performed in whole or in part in a State (as defined in
23 section 381(d) of title 10, United States Code) which is
24 not contiguous with another State and has an unemploy-
25 ment rate in excess of the national average rate of unem-

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

11 SEC. 8067. During the current fiscal year, the Army
12 shall use the former George Air Force Base as the airhead
13 for the National Training Center at Fort Irwin: *Provided*,
14 That none of the funds in this Act shall be obligated or
15 expended to transport Army personnel into Edwards Air
16 Force Base for training rotations at the National Training
17 Center.

18 SEC. 8068. (a) LIMITATION ON TRANSFER OF DE-
19 FENSE ARTICLES AND SERVICES.—Notwithstanding any
20 other provision of law, none of the funds available to the
21 Department of Defense for the current fiscal year may be
22 obligated or expended to transfer to another nation or an
23 international organization any defense articles or services
24 (other than intelligence services) for use in the activities
25 described in subsection (b) unless the congressional de-

1 fense committees, the Committee on International Rela-
2 tions of the House of Representatives, and the Committee
3 on Foreign Relations of the Senate are notified 15 days
4 in advance of such transfer.

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

6 (1) any international peacekeeping or peace-en-
7 forcement operation under the authority of chapter
8 VI or chapter VII of the United Nations Charter
9 under the authority of a United Nations Security
10 Council resolution; and

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

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

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

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

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

21 (A) a statement of whether the inventory
22 requirements of all elements of the Armed
23 Forces (including the reserve components) for
24 the type of equipment or supplies to be trans-
25 ferred have been met; and

1 (B) a statement of whether the items pro-
2 posed to be transferred will have to be replaced
3 and, if so, how the President proposes to pro-
4 vide funds for such replacement.

5 SEC. 8069. To the extent authorized by subchapter
6 VI of chapter 148 of title 10, United States Code, the
7 Secretary of Defense may issue loan guarantees in support
8 of United States defense exports not otherwise provided
9 for: *Provided*, That the total contingent liability of the
10 United States for guarantees issued under the authority
11 of this section may not exceed \$15,000,000,000: *Provided*
12 *further*, That the exposure fees charged and collected by
13 the Secretary for each guarantee, shall be paid by the
14 country involved and shall not be financed as part of a
15 loan guaranteed by the United States: *Provided further*,
16 That the Secretary shall provide quarterly reports to the
17 Committees on Appropriations, Armed Services, and For-
18 eign Relations of the Senate and the Committees on Ap-
19 propriations, Armed Services, and International Relations
20 in the House of Representatives on the implementation of
21 this program: *Provided further*, That amounts charged for
22 administrative fees and deposited to the special account
23 provided for under section 2540c(d) of title 10, shall be
24 available for paying the costs of administrative expenses
25 of the Department of Defense that are attributable to the

1 loan guarantee program under subchapter VI of chapter
2 148 of title 10, United States Code.

3 SEC. 8070. None of the funds available to the De-
4 partment of Defense under this Act shall be obligated or
5 expended to pay a contractor under a contract with the
6 Department of Defense for costs of any amount paid by
7 the contractor to an employee when—

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

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

13 SEC. 8071. (a) None of the funds appropriated or
14 otherwise made available in this Act may be used to trans-
15 port or provide for the transportation of chemical muni-
16 tions or agents to the Johnston Atoll for the purpose of
17 storing or demilitarizing such munitions or agents.

18 (b) The prohibition in subsection (a) shall not apply
19 to any obsolete World War II chemical munition or agent
20 of the United States found in the World War II Pacific
21 Theater of Operations.

22 (c) The President may suspend the application of
23 subsection (a) during a period of war in which the United
24 States is a party.

1 SEC. 8072. None of the funds provided in title II of
2 this Act for “Former Soviet Union Threat Reduction”
3 may be obligated or expended to finance housing for any
4 individual who was a member of the military forces of the
5 Soviet Union or for any individual who is or was a member
6 of the military forces of the Russian Federation.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8073. During the current fiscal year, no more
9 than \$30,000,000 of appropriations made in this Act
10 under the heading “Operation and Maintenance, Defense-
11 Wide” may be transferred to appropriations available for
12 the pay of military personnel, to be merged with, and to
13 be available for the same time period as the appropriations
14 to which transferred, to be used in support of such per-
15 sonnel in connection with support and services for eligible
16 organizations and activities outside the Department of De-
17 fense pursuant to section 2012 of title 10, United States
18 Code.

19 SEC. 8074. For purposes of section 1553(b) of title
20 31, United States Code, any subdivision of appropriations
21 made in this Act under the heading “Shipbuilding and
22 Conversion, Navy” shall be considered to be for the same
23 purpose as any subdivision under the heading “Ship-
24 building and Conversion, Navy” appropriations in any
25 prior year, and the 1 percent limitation shall apply to the
26 total amount of the appropriation.

1 SEC. 8075. During the current fiscal year, in the case
2 of an appropriation account of the Department of Defense
3 for which the period of availability for obligation has ex-
4 pired or which has closed under the provisions of section
5 1552 of title 31, United States Code, and which has a
6 negative unliquidated or unexpended balance, an obliga-
7 tion or an adjustment of an obligation may be charged
8 to any current appropriation account for the same purpose
9 as the expired or closed account if—

10 (1) the obligation would have been properly
11 chargeable (except as to amount) to the expired or
12 closed account before the end of the period of avail-
13 ability or closing of that account;

14 (2) the obligation is not otherwise properly
15 chargeable to any current appropriation account of
16 the Department of Defense; and

17 (3) in the case of an expired account, the obli-
18 gation is not chargeable to a current appropriation
19 of the Department of Defense under the provisions
20 of section 1405(b)(8) of the National Defense Au-
21 thorization Act for Fiscal Year 1991, Public Law
22 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
23 *vided*, That in the case of an expired account, if sub-
24 sequent review or investigation discloses that there
25 was not in fact a negative unliquidated or unex-

1 pended balance in the account, any charge to a cur-
2 rent account under the authority of this section shall
3 be reversed and recorded against the expired ac-
4 count: *Provided further*, That the total amount
5 charged to a current appropriation under this sec-
6 tion may not exceed an amount equal to 1 percent
7 of the total appropriation for that account.

8 (TRANSFER OF FUNDS)

9 SEC. 8076. Upon the enactment of this Act, the Sec-
10 retary of Defense shall make the following transfers of
11 funds: *Provided*, That the amounts transferred shall be
12 available for the same purposes as the appropriations to
13 which transferred, and for the same time period as the
14 appropriation from which transferred: *Provided further*,
15 That the amounts shall be transferred between the fol-
16 lowing appropriations in the amount specified:

17 From:

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

20 SSN–21 attack submarine program,
21 \$74,000,000;

22 To:

23 Under the heading, “Research, Develop-
24 ment, Test and Evaluation, Navy, 2001/2002”:

25 For SSN–21 development,
26 \$74,000,000.

1 SEC. 8077. The Under Secretary of Defense (Comp-
2 troller) shall submit to the congressional defense commit-
3 tees by February 1, 2001, a detailed report identifying,
4 by amount and by separate budget activity, activity group,
5 subactivity group, line item, program element, program,
6 project, subproject, and activity, any activity for which the
7 fiscal year 2002 budget request was reduced because the
8 Congress appropriated funds above the President's budget
9 request for that specific activity for fiscal year 2001.

10 SEC. 8078. Funds appropriated in title II of this Act
11 and for the Defense Health Program in title VI of this
12 Act for supervision and administration costs for facilities
13 maintenance and repair, minor construction, or design
14 projects may be obligated at the time the reimbursable
15 order is accepted by the performing activity: *Provided*,
16 That for the purpose of this section, supervision and ad-
17 ministration costs includes all in-house Government cost.

18 SEC. 8079. During the current fiscal year, the Sec-
19 retary of Defense may waive reimbursement of the cost
20 of conferences, seminars, courses of instruction, or similar
21 educational activities of the Asia-Pacific Center for Secu-
22 rity Studies for military officers and civilian officials of
23 foreign nations if the Secretary determines that attend-
24 ance by such personnel, without reimbursement, is in the
25 national security interest of the United States: *Provided*,

1 That costs for which reimbursement is waived pursuant
2 to this subsection shall be paid from appropriations avail-
3 able for the Asia-Pacific Center.

4 SEC. 8080. (a) Notwithstanding any other provision
5 of law, the Chief of the National Guard Bureau may per-
6 mit the use of equipment of the National Guard Distance
7 Learning Project by any person or entity on a space-avail-
8 able, reimbursable basis. The Chief of the National Guard
9 Bureau shall establish the amount of reimbursement for
10 such use on a case-by-case basis.

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

17 SEC. 8081. Using funds available by this Act or any
18 other Act, the Secretary of the Air Force, pursuant to a
19 determination under section 2690 of title 10, United
20 States Code, may implement cost-effective agreements for
21 required heating facility modernization in the
22 Kaiserslautern Military Community in the Federal Repub-
23 lic of Germany: *Provided*, That in the City of
24 Kaiserslautern such agreements will include the use of
25 United States anthracite as the base load energy for mu-

1 nicipal district heat to the United States Defense installa-
 2 tions: *Provided further*, That at Landstuhl Army Regional
 3 Medical Center and Ramstein Air Base, furnished heat
 4 may be obtained from private, regional or municipal serv-
 5 ices, if provisions are included for the consideration of
 6 United States coal as an energy source.

7 SEC. 8082. Notwithstanding 31 U.S.C. 3902, during
 8 the current fiscal year, interest penalties may be paid by
 9 the Department of Defense from funds financing the oper-
 10 ation of the military department or defense agency with
 11 which the invoice or contract payment is associated.

12 (RESCISSIONS)

13 SEC. 8083. Of the funds provided in the Department
 14 of Defense Appropriations Act, 1999 (Public Law 105-
 15 262), \$319,688,000, to reflect savings from revised eco-
 16 nomic assumptions, is hereby rescinded as of the date of
 17 the enactment of this Act, or October 1, 2000, whichever
 18 is later, from the following accounts in the specified
 19 amounts:

20 "Aircraft Procurement, Army", \$7,000,000;

21 "Missile Procurement, Army", \$6,000,000;

22 "Procurement of Weapons and Tracked Combat
 23 Vehicles, Army", \$7,000,000;

24 "Procurement of Ammunition, Army",
 25 \$5,000,000;

26 "Other Procurement, Army", \$16,000,000;

1 “Aircraft Procurement, Navy”, \$24,125,000;
2 “Weapons Procurement, Navy”, \$3,853,000;
3 “Procurement of Ammunition, Navy and Ma-
4 rine Corps”, \$1,463,000;
5 “Shipbuilding and Conversion, Navy”,
6 \$19,644,000;
7 “Other Procurement, Navy”, \$12,032,000;
8 “Procurement, Marine Corps”, \$3,623,000;
9 “Aircraft Procurement, Air Force”,
10 \$32,743,000;
11 “Missile Procurement, Air Force”, \$5,500,000;
12 “Procurement of Ammunition, Air Force”,
13 \$1,232,000;
14 “Other Procurement, Air Force”, \$19,902,000;
15 “Procurement, Defense-Wide”, \$6,683,000;
16 “Chemical Agents and Munitions Destruction,
17 Army”, \$1,103,000;
18 “Defense Health Program”, \$808,000;
19 “Research, Development, Test and Evaluation,
20 Army”, \$20,592,000;
21 “Research, Development, Test and Evaluation,
22 Navy”, \$35,621,000;
23 “Research, Development, Test and Evaluation,
24 Air Force”, \$53,467,000; and

1 “Research, Development, Test and Evaluation,
2 Defense-Wide”, \$36,297,000:

3 *Provided*, That these reductions shall be applied propor-
4 tionally to each budget activity, activity group and sub-
5 activity group and each program, project, and activity
6 within each appropriation account.

7 SEC. 8084. The budget of the President for fiscal
8 year 2002 submitted to the Congress pursuant to section
9 1105 of title 31, United States Code, and each annual
10 budget request thereafter, shall include budget activity
11 groups (known as “subactivities”) in all appropriations ac-
12 counts provided in this Act, as may be necessary, to sepa-
13 rately identify all costs incurred by the Department of De-
14 fense to support the North Atlantic Treaty Organization
15 and all Partnership For Peace programs and initiatives.
16 The budget justification materials submitted to the Con-
17 gress in support of the budget of the Department of De-
18 fense for fiscal year 2002, and subsequent fiscal years,
19 shall provide complete, detailed estimates for all such
20 costs.

21 SEC. 8085. (a) The Secretary of Defense may, on a
22 case-by-case basis, waive with respect to a foreign country
23 each limitation on the procurement of defense items from
24 foreign sources provided in law if the Secretary determines
25 that the application of the limitation with respect to that

1 country would invalidate cooperative programs entered
2 into between the Department of Defense and the foreign
3 country, or would invalidate reciprocal trade agreements
4 for the procurement of defense items entered into under
5 section 2531 of title 10, United States Code, and the
6 country does not discriminate against the same or similar
7 defense items produced in the United States for that coun-
8 try.

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

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

12 (2) options for the procurement of items that
13 are exercised after such date under contracts that
14 are entered into before such date if the option prices
15 are adjusted for any reason other than the applica-
16 tion of a waiver granted under subsection (a).

17 (c) Subsection (a) does not apply to a limitation re-
18 garding construction of public vessels, ball and roller bear-
19 ings, food, and clothing or textile materials as defined by
20 section 11 (chapters 50–65) of the Harmonized Tariff
21 Schedule and products classified under headings 4010,
22 4202, 4203, 6401 through 6406, 6505, 7019, 7218
23 through 7229, 7304.41 through 7304.49, 7306.40, 7502
24 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

1 SEC. 8086. Funds made available to the Civil Air Pa-
2 trol in this Act under the heading “Drug Interdiction and
3 Counter-Drug Activities, Defense” may be used for the
4 Civil Air Patrol Corporation’s counterdrug program, in-
5 cluding its demand reduction program involving youth
6 programs, as well as operational and training drug recon-
7 naissance missions for Federal, State, and local govern-
8 ment agencies; for administrative costs, including the hir-
9 ing of Civil Air Patrol Corporation employees; for travel
10 and per diem expenses of Civil Air Patrol Corporation per-
11 sonnel in support of those missions; and for equipment
12 needed for mission support or performance: *Provided*,
13 That the Department of the Air Force should waive reim-
14 bursement from the Federal, State, and local government
15 agencies for the use of these funds.

16 SEC. 8087. Notwithstanding any other provision of
17 law, the TRICARE managed care support contracts in ef-
18 fect, or in final stages of acquisition as of September 30,
19 2000, may be extended for 2 years: *Provided*, That any
20 such extension may only take place if the Secretary of De-
21 fense determines that it is in the best interest of the Gov-
22 ernment: *Provided further*, That any contract extension
23 shall be based on the price in the final best and final offer
24 for the last year of the existing contract as adjusted for
25 inflation and other factors mutually agreed to by the con-

1 tractor and the Government: *Provided further*, That not-
2 withstanding any other provision of law, all future
3 TRICARE managed care support contracts replacing con-
4 tracts in effect, or in the final stages of acquisition as of
5 September 30, 2000, may include a base contract period
6 for transition and up to seven 1-year option periods.

7 SEC. 8088. (a) PROHIBITION.—None of the funds
8 made available by this Act may be used to support any
9 training program involving a unit of the security forces
10 of a foreign country if the Secretary of Defense has re-
11 ceived credible information from the Department of State
12 that the unit has committed a gross violation of human
13 rights, unless all necessary corrective steps have been
14 taken.

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

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

1 (d) REPORT.—Not more than 15 days after the exer-
2 cise of any waiver under subsection (c), the Secretary of
3 Defense shall submit a report to the congressional defense
4 committees describing the extraordinary circumstances,
5 the purpose and duration of the training program, the
6 United States forces and the foreign security forces in-
7 volved in the training program, and the information relat-
8 ing to human rights violations that necessitates the waiv-
9 er.

10 SEC. 8089. The Secretary of Defense, in coordination
11 with the Secretary of Health and Human Services, may
12 carry out a program to distribute surplus dental equip-
13 ment of the Department of Defense, at no cost to the De-
14 partment of Defense, to Indian health service facilities and
15 to federally-qualified health centers (within the meaning
16 of section 1905(l)(2)(B) of the Social Security Act (42
17 U.S.C. 1396d(l)(2)(B))).

18 SEC. 8090. Notwithstanding any other provision in
19 this Act, the total amount appropriated in this Act is here-
20 by reduced by \$56,200,000 to reflect savings from the pay
21 of civilian personnel, to be distributed as follows:

22 “Operation and Maintenance, Army”,
23 \$4,600,000;
24 “Operation and Maintenance, Navy”,
25 \$49,600,000; and

1 “Operation and Maintenance, Defense-Wide”,
2 \$2,000,000.

3 SEC. 8091. Notwithstanding any other provision in
4 this Act, the total amount appropriated in this Act is here-
5 by reduced by \$769,700,000 to reflect savings from favor-
6 able foreign currency fluctuations, to be distributed as fol-
7 lows:

8 “Military Personnel, Army”, \$60,500,000;

9 “Military Personnel, Navy”, \$32,000,000;

10 “Military Personnel, Marine Corps”,
11 \$9,700,000;

12 “Military Personnel, Air Force”, \$53,000,000;

13 “Operation and Maintenance, Army”,
14 \$292,100,000;

15 “Operation and Maintenance, Navy”,
16 \$105,100,000;

17 “Operation and Maintenance, Marine Corps”,
18 \$25,800,000;

19 “Operation and Maintenance, Air Force,”
20 \$157,600,000;

21 “Operation and Maintenance, Defense-Wide”,
22 \$27,200,000; and

23 “Defense Health Program”, \$6,700,000.

24 SEC. 8092. None of the funds appropriated or made
25 available in this Act to the Department of the Navy shall

1 be used to develop, lease or procure the ADC(X) class of
2 ships unless the main propulsion diesel engines and
3 propulsors are manufactured in the United States by a
4 domestically operated entity: *Provided*, That the Secretary
5 of Defense may waive this restriction on a case-by-case
6 basis by certifying in writing to the Committees on Appro-
7 priations of the House of Representatives and the Senate
8 that adequate domestic supplies are not available to meet
9 Department of Defense requirements on a timely basis
10 and that such an acquisition must be made in order to
11 acquire capability for national security purposes or there
12 exists a significant cost or quality difference.

13 SEC. 8093. Of the funds made available in this Act,
14 not less than \$65,200,000 shall be available to maintain
15 an attrition reserve force of 18 B-52 aircraft, of which
16 \$3,200,000 shall be available from "Military Personnel,
17 Air Force", \$36,900,000 shall be available from "Oper-
18 ation and Maintenance, Air Force", and \$25,100,000
19 shall be available from "Aircraft Procurement, Air Force":
20 *Provided*, That the Secretary of the Air Force shall main-
21 tain a total force of 94 B-52 aircraft, including 18 attri-
22 tion reserve aircraft, during fiscal year 2001: *Provided fur-*
23 *ther*, That the Secretary of Defense shall include in the
24 Air Force budget request for fiscal year 2002 amounts
25 sufficient to maintain a B-52 force totaling 94 aircraft.

1 SEC. 8094. The budget of the President for fiscal
2 year 2001 submitted to the Congress pursuant to section
3 1105 of title 31, United States Code, and each annual
4 budget request thereafter, shall include separate budget
5 justification documents for costs of United States Armed
6 Forces' participation in contingency operations for the
7 Military Personnel accounts, the Overseas Contingency
8 Operations Transfer Fund, the Operation and Maintenance
9 nance accounts, and the Procurement accounts: *Provided*,
10 That these budget justification documents shall include a
11 description of the funding requested for each anticipated
12 contingency operation, for each military service, to include
13 active duty and Guard and Reserve components, and for
14 each appropriation account: *Provided further*, That these
15 documents shall include estimated costs for each element
16 of expense or object class, a reconciliation of increases and
17 decreases for ongoing contingency operations, and pro-
18 grammatic data including, but not limited to troop
19 strength for each active duty and Guard and Reserve com-
20 ponent, and estimates of the major weapons systems de-
21 ployed in support of each contingency.

22 SEC. 8095. None of the funds appropriated or other-
23 wise made available by this or other Department of De-
24 fense Appropriations Acts may be obligated or expended
25 for the purpose of performing repairs or maintenance to

1 military family housing units of the Department of De-
2 fense, including areas in such military family housing
3 units that may be used for the purpose of conducting offi-
4 cial Department of Defense business.

5 SEC. 8096. Notwithstanding any other provision of
6 law, for the purpose of establishing all Department of De-
7 fense policies governing the provision of care provided by
8 and financed under the military health care system's case
9 management program under 10 U.S.C. 1079(a)(17), the
10 term "custodial care" shall be defined as care designed
11 essentially to assist an individual in meeting the activities
12 of daily living and which does not require the supervision
13 of trained medical, nursing, paramedical or other specially
14 trained individuals: *Provided*, That the case management
15 program shall provide that members and retired members
16 of the military services, and their dependents and sur-
17 vivors, have access to all medically necessary health care
18 through the health care delivery system of the military
19 services regardless of the health care status of the person
20 seeking the health care: *Provided further*, That the case
21 management program shall be the primary obligor for pay-
22 ment of medically necessary services and shall not be con-
23 sidered as secondarily liable to title XIX of the Social Se-
24 curity Act, other welfare programs or charity based care.

25 SEC. 8097. During the current fiscal year—

1 (1) refunds attributable to the use of the Gov-
2 ernment travel card and refunds attributable to offi-
3 cial Government travel arranged by Government
4 Contracted Travel Management Centers may be
5 credited to operation and maintenance accounts of
6 the Department of Defense which are current when
7 the refunds are received; and

8 (2) refunds attributable to the use of the Gov-
9 ernment Purchase Card by military personnel and
10 civilian employees of the Department of Defense
11 may be credited to accounts of the Department of
12 Defense that are current when the refunds are re-
13 ceived and that are available for the same purposes
14 as the accounts originally charged.

15 SEC. 8098. During the current fiscal year, none of
16 the funds available to the Department of Defense may be
17 used to provide support to another department or agency
18 of the United States if such department or agency is more
19 than 90 days in arrears in making payment to the Depart-
20 ment of Defense for goods or services previously provided
21 to such department or agency on a reimbursable basis:
22 *Provided*, That this restriction shall not apply if the de-
23 partment is authorized by law to provide support to such
24 department or agency on a nonreimbursable basis, and is
25 providing the requested support pursuant to such author-

1 ity: *Provided further*, That the Secretary of Defense may
2 waive this restriction on a case-by-case basis by certifying
3 in writing to the Committees on Appropriations of the
4 House of Representatives and the Senate that it is in the
5 national security interest to do so.

6 SEC. 8099. None of the funds provided in this Act
7 may be used to transfer to any nongovernmental entity
8 ammunition held by the Department of Defense that has
9 a center-fire cartridge and a United States military no-
10 menclature designation of “armor penetrator”, “armor
11 piercing (AP)”, “armor piercing incendiary (API)”, or
12 “armor-piercing incendiary-tracer (API-T)”, except to an
13 entity performing demilitarization services for the Depart-
14 ment of Defense under a contract that requires the entity
15 to demonstrate to the satisfaction of the Department of
16 Defense that armor piercing projectiles are either: (1) ren-
17 dered incapable of reuse by the demilitarization process;
18 or (2) used to manufacture ammunition pursuant to a con-
19 tract with the Department of Defense or the manufacture
20 of ammunition for export pursuant to a License for Per-
21 manent Export of Unclassified Military Articles issued by
22 the Department of State.

23 SEC. 8100. Notwithstanding any other provision of
24 law, the Chief of the National Guard Bureau, or his des-
25 ignee, may waive payment of all or part of the consider-

1 ation that otherwise would be required under 10 U.S.C.
2 2667, in the case of a lease of personal property for a
3 period not in excess of 1 year to any organization specified
4 in 32 U.S.C. 508(d), or any other youth, social, or fra-
5 ternal non-profit organization as may be approved by the
6 Chief of the National Guard Bureau, or his designee, on
7 a case-by-case basis.

8 SEC. 8101. Notwithstanding any other provision of
9 law, that not more than 35 percent of funds provided in
10 this Act, may be obligated for environmental remediation
11 under indefinite delivery/indefinite quantity contracts with
12 a total contract value of \$130,000,000 or higher.

13 SEC. 8102. Of the funds made available under the
14 heading “Operation and Maintenance, Air Force”,
15 \$10,000,000 shall be transferred to the Department of
16 Transportation to enable the Secretary of Transportation
17 to realign railroad track on Elmendorf Air Force Base and
18 Fort Richardson.

19 SEC. 8103. 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. 8104. During the current fiscal year, under reg-
15 ulations prescribed by the Secretary of Defense, the Cen-
16 ter of Excellence for Disaster Management and Humaniti-
17 tarian Assistance may also pay, or authorize payment for,
18 the expenses of providing or facilitating education and
19 training for appropriate military and civilian personnel of
20 foreign countries in disaster management, peace oper-
21 ations, and humanitarian assistance: *Provided*, That not
22 later than April 1, 2001, the Secretary of Defense shall
23 submit to the congressional defense committees a report
24 regarding the training of foreign personnel conducted
25 under this authority during the preceding fiscal year for

1 which expenses were paid under the section: *Provided fur-*
2 *ther*, That the report shall specify the countries in which
3 the training was conducted, the type of training con-
4 ducted, and the foreign personnel trained.

5 SEC. 8105. (a) The Department of Defense is author-
6 ized to enter into agreements with the Veterans Adminis-
7 tration and federally-funded health agencies providing
8 services to Native Hawaiians for the purpose of estab-
9 lishing a partnership similar to the Alaska Federal Health
10 Care Partnership, in order to maximize Federal resources
11 in the provision of health care services by federally-funded
12 health agencies, applying telemedicine technologies. For
13 the purpose of this partnership, Native Hawaiians shall
14 have the same status as other Native Americans who are
15 eligible for the health care services provided by the Indian
16 Health Service.

17 (b) The Department of Defense is authorized to de-
18 velop a consultation policy, consistent with Executive
19 Order No. 13084 (issued May 14, 1998), with Native Ha-
20 waiians for the purpose of assuring maximum Native Ha-
21 waiian participation in the direction and administration of
22 governmental services so as to render those services more
23 responsive to the needs of the Native Hawaiian commu-
24 nity.

1 (c) For purposes of this section, the term “Native
2 Hawaiian” means any individual who is a descendant of
3 the aboriginal people who, prior to 1778, occupied and ex-
4 ercised sovereignty in the area that now comprises the
5 State of Hawaii.

6 SEC. 8106. None of the funds appropriated or other-
7 wise made available by this Act or any other Act may be
8 made available for reconstruction activities in the Republic
9 of Serbia (excluding the province of Kosovo) as long as
10 Slobodan Milosevic remains the President of the Federal
11 Republic of Yugoslavia (Serbia and Montenegro).

12 SEC. 8107. In addition to the amounts provided else-
13 where in this Act, the amount of \$10,000,000 is hereby
14 appropriated for “Operation and Maintenance, Defense-
15 Wide”, to be available, notwithstanding any other provi-
16 sion of law, only for a grant to the United Service Organi-
17 zations Incorporated, a federally chartered corporation
18 under chapter 2201 of title 36, United States Code. The
19 grant provided for by this section is in addition to any
20 grant provided for under any other provision of law.

21 SEC. 8108. Of the funds made available in this Act
22 under the heading “Operation and Maintenance, Defense-
23 Wide”, up to \$5,000,000 shall be available to provide as-
24 sistance, by grant or otherwise, to public school systems
25 that have unusually high concentrations of special needs

1 military dependents enrolled: *Provided*, That in selecting
2 school systems to receive such assistance, special consider-
3 ation shall be given to school systems in States that are
4 considered overseas assignments.

5 SEC. 8109. (a) IN GENERAL.—Notwithstanding any
6 other provision of law, the Secretary of the Air Force may
7 convey at no cost to the Air Force, without consideration,
8 to Indian tribes located in the States of North Dakota,
9 South Dakota, Montana, and Minnesota relocatable mili-
10 tary housing units located at Grand Forks Air Force Base
11 and Minot Air Force Base that are excess to the needs
12 of the Air Force.

13 (b) PROCESSING OF REQUESTS.—The Secretary of
14 the Air Force shall convey, at no cost to the Air Force,
15 military housing units under subsection (a) in accordance
16 with the request for such units that are submitted to the
17 Secretary by the Operation Walking Shield Program on
18 behalf of Indian tribes located in the States of North Da-
19 kota, South Dakota, Montana, and Minnesota.

20 (c) RESOLUTION OF HOUSING UNIT CONFLICTS.—
21 The Operation Walking Shield program shall resolve any
22 conflicts among request of Indian tribes for housing units
23 under subsection (a) before submitting requests to the
24 Secretary of the Air Force under paragraph (b).

1 (d) INDIAN TRIBE DEFINED.—In this section, the
2 term “Indian tribe” means any recognized Indian tribe in-
3 cluded on the current list published by the Secretary of
4 Interior under section 104 of the Federally Recognized In-
5 dian Tribe Act of 1994 (Public Law 103–454; 108 Stat.
6 4792; 25 U.S.C. 479a–1).

7 SEC. 8110. Of the amounts appropriated in the Act
8 under the heading “Research, Development, Test and
9 Evaluation, Defense-Wide”, \$85,849,000 shall be avail-
10 able for the purpose of adjusting the cost-share of the par-
11 ties under the Agreement between the Department of De-
12 fense and the Ministry of Defence of Israel for the Arrow
13 Deployability Program.

14 SEC. 8111. The Secretary of Defense shall fully iden-
15 tify and determine the validity of healthcare contract addi-
16 tional liabilities, requests for equitable adjustment, and
17 claims for unanticipated healthcare contract costs: *Pro-*
18 *vided*, That the Secretary of Defense shall establish an
19 equitable and timely process for the adjudication of claims,
20 and recognize actual liabilities during the Department’s
21 planning, programming and budgeting process: *Provided*
22 *further*, That not later than March 1, 2001, the Secretary
23 of Defense shall submit a report to the congressional de-
24 fense committees on the scope and extent of healthcare
25 contract claims, and on the action taken to implement the

1 provisions of this section: *Provided further*, That nothing
2 in this section should be construed as congressional direc-
3 tion to liquidate or pay any claims that otherwise would
4 not have been adjudicated in favor of the claimant.

5 SEC. 8112. Funds available to the Department of De-
6 fense for the Global Positioning System during the current
7 fiscal year may be used to fund civil requirements associ-
8 ated with the satellite and ground control segments of
9 such system's modernization program.

10 SEC. 8113. Of the amounts appropriated in this Act
11 under the heading, "Operation and Maintenance, Defense-
12 Wide," \$115,000,000 shall remain available until ex-
13 pended: *Provided*, That notwithstanding any other provi-
14 sion of law, the Secretary of Defense is authorized to
15 transfer such funds to other activities of the Federal Gov-
16 ernment.

17 SEC. 8114. OPERATIONAL SUPPORT AIRCRAFT
18 LEASING AUTHORITY. (a) The Secretary of the Army and
19 the Secretary of the Navy may establish a multi-year pilot
20 program for leasing aircraft for utility and operational
21 support airlift purposes on such terms and conditions as
22 the respective Secretaries may deem appropriate, con-
23 sistent with this section.

1 (b) Sections 2401 and 2401a of title 10, United
2 States Code, shall not apply to any aircraft lease author-
3 ized by this section.

4 (c) Under the aircraft lease program authorized by
5 this section:

6 (1) The Secretary of the Army and the Sec-
7 retary of the Navy may include terms and conditions
8 in lease agreements that are customary in aircraft
9 leases by a non-Government lessor to a non-Govern-
10 ment lessee.

11 (2) The term of any individual lease agreement
12 into which a service Secretary enters under this sec-
13 tion shall not exceed 10 years.

14 (3) The Secretary of the Army and the Sec-
15 retary of the Navy may provide for special payments
16 to a lessor if either the respective Secretary termi-
17 nates or cancels the lease prior to the expiration of
18 its term or aircraft are damaged or destroyed prior
19 to the expiration of the term of the lease. Such spe-
20 cial payments shall not exceed an amount equal to
21 the value of one year's lease payment under the
22 lease. The amount of special payments shall be sub-
23 ject to negotiation between the Army or Navy and
24 lessors.

1 (4) Notwithstanding any other provision of law,
2 any payments required under a lease under this sec-
3 tion, and any payments made pursuant to subsection
4 (3) above may be made from:

5 (A) appropriations available for the per-
6 formance of the lease at the time the lease
7 takes effect;

8 (B) appropriations for the operation and
9 maintenance available at the time which the
10 payment is due; and

11 (C) funds appropriated for those payments.

12 (5) The Secretary of the Army and the Sec-
13 retary of the Navy may lease aircraft, on such terms
14 and conditions as they may deem appropriate, con-
15 sistent with this section, through an operating lease
16 consistent with OMB Circular A-11.

17 (6) The Secretary of the Army and the Sec-
18 retary of the Navy may exchange or sell existing air-
19 craft and apply the exchange allowance or sale pro-
20 ceeds in whole or in part toward the cost of leasing
21 replacement aircraft under this section.

22 (7) No lease of operational support aircraft may
23 be entered into under this section after September
24 30, 2004.

1 (d) The authority granted to the Secretary of the
2 Army and the Secretary of the Navy by this section is
3 separate from and in addition to, and shall not be con-
4 strued to impair or otherwise affect, the authority of the
5 respective Secretaries to procure transportation or enter
6 into leases under a provision of law other than this section.

7 (e) The authority provided under this section may be
8 used to lease not more than a total of three (3) Army
9 aircraft, three (3) Navy aircraft, and three (3) Marine
10 Corps aircraft for the purposes of providing operational
11 support.

12 SEC. 8115. Notwithstanding any other provision in
13 this Act, the total amount appropriated in this Act under
14 Title IV for the Ballistic Missile Defense Organization
15 (BMDO) is hereby reduced by \$26,154,000 to reflect a
16 reduction in system engineering, program management,
17 and other support costs.

18 SEC. 8116. The Ballistic Missile Defense Organiza-
19 tion and its subordinate offices and associated contractors,
20 including the Lead Systems Integrator, shall notify the
21 congressional defense committees 30 days prior to issuing
22 any type of information or proposal solicitation under the
23 NMD program.

24 SEC. 8117. Up to \$3,000,000 of the funds appro-
25 priated under the heading, "Operation and Maintenance,

1 Navy” in this Act for the Pacific Missile Range Facility
2 may be made available to contract for the repair, mainte-
3 nance, and operation of adjacent off-base water, drainage,
4 and flood control systems critical to base operations.

5 SEC. 8118. In addition to amounts appropriated else-
6 where in the Act, \$20,000,000 is hereby appropriated to
7 the Department of Defense: *Provided*, That the Secretary
8 of Defense shall make a grant in the amount of
9 \$20,000,000 to the National Center for the Preservation
10 of Democracy.

11 SEC. 8119. Of the funds made available under the
12 heading “Operation and Maintenance, Air Force”, not less
13 than \$7,000,000 shall be made available by grant or other-
14 wise, to the North Slope Borough, to provide assistance
15 for health care, monitoring and related issues associated
16 with research conducted from 1955 to 1957 by the former
17 Arctic Aeromedical Laboratory.

18 SEC. 8120. None of the funds appropriated in this
19 Act under the heading “Overseas Contingency Operations
20 Transfer Fund” may be transferred or obligated for ex-
21 penses not directly related to the conduct of overseas con-
22 tingencies: *Provided*, That the Secretary of Defense shall
23 submit a report no later than thirty days after the end
24 of each fiscal quarter to the Committees on Appropriations
25 of the Senate and House of Representatives that details

1 any transfer of funds from the “Overseas Contingency Op-
2 erations Transfer Fund”: *Provided further*, That the re-
3 port shall explain any transfer for the maintenance of real
4 property, pay of civilian personnel, base operations sup-
5 port, and weapon, vehicle or equipment maintenance.

6 SEC. 8121. In addition to amounts made available
7 elsewhere in this Act, \$1,000,000 is hereby appropriated
8 to the Department of Defense to be available for payment
9 to members of the uniformed services for reimbursement
10 for mandatory pet quarantines as authorized by law.

11 SEC. 8122. The Secretary of the Navy may transfer
12 from any available Department of the Navy appropriation
13 to any available Navy ship construction appropriation for
14 the purpose of liquidating necessary ship cost changes for
15 previous ship construction programs appropriated in law:
16 *Provided*, That the Secretary may transfer no more than
17 \$300,000,000 under the authority provided within this
18 section: *Provided further*, That the funding transferred
19 shall be available for the same time period as the appro-
20 priation from which transferred: *Provided further*, That
21 the Secretary may not transfer any funding until 30 days
22 after the proposed transfer has been reported to the House
23 and Senate Committees on Appropriations: *Provided fur-*
24 *ther*, That the transfer authority provided within this sec-

1 tion is in addition to any other transfer authority con-
2 tained elsewhere in this Act.

3 SEC. 8123. In addition to amounts appropriated else-
4 where in the Act, \$2,100,000 is hereby appropriated to
5 the Department of Defense: *Provided*, That the Secretary
6 of Defense shall make a grant in the amount of
7 \$2,100,000 to the National D-Day Museum.

8 SEC. 8124. In addition to amounts appropriated else-
9 where in this Act, \$5,000,000 is hereby appropriated to
10 the Department of Defense: *Provided*, That the Secretary
11 of the Army shall make available a grant of \$5,000,000
12 only to the Chicago Public Schools for conversion and ex-
13 pansion of the former Eighth Regiment National Guard
14 Armory (Bronzeville).

15 SEC. 8125. In addition to the amounts provided else-
16 where in this Act, the amount of \$10,000,000 is hereby
17 appropriated for “Operation and Maintenance, Navy”, to
18 accelerate the disposal and scrapping of ships of the Navy
19 Inactive Fleet and Maritime Administration National De-
20 fense Reserve Fleet: *Provided*, That the Secretary of the
21 Navy and the Secretary of Transportation shall develop
22 criteria for selecting ships for scrapping or disposal based
23 on their potential for causing pollution, creating an envi-
24 ronmental hazard and cost of storage: *Provided further*,
25 That the Secretary of the Navy and the Secretary of

1 Transportation shall report to the congressional defense
2 committees no later than June 1, 2001 regarding the total
3 number of vessels currently designated for scrapping, and
4 the schedule and costs for scrapping these vessels.

5 This Act may be cited as the “Department of Defense
6 Appropriations Act, 2001”.

Calendar No. 563

106TH CONGRESS
2D SESSION

S. 2593

[Report No. 106-298]

A BILL

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

MAY 18, 2000

Read twice and placed on the calendar