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106TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 106–710

MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, FAMILY HOUSING, AND BASE REALIGNMENT AND CLOSURE FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2001, AND FOR OTHER PURPOSES

JUNE 29, 2000.—Ordered to be printed

Mr. HOBSON, from the committee on conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 4425]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4425) "making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

DIVISION A—FISCAL YEAR 2001 MILITARY CONSTRUCTION APPROPRIATIONS

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2001, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other per-

sonal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $909,245,000, to remain available until September 30, 2005: Provided, That of this amount, not to exceed $109,306,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $928,273,000, to remain available until September 30, 2005: Provided, That of this amount, not to exceed $73,335,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $870,208,000, to remain available until September 30, 2005: Provided, That of this amount, not to exceed $74,628,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $814,647,000, to remain available until September 30, 2005: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $77,505,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense

determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $281,717,000, to remain available until September 30, 2005.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $203,829,000, to remain available until September 30, 2005.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $108,738,000, to remain available until September 30, 2005.

MILITARY CONSTRUCTION, NAVAL RESERVE

(INCLUDING RESCISSIONS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $64,473,000, to remain available until September 30, 2005: Provided further, That the funds appropriated for "Military Construction, Naval Reserve" under Public Law 105–45, $2,400,000 is hereby rescinded.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $36,591,000, to remain available until September 30, 2005.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses

for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, $172,000,000, to remain available until expended.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $235,956,000, to remain available until September 30, 2005; for Operation and Maintenance, and for debt payment, $951,793,000; in all $1,187,749,000.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $418,155,000, to remain available until September 30, 2005; for Operation and Maintenance, and for debt payment, $881,567,000; in all $1,299,722,000.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $251,982,000, to remain available until September 30, 2005; for Operation and Maintenance, and for debt payment, $820,879,000; in all $1,072,861,000.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, for Operation and Maintenance, $44,886,000.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $1,024,369,000, to remain available until expended: Provided, That not more than $865,318,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropria-

tions of both Houses of Congress of his determination and the reasons therefor.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engi-

neer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropria-

tions will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense" to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 121. (a) No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

(b) No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(TRANSFER OF FUNDS)

SEC. 123. Subject to 30 days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the

same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

SEC. 124. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 125. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term "congressional defense committees" means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

(TRANSFER OF FUNDS)

SEC. 126. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 127. Notwithstanding this or any other provision of law, funds appropriated in Military Construction Appropriations Acts for operations and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including flag and general officer quarters: Provided, That

not more than $25,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days advance prior notification of the appropriate committees of Congress: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations all operations and maintenance expenditures for each individual flag and general officer quarters for the prior fiscal year.

SEC. 128. The Army, Navy, Marine Corps, and Air Force are directed to submit to the appropriate committees of the Congress by July 1, 2001, a Family Housing Master Plan demonstrating how they plan to meet the year 2010 housing goals with traditional construction, operation and maintenance support, as well as privatization initiative proposals. Each plan shall include projected life cycle costs for family housing construction, basic allowance for housing, operation and maintenance, other associated costs, and a time line for housing completions each year.

(RESCISSION OF FUNDS)

SEC. 129. Of the funds provided in previous Military Construction Appropriations Acts, $100,000,000 is hereby rescinded as of the date of the enactment of this Act.

(TRANSFER OF FUNDS)

SEC. 130. During fiscal year 2001, in addition to any other transfer authority available to the Department of Defense, funds appropriated in the Military Construction Appropriations Act, 2000 (Public Law 106–52; 113 Stat. 259) under the heading "MILITARY CONSTRUCTION, NAVAL RESERVE" and still unobligated may be transferred to the account for "MILITARY CONSTRUCTION, NAVY". Amounts transferred under this section shall be merged with, and be available for the same period as, the amounts in the account to which transferred and shall be available to construct, under the authority of section 2805 of title 10, United States Code, an elevated water storage tank at the Naval Support Activity Midsouth, Millington, Tennessee.

SEC. 131. (a) The Secretary of the Army may accept funds from the Federal Highway Administration, or the State of Kentucky, and credit them to the appropriate Department of the Army accounts for the purpose of funding all costs associated with the realignment, requested by the State of Kentucky, of the military construction project involving a rail connector located at Fort Campbell, Kentucky, authorized in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2763).

(b) The Secretary may use the funds accepted for the realignment, in addition to funds authorized and appropriated for the rail connector project, notwithstanding the amount authorized in section 2101(a) of Public Law 104–201. The funds accepted shall remain available until expended.

(c) The costs associated with the realignment of the rail connector project include but are not limited to redesign costs, additional construction costs, additional costs due to construction delays related to the realignment, and additional real estate costs.

(d) The authority provided in this section shall be effective upon the date of the enactment of this Act.

(RESCISSION OF FUNDS)

SEC. 132. Of the funds available to the Secretary of Defense in the "Foreign Currency Fluctuations, Construction, Defense" account, $83,000,000 is hereby rescinded.

(TRANSFER OF FUNDS)

SEC. 133. AMENDMENTS.—Section 131 of the Military Construction Appropriations Act, 1988 (Public Law 100–202), is amended—

(1) by striking subsection (c)(1), and inserting the following:

"(c)(1) The Secretary shall use amounts paid to the Secretary under subsection (b) for the acquisition of suitable sites for military family housing; or, the acquisition, construction, or revitalization of military family housing in the San Diego region, either through conventional military construction or through use of any of the alternative authorities contained in subchapter IV, chapter 169 of title 10, United States Code.".

(2) by adding after subsection (c)(2) the following new subparagraph:

"(3) Any funds received by the Secretary under subsection (b) and not deposited into the general fund of the Treasury under subsection (c)(2) may be transferred into the Department of Defense Family Housing Improvement Fund in accordance with section 2883 in subchapter IV, chapter 169 of title 10, United States Code.".

SEC. 134. Section 412(c) of the Woodrow Wilson Memorial Bridge Authority Act of 1995 (112 Stat. 160) is amended by inserting before the period at the end of the sentence the following: ", and up to $170,000,000 for dredging and foundation activities for construction": Provided, That this section becomes effective immediately upon enactment of this Act.

SEC. 135. Notwithstanding any other provision of law, the Secretary of the Navy is authorized to use funds received pursuant to section 2601 of title 10, United States Code, for the construction, improvement, repair, and maintenance of the historic residences located at Marine Corps Barracks, 8th and I Streets, Washington, D.C.: Provided, That the Secretary notifies the appropriate committees of Congress 30 days in advance of the intended use of such funds: Provided further, That this section becomes effective immediately upon enactment of this Act.

BROOKS AIR FORCE BASE DEVELOPMENT DEMONSTRATION PROJECT

SEC. 136. (a) PURPOSE.—The purpose of this section is to evaluate and demonstrate methods for more efficient operation of military installations through improved capital asset management and greater reliance on the public or private sector for less-costly base support services, where available. The section supersedes, and shall be used in lieu of the authority provided in, section 8168 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1277).

(b) AUTHORITY.—(1) Subject to paragraph (4), the Secretary of the Air Force may carry out at Brooks Air Force Base, Texas, a demonstration project to be known as the "Base Efficiency Project" to improve mission effectiveness and reduce the cost of providing quality installation support at Brooks Air Force Base.

(2) The Secretary may carry out the Project in consultation with the Community to the extent the Secretary determines such consultation is necessary and appropriate.

(3) The authority provided in this section is in addition to any other authority vested in or delegated to the Secretary, and the Secretary may exercise any authority or combination of authorities provided under this section or elsewhere to carry out the purposes of the Project.

(4) The Secretary may not exercise any authority under this section until after the end of the 30-day period beginning on the date the Secretary submits to the appropriate committees of the Congress a master plan for the development of the Base.

(c) EFFICIENT PRACTICES.—(1) The Secretary may convert services at or for the benefit of the Base from accomplishment by military personnel or by Department civilian employees (appropriated fund or non-appropriated fund), to services performed by contract or provided as consideration for the lease, sale, or other conveyance or transfer of property.

(2) Notwithstanding section 2462 of title 10, United States Code, a contract for services may be awarded based on "best value" if the Secretary determines that the award will advance the purposes of a joint activity conducted under the project and is in the best interest of the Department.

(3) Notwithstanding that such services are generally funded by local and State taxes and provided without specific charge to the public at large, the Secretary may contract for public services at or for the benefit of the Base in exchange for such consideration, if any, the Secretary determines to be appropriate.

(4)(A) The Secretary may conduct joint activities with the Community, the State, and any private parties or entities on or for the benefit of the Base.

(B) Payments or reimbursements received from participants for their share of direct and indirect costs of joint activities, including the costs of providing, operating, and maintaining facilities, shall be in an amount and type determined to be adequate and appropriate by the Secretary.

(C) Such payments or reimbursements received by the Department shall be deposited into the Project Fund.

(d) LEASE AUTHORITY.—(1) The Secretary may lease real or personal property located on the Base and not required at other Air Force installations to any lessee upon such terms and conditions as the Secretary considers appropriate and in the interest of the United States, if the Secretary determines that the lease would facilitate the purposes of the Project.

(2) Consideration for a lease under this subsection shall be determined in accordance with subsection (g).

(3) A lease under this subsection—

(A) may be for such period as the Secretary determines is necessary to accomplish the goals of the Project; and

(B) may give the lessee the first right to purchase the property at fair market value if the lease is terminated to allow the United States to sell the property under any other provision of law.

(4)(A) The interest of a lessee of property leased under this subsection may be taxed by the State or the Community.

(B) A lease under this subsection shall provide that, if and to the extent that the leased property is later made taxable by State governments or local governments under Federal law, the lease shall be renegotiated.

(5) The Department may furnish a lessee with utilities, custodial services, and other base operation, maintenance, or support services performed by Department civilian or contract employees, in exchange for such consideration, payment, or reimbursement as the Secretary determines appropriate.

(6) All amounts received from leases under this subsection shall be deposited into the Project Fund.

(7) A lease under this subsection shall not be subject to the following provisions of law:

(A) Section 2667 of title 10, United States Code, other than subsection (b)(1) of that section.

(B) Section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(C) The Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(e) PROPERTY DISPOSAL.—(1) The Secretary may sell or otherwise convey or transfer real and personal property located at the Base to the Community or to another public or private party during the Project, upon such terms and conditions as the Secretary considers appropriate for purposes of the Project.

(2) Consideration for a sale or other conveyance or transfer of property under this subsection shall be determined in accordance with subsection (g).

(3) The sale or other conveyance or transfer of property under this subsection shall not be subject to the following provisions of law:

(A) Section 2693 of title 10, United States Code.

(B) The Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(4) Cash payments received as consideration for the sale or other conveyance or transfer of property under this subsection shall be deposited into the Project Fund.

(f) LEASEBACK OF PROPERTY LEASED OR DISPOSED.—(1) The Secretary may lease, sell, or otherwise convey or transfer real property at the Base under subsections (b) and (e), as applicable, which will be retained for use by the Department or by another military department or other Federal agency, if the lessee, purchaser, or other grantee or transferee of the property agrees to enter into a leaseback to the Department in connection with the lease, sale, or other conveyance or transfer of one or more portions or all of the property leased, sold, or otherwise conveyed or transferred, as applicable.

(2) A leaseback of real property under this subsection shall be an operating lease for no more than 20 years unless the Secretary of the Air Force determines that a longer term is appropriate.

(3)(A) Consideration, if any, for real property leased under a leaseback entered into under this subsection shall be in such form and amount as the Secretary considers appropriate.

(B) The Secretary may use funds in the Project Fund or other funds appropriated or otherwise available to the Department for use at the Base for payment of any such cash rent.

(4) Notwithstanding any other provision of law, the Department or other military department or other Federal agency using the real property leased under a leaseback entered into under this subsection may construct and erect facilities on or otherwise improve the leased property using funds appropriated or otherwise available to the Department or other military department or other Federal agency for such purpose.

(g) CONSIDERATION.—(1) The Secretary shall determine the nature, value, and adequacy of consideration required or offered in exchange for a lease, sale, or other conveyance or transfer of real or personal property or for other actions taken under the Project.

(2) Consideration may be in cash or in-kind or any combination thereof. In-kind consideration may include the following:

(A) Real property.

(B) Personal property.

(C) Goods or services, including operation, maintenance, protection, repair, or restoration (including environmental restoration) of any property or facilities (including non-appropriated fund facilities).

(D) Base operating support services.

(E) Improvement of Department facilities.

(F) Provision of facilities, including office, storage, or other usable space, for use by the Department on or off the Base.

(G) Public services.

(3) Consideration may not be for less than the fair market value.

(h) PROJECT FUND.—(1) There is established on the books of the Treasury a fund to be known as the "Base Efficiency Project Fund" into which all cash rents, proceeds, payments, reimbursements, and other amounts from leases, sales, or other conveyances or transfers, joint activities, and all other actions taken under the Project shall be deposited. Subject to paragraph (2), amounts deposited into the Project Fund shall be available without fiscal year limitation.

(2) To the extent provided in advance in appropriations Acts, amounts in the Project Fund shall be available to the Secretary for use at the base only for operation, base operating support services, maintenance, repair, or improvement of Department facilities, payment of consideration for acquisitions of interests in real property (including payment of rentals for leasebacks), and environmental protection or restoration. The use of such amounts may be in addition to or in combination with other amounts appropriated for these purposes.

(3) Subject to generally prescribed financial management regulations, the Secretary shall establish the structure of the Project Fund and such administrative policies and procedures as the Secretary considers necessary to account for and control deposits into and disbursements from the Project Fund effectively.

(i) FEDERAL AGENCIES.—(1)(A) Any Federal agency, its contractors, or its grantees shall pay rent, in cash or services, for the use of facilities or property at the Base, in an amount and type determined to be adequate by the Secretary.

(B) Such rent shall generally be the fair market rental of the property provided, but in any case shall be sufficient to compensate the Base for the direct and overhead costs incurred by the Base due to the presence of the tenant agency on the Base.

(2) Transfers of real or personal property at the Base to other Federal agencies shall be at fair market value consideration. Such consideration may be paid in cash, by appropriation transfer, or in property, goods, or services.

(3) Amounts received from other Federal agencies, their contractors, or grantees, including any amounts paid by appropriation transfer, shall be deposited in the Project Fund.

(j) REPORTS TO CONGRESS.—(1) Section 2662 of title 10, United States Code, shall apply to transactions at the Base during the Project.

(k) LIMITATION.—None of the authorities in this section shall create any legal rights in any person or entity except rights embodied in leases, deeds, or contracts.

(l) EXPIRATION OF AUTHORITY.—The authority to enter into a lease, deed, permit, license, contract, or other agreement under this section shall expire on June 1, 2005.

(m) DEFINITIONS.—In this section:

(1) The term "Project" means the Base Efficiency Project authorized by this section.

(2) The term "Base" means Brooks Air Force Base, Texas.

(3) The term "Community" means the City of San Antonio, Texas.

(4) The term "Department" means the Department of the Air Force.

(5) The term "facility" means a building, structure, or other improvement to real property (except a military family housing unit as that term is used in subchapter IV of chapter 169 of title 10, United States Code).

(6) The term "joint activity" means an activity conducted on or for the benefit of the Base by the Department, jointly with the Community, the State, or any private entity, or any combination thereof.

(7) The term "Project Fund" means the Base Efficiency Project Fund established by subsection (h).

(8) The term "public services" means public services (except public schools, fire protection, and police protection) that are funded by local and State taxes and provided without specific charge to the public at large.

(9) The term "Secretary" means the Secretary of the Air Force or the Secretary's designee, who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate.

(10) The term "State" means the State of Texas.

(n) This section becomes effective immediately upon enactment of this Act.

SEC. 137. Of the funds made available in the Military Construction Appropriations Act, 1999 (Public Law 105–237) under the heading "Military Construction, Defense-Wide" for planning and design, not less than $1,000,000 shall be available for the design of an elementary school for the Central Kitsap School District to meet the educational needs of military dependents at the Naval Submarine Base, Bangor, Washington: Provided, That this section becomes effective immediately upon enactment of this Act.

SEC. 138. The total amount of appropriated funds that may be expended for the military construction project at the Military Acad-

emy at West Point, New York, to construct and renovate the Cadet Physical Development Center shall not exceed $77,500,000, regardless of the fiscal year for which the funds were or are appropriated: Provided, That this section becomes effective immediately upon enactment of this Act.

SEC. 139. (a) Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on construction, security and operation of Forward Operating Locations (FOL) in Manta, Ecuador, Aruba, Curacao, and El Salvador.

(b) The report required by subsection (a) shall address the following: (1) a schedule for making each Forward Operating Location (FOL) fully operational, including cost estimates, time line of contracting and construction with completion dates, a description of the potential capabilities for each proposed location and an explanation of how the FOL architecture fits into the overall counter-drug strategy; (2) a plan that identifies the operating requirements at FOL for the United States Coast Guard, United States Customs Service, Drug Enforcement Administration, Intelligence community and the Department of Defense and how these requirements will be addressed; (3) a security plan to ensure that FOL facilities and personnel working at these sites are safeguarded from outside threats; and (4) a safety plan to ensure operations conducted at FOLs are in accordance with standard operating procedures.

This division may be cited as the "Military Construction Appropriations Act, 2001".

DIVISION B

FISCAL YEAR 2000 SUPPLEMENTAL APPROPRIATIONS

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—KOSOVO AND OTHER NATIONAL SECURITY MATTERS

CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $23,883,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $20,565,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section

251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", $37,155,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $38,065,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That of the funds appropriated under this heading, $8,000,000 shall be made available only for use in federally owned educational facilities located on military installations for the purpose of transferring title of such facilities to the local educational authorities.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to provide assistance to Vieques, Puerto Rico, $40,000,000, to remain available until September 30, 2003: Provided, That such funds shall be in addition to amounts otherwise available for such purposes: Provided further, That the Secretary of Defense may transfer funds to any agency or office of the United States Government in order to implement the projects for which funds are provided under this heading 30 days after the Director of the Office of Management and Budget notifies the House and Senate Committees on Appropriations of each proposed transfer: Provided further, That each notification transmitted to the Committees shall identify the specific amount, recipient agency and purpose for which such transfer is proposed: Provided further, That appropriations made available under this heading may be transferred and obligated for the following purposes: a study of the health of Vieques residents; fire-fighting related equipment and facilities at Antonio Rivera Rodriguez Airport; construction or refurbishment of a commercial ferry pier and terminal and associated navigational improvements; establishment and construction of an artificial reef; reef conservation, restoration, and management activities; payments to registered Vieques commercial fishermen of an amount determined by the National Marine Fisheries Service for each day they are unable to use existing waters because the Navy is conducting training; expansion and improvement of major cross-island roadways and bridges; an apprenticeship/training program for young adults; preservation and protection of natural resources; an economic development office and economic development activities; and conducting a referendum among the residents of Vieques regarding further use of the island for military training programs: Provided further, That for purposes of providing assistance to Vieques, any agency or office of the United States Government to which these

funds are transferred may utilize, in addition to any authorities available in this paragraph, any authorities available to that agency or office for carrying out related activities, including utilization of such funds for administrative expenses: Provided further, That any amounts transferred to the Department of Housing and Urban Development, "Community development block grants", shall be available only for assistance to Vieques, notwithstanding section 106 of the Housing and Community Development Act of 1974: Provided further, That the Department of Commerce may make direct payments to registered Vieques commercial fishermen: Provided further, That the Department of the Navy may provide fire-fighting training and funds provided in this paragraph may be used to provide fire-fighting related facilities at the Antonio Rivera Rodriguez Airport: Provided further, That funds made available under this heading may be transferred to the Army Corps of Engineers to construct or modify a commercial ferry pier and terminal and associated navigational improvements: Provided further, That except for amounts provided for the health study, fire-fighting related equipment and facilities, and certain activities in furtherance of the preservation and protection of natural resources, funds provided in this paragraph shall not become available until 30 days after the Secretary of the Navy has certified to the congressional defense committees that the integrity and accessibility of the training range is uninterrupted, and trespassing and other intrusions on the range have ceased: Provided further, That the Secretary of the Navy shall recertify to the congressional defense committees the status of the range 90 days after the initial certification, and each 90 days thereafter: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", $2,174,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $2,851,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Overseas Contingency Operations Transfer Fund", $2,050,400,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985,

as amended: Provided further, That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance, including Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; the Defense Health Program; and working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", $73,000,000, to remain available for obligation until September 30, 2001: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", $5,700,000, to remain available for obligation until September 30, 2001, only for continued test activities under the Tactical High Energy Laser (THEL) program.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", $3,533,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. (a) MINIMUM RATES OF BASIC ALLOWANCE FOR HOUSING FOR MEMBERS OF THE UNIFORMED SERVICES.—During the period beginning on January 1, 2000, and ending on September 30, 2001 (or such earlier date as the Secretary of Defense considers appropriate), a member of the uniformed services entitled to a basic allowance for housing for a military housing area in the United States shall be paid the allowance at a monthly rate not less than the rate in effect on December 31, 1999, in that area for members serving in the same pay grade and with the same dependency status as the member.

(b) ANNUAL LIMITATION ON ALLOWANCE.—In light of the rates for the basic allowance for housing authorized by subsection (a), the Secretary of Defense may exceed the limitation on the total amount paid during fiscal year 2000 and 2001 for the basic allowance for housing in the United States otherwise applicable under section 403(b)(3) of title 37, United States Code.

(c) SENSE OF THE CONGRESS REGARDING MILITARY FAMILIES ON FOOD STAMPS.—It is the sense of the Congress that members of the Armed Forces and their dependents should not have to rely on the food stamp program, and the President and the Congress should take action to ensure that the income level of members of the Armed Forces is sufficient so that no member meets the income standards of eligibility in effect under the food stamp program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 102. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $1,556,200,000 is hereby appropriated to the Department of Defense for the "Defense-Wide Working Capital Fund" and shall remain available until expended, for price increases resulting from worldwide increases in the price of petroleum: Provided, That the Secretary of Defense shall transfer $1,556,200,000 in excess collections from the "Defense-Wide Working Capital Fund" not later than September 30, 2001 to the operation and maintenance; research, development, test and evaluation; and working capital funds: Provided further, That the transfer authority provided in this section is in addition to the transfer authority provided to the Department of Defense in this Act or any other Act: Provided further, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 103. In addition to the amounts provided elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $90,000,000 is hereby appropriated for "Aircraft Procurement, Air Force", only for F–15 aircraft or associated components, systems, or subsystems.

SEC. 104. In addition to the amounts provided elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $163,700,000 is hereby appropriated for "Procurement of Weapons and Tracked Combat Vehicles, Army", only for procurement, advance procurement, or economic order quantity procurement of Abrams M1A2 SEP Upgrades under multiyear contract authority provided under section 8008 of the Department of Defense Appropriations Act, 2000: Provided, That none of the funds under this section shall be obligated until the Secretary of the Army certifies to the congressional defense committees that these funds will be used to upgrade vehicles for an average unit cost (for 307 vehicles) that does not exceed $5,900,000.

SEC. 105. In addition to the amounts provided in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $615,600,000 is hereby appropriated for "Defense Health Program", to remain available for obligation until September 30, 2001: Provided, That such funds shall be available only for the purposes de-

scribed and in accordance with section 106 of this chapter: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 106. (a) Of the amounts provided in section 105 of this chapter for "Defense Health Program"—

(1) not to exceed $90,300,000 shall be available for obligations and adjustments to obligations required to cover unanticipated increases in TRICARE contract costs that (but for insufficient funds) would have been properly chargeable to the Defense Health Program account for fiscal year 1998 or fiscal year 1999; and

(2) not to exceed $525,300,000 shall be available for obligations and adjustments to obligations required to cover unanticipated increases in TRICARE contract costs that are properly chargeable to the Defense Health Program account for fiscal year 2000 or fiscal year 2001.

(b) The Secretary of Defense shall notify the congressional defense committees before charging an obligation or an adjustment to obligations under this section.

(c) The Secretary of Defense shall submit to the congressional defense committees a report on obligations made under this section no later than 30 days after the end of fiscal year 2000.

SEC. 107. In addition to the amounts provided in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $695,900,000 is hereby appropriated for "Defense Health Program", to remain available for obligation until September 30, 2002: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 108. In addition to the amounts appropriated or otherwise made available in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $27,000,000 is hereby appropriated to the Department of Defense and is available only for the Basic Allowance for Housing Program: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 109. (a) MILITARY RECRUITING, ADVERTISING, AND RETENTION PROGRAMS.—In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated to the Department of Defense, to remain available for obligation until September 30, 2001, and to be available only for military personnel (to include full-time manning), recruiting, advertising, and retention programs, $357,288,000, as follows:

For military personnel accounts, $204,226,000, as follows:

"Military Personnel, Army", $99,900,000;
"Military Personnel, Navy", $23,500,000;
"Military Personnel, Marine Corps", $4,000,000;
"Military Personnel, Air Force", $7,500,000;
"Reserve Personnel, Army", $32,500,000; and

"National Guard Personnel, Army", $36,826,000.

For operation and maintenance accounts, $153,062,000, as follows:

"Operation and Maintenance, Army", $38,110,000;

"Operation and Maintenance, Navy", $29,222,000;

"Operation and Maintenance, Marine Corps", $8,100,000;

"Operation and Maintenance, Air Force", $29,040,000;

"Operation and Maintenance, Army Reserve", $18,890,000;

"Operation and Maintenance, Navy Reserve", $6,700,000;

"Operation and Maintenance, Marine Corps Reserve", $2,000,000;

"Operation and Maintenance, Air Force Reserve", $4,000,000;

"Operation and Maintenance, Army National Guard", $12,000,000; and

"Operation and Maintenance, Air National Guard", $5,000,000.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 110. (a) DEPOT-LEVEL MAINTENANCE AND REPAIR.—In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $220,000,000 is hereby appropriated for "Operation and Maintenance, Navy", to remain available for obligation until September 30, 2001, only for ship depot maintenance.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 111. (a) HIGH PRIORITY SUPPORT TO DEPLOYED FORCES.—In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated to the Department of Defense, to support deployed United States forces, $503,900,000, as follows:

(1) For operation and maintenance accounts, to remain available for obligation until September 30, 2001, $96,000,000 as follows:

"Operation and Maintenance, Navy", $20,000,000;

"Operation and Maintenance, Air Force", $41,900,000;

"Operation and Maintenance, Defense-Wide", $10,000,000; and

"Operation and Maintenance, Air National Guard", $24,100,000.

(2) For procurement accounts, to remain available for obligation until September 30, 2003, $344,900,000, as follows:

"Aircraft Procurement, Army", $25,000,000 (for Apache helicopter safety and reliability modifications);

"Aircraft Procurement, Navy", $52,800,000 (of which $27,000,000 is for CH–46 helicopter engine safety procurement and $25,800,000 for EP–3 sensor improvement modifications);

"Aircraft Procurement, Air Force", $212,700,000 (of which $111,600,000 is for U–2 reconnaissance aircraft sensor improvements and modifications, and $101,100,000 is for flight and mission trainers and simulators);

"Other Procurement, Air Force", $41,400,000; and

"Procurement, Defense-Wide", $13,000,000.

(3) For research, development, test and evaluation accounts, to remain available for obligation until September 30, 2002, $63,000,000, as follows:

"Research, Development, Test and Evaluation, Army", $5,000,000 (for the WARSIMS program); and

"Research, Development, Test and Evaluation, Defense-Wide", $58,000,000.

(b) EMERGENCY DESIGNATION.—The entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 112. To ensure the availability of biometrics technologies in the Department of Defense, the Secretary of the Army shall be the Executive Agent to lead, consolidate, and coordinate all biometrics information assurance programs of the Department of Defense: Provided, That there is hereby appropriated for fiscal year 2000, in addition to other amounts appropriated for such fiscal year by other provisions of this Act, $5,000,000 for Operation and Maintenance, Army, for carrying out the biometrics assurance programs and for continuing the biometrics information assurance programs of the Information System Security Program: Provided further, That there is hereby appropriated for fiscal year 2000, in addition to other amounts appropriated for such fiscal year by other provisions of this Act, $1,000,000 for Operation and Maintenance, Navy, and $1,000,000 for Operation and Maintenance, Air Force, for carrying out the biometrics assurance programs with the Army, as Executive Agent, to lead, consolidate, and coordinate such programs.

SEC. 113. In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $125,000,000 is hereby appropriated to the Department of Defense to remain available until September 30, 2002, to be available only for the Patriot missile program: Provided, That not later than 30 days after the enactment of this Act the Department shall submit a revised Patriot missile program plan to the congressional defense committees: Provided further, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 114. In addition to amounts provided elsewhere in this Act for the Department of Defense, $300,000 is hereby appropriated to be available only for Operation Walking Shield for technical assistance and transportation of excess housing to Indian tribes located

in the States of North Dakota, South Dakota, Montana and Minnesota, in accordance with section 8155 of Public Law 106–79.

SEC. 115. In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), there is hereby appropriated to the Department of Defense, for the cost of peacekeeping and humanitarian assistance operations in East Timor and Mozambique, $61,500,000, to be distributed as follows:

"Operation and Maintenance, Navy", $6,400,000;

"Operation and Maintenance, Marine Corps", $8,100,000; and

"Operation and Maintenance, Air Force", $47,000,000:

Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(TRANSFER OF FUNDS)

SEC. 116. (a) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, of the funds appropriated by title II of the Department of Defense Appropriations Act, 2000 (Public Law 106–79) under the heading "Operation and Maintenance, Defense-Wide", $9,642,000 shall be transferred to the Macalloy Special Account administered by the Administrator of the Environmental Protection Agency to pay for response actions by, or on behalf of, the Environmental Protection Agency under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) at the Macalloy site in Charleston, South Carolina.

(b) TREATMENT OF FUNDS.—Any of the funds transferred pursuant to subsection (a) that are used to pay for response actions at the Macalloy site shall be credited against any liability of the United States with respect to the site under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

SEC. 117. Notwithstanding any other provision of law, there is appropriated to the Department of Defense $8,000,000 for communications, communications infrastructure, logistical support, resources and operational assistance required by the Salt Lake Organizing Committee to stage the 2002 Olympic and Paralympic Winter Games, such sums to remain available until expended.

SEC. 118. The Ballistic Missile Defense Organization and its subordinate offices and associated contractors, including the Lead Systems Integrator, shall notify the congressional defense committees 15 days prior to issuing any type of information or proposal solicitation under the NMD Program with a potential annual contract value greater than $5,000,000 or a total contract value greater than $30,000,000.

SEC. 119. (a) REQUIREMENT FOR SALE OF NAVY DRYDOCK NO. 9.—Notwithstanding any other provision of law, the Secretary of the Navy shall sell Navy Drydock No. 9 (AFDM–3), located in Mobile, Alabama, to the Bender Shipbuilding and Repair Company, Inc., which is the current lessee of the drydock from the Navy.

(b) CONSIDERATION.—As consideration for the sale of the drydock under subsection (a), the Secretary shall receive an amount

equal to the fair market value of the drydock at the time of the sale, as determined by the Secretary.

SEC. 120. Subsection (b) of section 509 of title 32, United States Code, is amended by striking "Federal" and inserting "Department of Defense".

SEC. 121. USE OF DEPARTMENT OF DEFENSE FACILITIES AS POLLING PLACES. (a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense shall not prohibit the designation or use of any Department of Defense facility, currently designated by a State or local election official, or used since January 1, 1996, as an official polling place in connection with a local, State, or Federal election, as such official polling place.

(b) EFFECTIVE DATE.—The prohibition under subsection (a) shall apply to any election occurring on or after the date of the enactment of this section and before December 31, 2000.

SEC. 122. Section 8114 of the Department of Defense Appropriations Act, 1999 (Public Law 105–262; 112 Stat. 2326), is amended—

(1) in the matter preceding the first proviso, by striking "$20,000,000" and inserting "$30,000,000"; and

(2) in the second proviso, by inserting after "property damages" the following: ", and for other claims under applicable Status-of-Forces Agreements,".

(RESCISSIONS)

SEC. 123. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded as of the date of the enactment of this Act, from the following accounts in the specified amounts:

Under the heading "Shipbuilding and Conversion, Navy, 1989/1993":

DDG–51 destroyer program, $9,100,000;
T–AO fleet oiler program, $6,645,000;
T–AGOS surveillance ship program, $3,420,000;
Outfitting and post delivery, $1,293,000;
"Research, Development, Test and Evaluation, Air Force, 1999/2000", $7,000,000;
"Military Personnel, Army, 2000", $98,700,000;
"Military Personnel, Navy, 2000", $49,127,000;
"Military Personnel, Air Force, 2000", $82,000,000;
"Reserve Personnel, Air Force, 2000", $4,500,000; and
"National Guard Personnel, Army, 2000", $24,826,000.

SEC. 124. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 125. The following provisions of law are repealed: sections 8175 and 8176 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79), as amended by sections 214 and 215, respectively, of H.R. 3425 of the 106th Congress (113 Stat. 1501A–297), as enacted into law by section 1000(a)(5) of Public Law 106–113.

SEC. 126. Any amount appropriated in this chapter that is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, shall not be available for obliga-

tion unless all such amounts are designated by the President, upon enactment of this Act, as emergency requirements pursuant to such section.

CHAPTER 2

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount for "General Investigations", $3,500,000, to remain available until expended, of which $1,500,000 shall be for a feasibility study and report of a project to provide flood damage reduction for the town of Princeville, North Carolina, and of which $2,000,000 shall be for preconstruction engineering and design of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION, GENERAL

For an additional amount for "Construction, General", $3,000,000, to remain available until expended, for the Johnson Creek, Arlington, Texas, project authorized by section 101(b)(14) of Public Law 106–53: Provided, That the entire amount shall be available only to the extent an official budget request for $3,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and Maintenance, General", $200,000, to remain available until expended, for dredging of the authorized navigation project at Saxon Harbor, Wisconsin: Provided, That the entire amount shall be available only to the extent an official budget request for $200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for "Water and Related Resources", $600,000, to remain available until expended, to carry out the provisions of the Lewis and Clark Rural Water System Act of 2000: Provided, That the entire amount shall be available only to the extent an official budget request for $600,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For an additional amount for "Weapons activities", $96,500,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for $96,500,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEFENSE ACTIVITIES

For an additional amount for "Other defense activities", $38,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for $38,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the Department is authorized to initiate design of the Highly Enriched Uranium Blend Down Project.

ENERGY PROGRAMS

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For an additional amount for "Uranium enrichment decontamination and decommissioning fund", $58,000,000, to be derived from the Fund, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for $58,000,000, that includes designation of the en-

tire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 201. Funds appropriated in this or any other Act and hereafter may not be used to pay on behalf of the United States or a contractor or subcontractor of the United States for posting a bond or fulfilling any other financial responsibility requirement relating to closure or post-closure care and monitoring of the Waste Isolation Pilot Plant. The State of New Mexico or any other entity may not enforce against the United States or a contractor or subcontractor of the United States, in this or any subsequent fiscal year, a requirement to post bond or any other financial responsibility requirement relating to closure or post-closure care and monitoring of the Waste Isolation Pilot Plant. Any financial responsibility requirement in a permit or license for the Waste Isolation Pilot Plant on the date of the enactment of this section may not be enforced against the United States or its contractors or subcontractors at the Plant.

SEC. 202. Notwithstanding any other provision of law, no funds provided in this or any other Act may be used to further reallocate Central Arizona Project water or to prepare an Environmental Assessment, Environmental Impact Statement, or Record of Decision providing for a reallocation of Central Arizona Project water until further Act of Congress authorizing and directing the Secretary of the Interior to make allocations and enter into contracts for delivery of Central Arizona Project water.

SEC. 203. Of the funds provided in Public Laws 106–60 and 105–245 and prior Energy and Water Development Appropriations Acts for the Department of Energy under the heading "Science", $1,000,000 shall be made available for the design, planning and construction of the interdisciplinary science facility at the University of Alabama at Tuscaloosa.

SEC. 204. Of the funds provided in Public Law 106–60 and prior Energy and Water Development Appropriations Acts for the Department of Energy under the heading "Energy Supply", $1,000,000 shall be made available for the Nome diesel upgrade.

SEC. 205. Of the funds provided in Public Law 106–60 and prior Energy and Water Development Appropriations Acts for the Department of Energy under the heading "Weapons Activities", $5,000,000 shall be made available to move the Atlas pulsed power experimental facility to the Nevada Test Site.

SEC. 206. Of the funds provided in Public Law 106–60 and prior Energy and Water Development Appropriations Acts for the Department of Energy under the heading "Science", $2,500,000 shall be made available for the Natural Energy Laboratory of Hawaii.

SEC. 207. Of the funds provided in Public Law 106–60 for the Department of Energy under the heading "Science", $1,000,000 shall be made available for the Burbank Hospital Regional Center in Fitchburg, Massachusetts.

SEC. 208. Of the funds provided in Public Law 106–60 for the Department of Energy under the heading "Science", $1,000,000 shall be made available for the Center for Research on Aging at Rush-Presbyterian-St. Luke's Medical Center in Chicago, Illinois.

SEC. 209. Of the funds provided in Public Law 106–60 for the Department of Energy under the heading "Science", $1,000,000 shall be made available for the North Shore-Long Island Jewish Health System.

SEC. 210. Of the funds provided in Public Law 106–60 for the Department of Energy under the heading "Energy Supply", $1,000,000 shall be made available for the Materials Science Center in Tempe, Arizona.

SEC. 211. No funds appropriated to the Nuclear Regulatory Commission for fiscal years 2000 and 2001 may be used to relocate, or to plan or prepare for the relocation of, the functions or personnel of the Technical Training Center from its location at Chattanooga, Tennessee.

CHAPTER 3

MILITARY CONSTRUCTION

GENERAL PROVISIONS—THIS CHAPTER

SEC. 301. In addition to amounts appropriated or otherwise made available in the Military Construction Appropriations Act, 2000, the following amounts are hereby appropriated as authorized by section 2854 of title 10, United States Code, as follows:

"Military Construction, Army Reserve", $12,348,000;

"Family Housing, Army", $2,000,000;

"Family Housing, Navy and Marine Corps", $3,000,000; and

"Family Housing, Air Force", $1,700,000:

Provided, That the funds in this section remain available until September 30, 2004: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $19,048,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 302. Notwithstanding any other provision of law, in addition to amounts appropriated or otherwise made available in the Military Construction Appropriations Act, 2000, $1,000,000 is hereby appropriated to the "Military Construction, Defense-Wide" account, to remain available until September 30, 2004: Provided, That such amount shall be available for study, planning, design, architect and engineer services, as authorized by law: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for $1,000,000 that includes designation of the entire amount of the request as an emergency requirement as

defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(INCLUDING RESCISSION)

SEC. 303. (a) In addition to the amounts provided in Public Law 106–52, $35,000,000 is appropriated under the heading "Military Construction, Navy" to remain available until September 30, 2004: Provided, That such funds are authorized and shall be available for the acquisition of land at Blount Island, Florida.

(b) Of the funds provided in the Military Construction Appropriations Act, 1996 (Public Law 104–32), $35,000,000 is hereby rescinded as of the date of the enactment of this Act.

CHAPTER 4

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating expenses", $77,000,000, to remain available until September 30, 2001; of which $5,000,000 shall be available for military basic pay; $18,000,000 shall be available for costs related to the delivery of health care to Coast Guard personnel, retirees, and their dependents; $15,000,000 shall be available for basic allowance for housing; $2,000,000 shall be available for the military housing areas cost of living adjustment; $15,000,000 shall be available for recruiting and retention bonuses; $1,000,000 shall be available for fixed wing aviator retention bonuses; $8,000,000 shall be available for the clean up and repair of shore facilities from hurricane damage; and, $13,000,000 shall be available for operational fuel and unit level operational readiness: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be available only to the extent an official budget request for $77,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for "Acquisition, construction, and improvements", $578,000,000, to remain available until expended; of which $110,000,000 shall be available for the Great Lakes Icebreaker replacement; and of which $468,000,000 shall be available for acquisition and conversion of six C–130J maritime patrol aircraft, as authorized under section 812(b)(1)(G) of the Western Hemisphere Drug Elimination Act: Provided, That the procurement of maritime patrol aircraft funded under this heading shall not, in any way, influence the procurement strategy, program requirements, or down-select decision pertaining to the Coast Guard's Deepwater Capability Replacement Project: Provided further, That the entire

amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be available only to the extent an official budget request for $578,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 5

GENERAL PROVISIONS—THIS TITLE

SEC. 501. For an additional amount for the Agency for International Development, "International Disaster Assistance", $25,000,000, for rehabilitation and reconstruction assistance for Mozambique, Madagascar, and southern Africa, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be available only to the extent an official budget request that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 502. For an additional amount for "Assistance for Eastern Europe and the Baltic States", $50,000,000, to remain available until September 30, 2001: Provided, That this amount shall only be available for assistance for Montenegro and Croatia, and not to exceed $12,400,000 for assistance for Kosova: Provided further, That the amount specified in the previous proviso for assistance for Kosova may be made available only for police activities: Provided further, That funds made available in the preceding provisos shall be available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE II

NATURAL DISASTER ASSISTANCE AND OTHER SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

For an additional amount for necessary expenses to carry out title IX of Public Law 106–78, $1,350,000: Provided, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request for $1,350,000, that includes designation of the entire amount of the request as an emergency re-

quirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $77,560,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for $77,560,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For additional gross obligations for the principal amount of direct loans as authorized by title V of the Housing Act of 1949 for section 515 rental housing to be available from funds in the rural housing insurance fund to meet needs resulting from Hurricane Dennis, Floyd, or Irene, $40,000,000.

For the additional cost of direct loans for section 515 rental housing, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, to remain available until expended, $15,872,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RENTAL ASSISTANCE PROGRAM

For an additional amount for rental assistance agreements entered into or renewed pursuant to section 521(a)(2) of the Housing Act of 1949 for emergency needs resulting from Hurricane Dennis, Floyd, or Irene, $13,600,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2101. With respect to any 1999 crop year loan made by the Commodity Credit Corporation to a cooperative marketing association established under the laws of North Carolina, and to any person or entity in North Carolina obtaining a 1999 crop upland cotton marketing assistance loan, the Corporation shall reduce the amount of such outstanding loan indebtedness in an amount up to 75 percent of the amount of the loan applicable to any collateral (in the case of cooperative marketing associations of upland cotton pro-

ducers and upland cotton producers, not to exceed $5,000,000 for benefits to such associations and such producers for up to 75 percent of the loss incurred by such associations and such producers with respect to upland cotton that had been placed under loan) that was produced in a county in which either the Secretary of Agriculture or the President of the United States declared a major disaster or emergency due to the occurrence of Hurricane Dennis, Floyd, or Irene if the Corporation determines that such collateral suffered any quality loss as a result of said hurricane: Provided, That if a person or entity obtains a benefit under this section with respect to a quantity of a commodity, no marketing loan gain or loan deficiency payment shall be made available under the Federal Agricultural Improvement and Reform Act of 1996 with respect to such quantity: Provided further, That no more than $81,000,000 of the funds of the Corporation shall be available to carry out this section: Provided further, That the entire amount shall be available only to the extent an official budget request for $81,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 2102. In lieu of imposing, where applicable, the assessment for producers provided for in subsection (d)(8) of 7 U.S.C. 7271 (section 155 of the Agricultural Market Transition Act), the Secretary shall, as necessary to offset remaining loan losses for the 1999 crop of peanuts, borrow such amounts as would have been collected under 7 U.S.C. 7271(d)(8) from the Commodity Credit Corporation. Such borrowing shall be against all excess assessments to be collected under 7 U.S.C. 7271(g) for crop year 2000 and subsequent years. For purposes of the preceding sentence, an assessment shall be considered to be an "excess" assessment to the extent that it is not used, or will not be used, under the provisions of 7 U.S.C. 7271(d), to offset losses on peanuts for the crop year in which the assessment is collected. The Commodity Credit Corporation shall retain in its own account sums collected under 7 U.S.C. 7271(g) as needed to recover the borrowing provided for in this section to the extent that such collections are not used under 7 U.S.C. 7271(d) to cover losses on peanuts: Provided, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

CHAPTER 2

DEPARTMENT OF JUSTICE

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for "Salaries and Expenses, United States Attorneys", $12,000,000, to remain available until expended, to be divided equally between the States of Texas, New Mexico, Arizona, and California, to reimburse county and municipal governments only for Federal costs associated with the handling and processing of illegal immigration and drug and alien smuggling cases. The use of these funds is limited to: court costs, courtroom technology, the building of holding spaces, administrative staff, and indigent defense costs: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That such amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $181,000,000, to remain available until expended, which shall be deposited in the Telecommunications Carrier Compliance Fund: Provided, That, hereafter, in the discretion of the Attorney General, any expenditures from the Fund to pay or reimburse pursuant to sections 104(e) and 109(a) of Public Law 103–414, may be made directly to any parties specified in section 401(a) thereof, and may be made either pursuant to the regulations promulgated under such section 109, or pursuant to firm fixed-price agreements, upon provision of such information as the Attorney General may require: Provided further, That such amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For an additional amount for "Justice Assistance" for grants to counties with populations of less than 150,000, and Indian reservations, in Arizona that are adjacent to the United States-Mexico border, $2,000,000: Provided, That such grants shall be allocated in proportion to the population of each such county and Indian reservation: Provided further, That such amount is designated by the

Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for "Economic Development Assistance Programs", $55,800,000, to remain available until expended, for planning, public works grants and revolving loan funds for communities affected by Hurricane Floyd and other recent hurricanes and disasters: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That such amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, Research and Facilities", $30,700,000, to remain available until expended, to provide disaster assistance pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation Management Act, including compensation to fishermen for losses and equipment damage, resulting from Hurricane Floyd and other recent hurricanes and fishery disasters in the Long Island Sound lobster fishery and the west coast groundfish fishery, and for the repair of the National Oceanic and Atmospheric Administration hurricane reconnaissance aircraft: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That of such amount, $13,300,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DEPARTMENT OF STATE

INTERNATIONAL COMMISSIONS

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission, as authorized by treaties between the United States and Canada or Great Britain, $2,150,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

OTHER

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $2,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, $15,500,000, to remain available until expended to subsidize additional gross obligations for the principal amount of direct loans: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; and for direct administrative expenses to carry out the disaster loan program, an additional $25,400,000, to remain available until expended, which may be transferred to and merged with appropriations for "Salaries and Expenses": Provided further, That no funds shall be transferred to and merged with appropriations for "Salaries and Expenses" for indirect administrative expenses: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount

shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2201. For an additional amount for "Operations, Research, and Facilities", for emergency expenses for fisheries disaster relief pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended, for the Pribilof Island and East Aleutian area of the Bering Sea, $10,000,000 to remain available until expended: Provided, That in implementing this section, the Secretary of Commerce shall make $7,000,000 available for disaster assistance and $3,000,000 for Bering Sea ecosystem research including $1,000,000 for the State of Alaska to develop a cooperative research plan to restore the crab fishery: Provided further, That the Secretary of Commerce declares a fisheries failure pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for $10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 2202. For an additional amount for "Operations, Research, and Facilities", $10,000,000 to provide emergency disaster assistance for the commercial fishery failure determined under section 308(b)(1) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(b)(1)) with respect to the Northeast multispecies fishery, which shall be used to support a voluntary fishing capacity reduction program in the Northeast multispecies fishery that permanently revokes multispecies, limited access fishing permits so as to obtain the maximum sustained reduction in fishing capacity at the least cost and in the minimum period of time and to prevent the replacement of fishing capacity removed by the program: Provided, That the entire amount made available in this section is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for $10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 2203. For an additional amount for the account entitled "Operations, Research, and Facilities", to remain available until expended, $7,000,000, of which $2,000,000 shall be for studies relating to long-line interactions with sea turtles in the North Pacific and commercial fishing activities in the Northwest Hawaiian Islands, and of which $5,000,000 shall be for observer coverage for the Hawaiian long-line fishery: Provided, That the entire amount in

this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for $7,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

SEC. 2204. NORTH PACIFIC MARINE RESEARCH INSTITUTE.—Public Law 101–380, as amended, is further amended by—

(a) inserting after section 5007 the following new section:

"SEC. 5008. NORTH PACIFIC MARINE RESEARCH INSTITUTE.

"(a) INSTITUTE ESTABLISHED.—The Secretary of Commerce shall establish a North Pacific Marine Research Institute (hereafter in this section referred to as the 'Institute') to be administered at the Alaska SeaLife Center by the North Pacific Research Board.

"(b) FUNCTIONS.—The Institute shall—

"(1) conduct research and carry out education and demonstration projects on or relating to the North Pacific marine ecosystem with particular emphasis on marine mammal, sea bird, fish, and shellfish populations in the Bering Sea and Gulf of Alaska including populations located in or near Kenai Fjords National Park and the Alaska Maritime National Wildlife Refuge; and

"(2) lease, maintain, operate, and upgrade the necessary research equipment and related facilities necessary to conduct such research at the Alaska SeaLife Center.

"(c) EVALUATION AND AUDIT.—The Secretary of Commerce may periodically evaluate the activities of the Institute to ensure that funds received by the Institute are used in a manner consistent with this section. The Comptroller General of the United States, and any of his or her duly authorized representatives, shall have access, for purposes of audit and examination, to any books, documents, papers, and records of the Institute that are pertinent to the funds received and expended by the Institute.

"(d) STATUS OF EMPLOYEES.—Employees of the Institute shall not, by reason of such employment, be considered to be employees of the Federal Government for any purpose.

"(e) USE OF FUNDS.—No funds made available to carry out this section may be used to initiate litigation, or for the acquisition of real property (other than facilities leased at the Alaska SeaLife Center). No more than 10 percent of the funds made available to carry out subsection (b)(1) may be used to administer the Institute.

"(f) AVAILABILITY OF RESEARCH.—The Institute shall publish and make available to any person on request the results of all research, educational, and demonstration projects conducted by the Institute. The Institute shall provide a copy of all research, educational, and demonstration projects conducted by the Institute to the National Park Service, the United States Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration."; and

(b) in section 5006 by inserting at the end the following new subsection:

"(c) SECTION 5008.—Amounts in the Fund shall be available, without further appropriation and without fiscal year limitation, to

carry out section 5008(b), in an amount not to exceed $5,000,000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.".

CHAPTER 3

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", $200,000,000, to remain available until expended, for emergency rehabilitation and wildfire suppression activities: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That $100,000,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

LAND ACQUISITION

For an additional amount for "Land Acquisition", $2,000,000, to remain available until expended, for acquisition of additional lands known as the Douglas Tract on the Potomac River in the State of Maryland, to be derived from the Land and Water Conservation Fund: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That $2,000,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For an additional amount for "Regulation and Technology", $9,821,000, to remain available until expended for the regulatory program of the State of West Virginia, of which $6,222,000, not subject to section 705(a) of the Surface Mining Control and Reclamation Act, shall be available for regulatory program enhancements for the surface mining regulatory program of the State of West Virginia: Provided, That the balance of the funds shall be made available to the State to augment staffing and provide relative support

expenses for the State's regulatory program: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for $9,821,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System" for emergency expenses resulting from damages from wind storms, $2,000,000, to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", $150,000,000, to remain available until expended, for emergency rehabilitation, presuppression, and wildfire suppression: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2301. Notwithstanding any other provision of law, the Indian Health Service is authorized to improve municipal, private or tribal lands with respect to the new construction of the clinic for the community of King Cove, Alaska authorized under section 353 of Public Law 105–277 (112 Stat. 2681–303).

SEC. 2302. From funds previously appropriated in Public Law 105–277 or other Interior and Related Agencies Appropriations Acts under the heading "Department of Energy, Fossil Energy Research and Development", the Secretary of Energy shall make available within 30 days after enactment of this Act $750,000 for the purpose of executing proposal No. FT40770.

SEC. 2303. (a) Using funds appropriated by section 501(d) of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106–31), the Secretary shall provide interim compensation within 60 days of the date of the enactment of this Act to—

(1) Dungeness fishing vessel crew members eligible for interim compensation under the existing National Park Service program (64 Fed. Reg. 145);

(2) United States fish processors which have been negatively affected by restrictions on fishing for Dungeness crab in Glacier Bay National Park and which previously received interim compensation; and

(3) Buy N Pack Seafoods, a United States fish processor located in Hoonah, Alaska and which has been severely and negatively impacted by restrictions on fishing in Glacier Bay National Park, for estimated 1999 and 2000 losses based on an average net income derived from processing product harvested from Glacier Bay fisheries from 1995 through 1998.

Payments made to processors under paragraph (2) are intended to compensate recipients for losses incurred in 2000 and shall not exceed compensation provided for losses incurred in 1999. The Park Service shall not delay the scheduled public involvement process for the Glacier Bay compensation plan.

(b) The amount of final compensation paid to any entity shall be reduced by the total dollar amount of any interim compensation payments received.

(c) Funds appropriated for the purpose of making payments authorized by section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105–277, as amended) shall also be available for making payments authorized in subsection (c) of that section.

CHAPTER 4

DEPARTMENT OF LABOR

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by striking "including not to exceed $750,000 may be collected by the National Mine Health and Safety Academy" and inserting "and, in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy".

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For "Health Resources and Services" for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, $20,000,000, which shall become available on October 1, 2000, and shall remain available until September 30, 2001:

Provided, That such amount shall not be counted toward compliance with the allocation required in section 502(a)(1) of such Act: Provided further, That such amount shall be used only for making competitive grants to provide abstinence education (as defined in section 510(b)(2) of such Act) to adolescents and for evaluations (including longitudinal evaluations) of activities under the grants and for Federal costs of administering the grant: Provided further, That such grants shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided: Provided further, That the funds expended for such evaluations may not exceed 2.5 percent of such amount.

For an additional amount for "Health Resources and Services", $3,000,000 to remain available until September 30, 2001, for renovation and construction of a children's psychiatric services facility in Wading River, New York: Provided, That the entire amount is hereby designated by the Congress to be an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be made available only after submission to the Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Disease Control, Research, and Training", $12,000,000 for international HIV/AIDS programs, to remain available until September 30, 2001: Provided, That the entire amount is hereby designated by the Congress to be an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be made available only after submission to the Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for "Disease Control, Research, and Training", $460,000, to be derived by transfer from the amount made available for fiscal year 2000 for "Health Resources and Services Administration-Health Resources and Services" for construction and renovation of health care and other facilities.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For an additional amount for "Payments to States for Foster Care and Adoption Assistance" for payments for fiscal year 2000, $35,000,000.

LOW INCOME HOME ENERGY ASSISTANCE

For an additional amount for "Low Income Home Energy Assistance" for emergency assistance under section 2602(e) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), $600,000,000, to remain available until expended: Provided, That the entire amount is hereby designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That this amount shall be available only to the extent an official budget request for a specific dollar amount that includes designations of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

REFUGEE AND ENTRANT ASSISTANCE

Funds appropriated under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) for fiscal year 2000, pursuant to section 414(a) of the Immigration and Nationality Act, shall be available for the costs of assistance provided and other activities through September 30, 2002.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by inserting after "$934,285,000" the following: ", of which $2,200,000 shall be for the Anchorage, Alaska Senior Center, and shall remain available until expended".

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

(RESCISSION)

Of the amounts appropriated under this heading in title II of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113), $20,000,000 is rescinded: Provided, That the amount rescinded is from the amount designated to become available on October 1, 2000, and to remain available until September 30, 2001.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING RESCISSION)

For an additional amount for "Public Health and Social Services Emergency Fund", $31,200,000, to remain available until expended for the National Pharmaceutical Stockpile: Provided, That the entire amount is hereby designated by the Congress to be an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be made available only after submission to the Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition, $43,200,000 of the funds appropriated under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is hereby rescinded: Provided, That of such rescission, $12,000,000 shall be derived from the amount specified under such heading for international HIV/AIDS programs; and $31,200,000 shall be derived from the amount specified under such heading for activities related to countering potential biological, disease and chemical threats to civilian populations.

GENERAL PROVISION—DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 2401. Section 206 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by inserting before the period at the end the following: ": Provided further, That this section shall not apply to funds appropriated under the heading 'Centers for Disease Control and Prevention—Disease Control, Research, and Training', funds made available to the Centers for Disease Control and Prevention under the heading 'Public Health and Social Services Emergency Fund', or any other funds made available in this Act to the Centers for Disease Control and Prevention".

DEPARTMENT OF EDUCATION

SPECIAL EDUCATION

The matter under this heading in the Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113 is amended by inserting after the words "Salt Lake City Organizing Committee" the words ", or a governmental agency or not-for-profit organization designated by the Salt Lake City Organizing Committee".

VOCATIONAL AND ADULT EDUCATION

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies

Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by striking "$858,150,000" and inserting "$882,650,000", and by striking the last proviso, and inserting "Provided further, That of the funds provided to become available on July 1, 2000, $19,000,000 shall be for Youth Offender Grants, of which $5,000,000 shall be used in accordance with section 601 of Public Law 102–73 as that section was in effect prior to the enactment of Public Law 105–220.".

HIGHER EDUCATION

Funds appropriated under this heading in Public Law 105–78 to carry out title X–E of the Higher Education Act shall be available for obligation by the states through September 30, 2000, and funds appropriated under this heading in Public Law 105–277 to carry out title VIII–D of the Higher Education Amendments of 1998 shall be available for obligation by the states through September 30, 2001.

For an additional amount for "Higher Education" for carrying out part B of title VII of the Higher Education Act of 1965, $750,000, to remain available until expended, which shall be awarded to the College of New Jersey, in Ewing, New Jersey, for creation of a center for inquiry and design-based learning in mathematics, science and technology education: Provided, That the entire amount is hereby designated by the Congress to be an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be made available only after submission to the Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

(INCLUDING TRANSFER OF FUNDS)

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended—

(1) by striking "North Babylon Community Youth Services for an educational program" and inserting "Town of Babylon Youth Bureau for an educational program";

(2) by striking "to promote participation among youth in the United States democratic process" and inserting "to expand access to and improve advanced education";

(3) by striking "$500,000 shall be awarded to Shedd Aquarium/Brookfield Zoo for science education/exposure programs for local elementary school students" and inserting "$500,000 shall be awarded to Shedd Aquarium/Brookfield Zoo for science education programs for local school students";

(4) by striking "Oakland Unified School District in California for an African American Literacy and Culture Project" and inserting "California State University, Hayward, for an African-American Literacy and Culture Project carried out in

partnership with the Oakland Unified School District in California"; and

(5) by striking "$900,000 shall be awarded to the Boston Music Education Collaborative comprehensive interdisciplinary music program and teacher resource center in Boston, Massachusetts" and inserting "$462,000 shall be awarded to the Boston Symphony Orchestra for the teacher resource center and $370,000 shall be awarded to the Boston Music Education Collaborative for an interdisciplinary music program, in Boston, Massachusetts".

For an additional amount for "Education Research, Statistics, and Improvement" to carry out part A of title X of the Elementary and Secondary Education Act of 1965, $368,000, to be derived by transfer from the amount made available for fiscal year 2000 for "Health Resources and Services Administration—Health Resources and Services" for construction and renovation of health care and other facilities: Provided, That such amount shall be awarded to the George Mason University Center for Services to Families and Schools to expand a program for schools and families of children suffering from attentional, cognitive, and behavioral disorders.

RELATED AGENCIES

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

For an additional amount for "Limitation on Administrative Expenses", $35,000,000, to be available through September 30, 2001: Provided, That the entire amount is hereby designated by the Congress to be an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be made available only after submission to the Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2402. Section 513 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended by inserting before the period at the end the following: ": Provided further, That the provisions of this section shall not apply to any funds appropriated to the Centers for Disease Control and Prevention or to the Department of Education".

SEC. 2403. Section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)), as amended by section 806(b) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is amended—

(1) in subparagraph (F), by striking "$1,500,000" and inserting "$15,000,000";

(2) in subparagraph (G), by striking "$900,000" and inserting "$9,000,000"; and

(3) in subparagraph (H), by striking "$300,000" and inserting "$3,000,000".

SEC. 2404. (a) The Workforce Investment Act of 1998 (20 U.S.C. 2841) is amended—

(1) in section 503—

(A) by striking "under Public Law 88–210 (as amended; 20 U.S.C. 2301 et seq.)" each place it appears and inserting "under Public Law 105–332 (20 U.S.C. 2301 et seq.)"; and

(B) by adding at the end the following:

"(d) Notwithstanding any other provision of this section, for fiscal year 2000, the Secretary shall not consider the expected levels of performance under Public Law 105–332 (20 U.S.C. 2301 et seq.) and shall not award a grant under subsection (a) based on the levels of performance for that Act.".

(b) Section 111 (a)(1)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2321) is amended by striking "fiscal years 2000" and inserting "fiscal years 2001".

SEC. 2405. Of the funds made available in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) for section 10105 of part A of title X of the Elementary and Secondary Education Act of 1965, $2,250,000 of the amount appropriated shall be available October 1, 1999 for evaluation, technical assistance, and school networking activities, and up to 1 percent of the amount appropriated shall be available October 1, 1999, for peer review of applications.

SEC. 2406. Section 508(f)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 794d(f)(1)) is amended—

(1) in subparagraph (A), by striking "Effective" and all that follows through "1998," and inserting "Effective 6 months after the date of publication by the Access Board of final standards described in subsection (a)(2),"; and

(2) in subparagraph (B), by striking "2 years" and all that follows and inserting "6 months after the date of publication by the Access Board of final standards described in subsection (a)(2).".

SEC. 2407. For an additional amount for "Health Resources and Services Administration, Health Resources and Services", $3,500,000, for the Saint John's Lutheran Hospital in Libby, Montana, for construction and renovation of health care and other facilities and an additional amount for the "Economic Development Administration", $8,000,000, only for a grant to the City of Libby, Montana, such amount to be transferred to the City upon its request, notwithstanding the provisions of any other law and without any local matching share or award conditions: Provided, That the entire amounts in this section are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amounts provided within this section shall be available only to the extent an official budget request that includes designation of the entire amounts of the request as an emergency requirement as defined in the Balanced

Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER 5

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

FIRE SAFETY

For an additional amount for the Architect of the Capitol for expenses for fire safety, $17,480,000, to remain available until expended, of which $7,039,000 shall be for "Capitol Buildings and Grounds—Capitol Buildings—Salaries and Expenses"; $2,314,000 shall be for "Senate Office Buildings"; $4,213,000 shall be for "House Office Buildings"; $3,000 shall be for "Capitol Power Plant"; $26,000 shall be for "Botanic Garden—Salaries and Expenses"; and $3,885,000 shall be for "Architect of the Capitol—Library Buildings and Grounds—Structural and Mechanical Care": Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2501. Section 127(e)(1) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 19 U.S.C. 2213 note) is amended by striking "12 months" and insert "15 months".

CHAPTER 6

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

COAST GUARD

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for "Acquisition, construction, and improvements", $45,000,000 shall be available until expended for acquisition of one C–37A command and control aircraft: Provided, That the Commandant of the Coast Guard shall sell the current VC–11A command and control aircraft and credit the proceeds from that sale as offsetting collections to the appropriation under this heading: Provided further, That such proceeds may not be obligated without further appropriation: Provided further, That of the available balances under this heading from previous appropriations Acts, $11,400,000 are rescinded.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for "Operations", $75,000,000, to be derived from the Airport and Airway Trust Fund and to be available until September 30, 2001: Provided, That the entire amount under this heading is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $75,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

RELATED AGENCY

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $19,739,000, for emergency expenses associated with the investigation of the Egypt Air 990 and Alaska Air 261 accidents, to remain available until expended: Provided, That such funds shall be available for wreckage location and recovery facilities, technical support, testing, and wreckage mock-up: Provided further, That in the event the Arab Republic of Egypt reimburses the National Transportation Safety Board for wreckage location and recovery, family assistance, and interagency expenses, the Secretary of the Treasury shall reduce the appropriation under this heading by an amount equal to the reimbursement, less $5,000,000: Provided further, That the Secretary of the Treasury shall not credit the appropriation under this heading with a reimbursement in excess of $8,983,000: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. Notwithstanding any other provision of law, of the funds available under section 104(a) of title 23, United States Code, $1,200,000 shall be available for the Paso Del Norte International Bridge in the state of Texas; $9,000,000 shall be available for the US 82 Mississippi River Bridge in the state of Mississippi; $2,000,000 shall be available for the Union Village/Cambridge Junction bridges in the state of Vermont; $5,000,000 shall be available for the Naheola Bridge in the state of Alabama; $3,000,000 shall be available for the Hoover Dam Bypass in the states of Arizona and Nevada; $3,000,000 shall be available for the Witt-Penn Bridge in the state of New Jersey; and $12,000,000 shall be available for the Florida Memorial Bridge in the state of Florida.

SEC. 2602. Of the funds transferred to the Department of Transportation for Year 2000 conversion of Federal information technology systems and related expenses pursuant to Public Law

105–277, $26,600,000 of the unobligated balance are hereby rescinded: Provided, That the Department of Transportation shall allocate this rescission among the appropriate accounts within the Department and report such allocation to the House and Senate Committees on Appropriations.

SEC. 2603. (a) The Administrator of the Environmental Protection Agency shall make a grant for the purpose of carrying out the first year of a 2-year program to implement in five metropolitan areas pilot design programs developed under section 365(a)(2) of the Department of Transportation and Related Agencies Appropriations Act, 2000 (113 Stat. 1028–1029).

(b) The Administrator shall ensure that each pilot design program is implemented in accordance with recommendations developed by the National Telecommuting and Air Quality Steering Committee, in consultation with the local design teams.

(c) Grants received under subsection (a) may be used for—

(1) protocol development in the five metropolitan areas;

(2) marketing of the telecommute, emissions reduction, pollution credits strategy and recruitment of participating employers; and

(3) data gathering on emissions reductions.

(d) In addition to the grant under subsection (a), for the purpose of carrying out the second year of the 2-year program referred to in subsection (a), the Administrator shall—

(1) make a grant of $750,000 to the National Environmental Policy Institute (a nonprofit private entity incorporated under the laws of and located in the District of Columbia); and

(2) make grants totaling $1,250,000 to local agencies within the five metropolitan areas referred to in subsection (a).

(e) Not later than 360 days from first day of the second year of the 2-year program referred to in subsection (a), the Administrator shall transmit to Congress a report on the results of the program.

(f) The Administrator shall carry out this section in collaboration with the Secretary of Transportation.

(g) There is appropriated to the Department of Transportation, "Office of the Assistant Secretary for Policy", $2,000,000 to carry out this section. Such amounts shall be transferred to and administered by the Environmental Protection Agency and shall remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

SEC. 2604. Notwithstanding any other provision of law, hereafter, funds apportioned under section 104(b)(3) of title 23 which are applied to projects involving the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings, may have a Federal share up to 100 percent of the cost of construction.

SEC. 2605. Notwithstanding any other provision of law, for necessary expenses for planning, preliminary engineering and design of the Metro-North Danbury to Norwalk commuter rail line re-electrification project, $2,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

SEC. 2606. Notwithstanding any other provision of law, for necessary expenses for the Second Avenue Subway in New York City, New York, $3,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

SEC. 2607. Notwithstanding any other provision of law, for necessary expenses relating to a study of improvements to Highway 8, from the Minnesota border to Highway 51 in the state of Wisconsin, $500,000, to be derived from the Highway Account of the Highway Trust Fund and to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

SEC. 2608. Notwithstanding any other provision of law, for necessary expenses relating to construction of, and improvements to, Halls Mill Road in Monmouth County, New Jersey, $1,000,000, to be derived from the Highway Account of the Highway Trust Fund and to remain available until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount, $24,900,000 for the Secretary of the Treasury to establish and operate an in-service firearms training facility for the United States Customs Service and other agencies, to remain available until expended: Provided, That the Secretary is authorized to designate a lead agency to oversee the development, implementation and operation of the facility and to conduct training: Provided further, That the land identified as the Sleepy Hollow Partnership and Marcus Enterprises tract (44,-R), Harpers Ferry Magisterial District, Jefferson County, West Virginia, together with a forty-five foot right-of-way over the lands of Valley Blox, Inc. as described in the deed from Joel T. Broyhill Enterprises, Inc. to Sleepy Hollow Partnership, et al., in a Deed dated March 29, 1989, and recorded in the Jefferson County Clerk's Office in Deed Book 627, Page 494, originally acquired by the United States Fish and Wildlife Service as a proposed site for a training center but not selected for that purpose and presently held by the United States Fish and Wildlife Service in an administrative capacity, shall be managed by the National Park Service pursuant to a cooperative management agreement between the United States Fish and Wildlife Service and the National Park Service, consistent with the laws (including regulations) generally applicable to the National Park Service: Provided further, That administrative jurisdiction of a suitable portion of said land that is necessary for the creation of a Department of the Treasury training facility, to be identified by the National Park Service, shall be transferred under a lease-type arrangement at no cost within 120-days of the date of the enactment of this Act to the Department of the Treasury for such time as required by the Department of the Treasury: Provided further, That the training to be conducted at the facility shall be configured in a manner so that it does not duplicate or displace any Federal law enforcement program of the Federal Law Enforcement Training Center: Provided further, That training currently being conducted at a Federal Law Enforcement Training Center facility shall not be moved to the new training facility: Provided further, That at such time as the land is no longer required for training purposes, administrative jurisdiction shall be transferred back to the Department of the Interior in a manner and condition acceptable to the Department of the Interior: Provided further, That the total amount made available under this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $4,000,000,000: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" related to planning, coordination and implementation of security for national special security and major protective events, $10,000,000: Provided, That the entire amount in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

OFFICE OF ADMINISTRATION

INFORMATION TECHNOLOGY

For necessary expenses of the Office of Administration for restoration and reconstruction of certain electronic mail messages and for inclusion of such messages in the Automated Records Management System, $8,400,000, which shall remain available until September 30, 2002: Provided, That such funds may not be obligated until the Office of Administration submits to the Committees on Appropriations an independent verification and validation of the initial and projected costs of the tape restoration and reconstruction project: Provided further, That such submission shall include the final report prepared by the independent verification and validation contractor to the Office of Administration relating to the initial and projected cost estimates: Provided further, That the entire amount in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emer-

gency requirement as defined by such Act, is transmitted by the President to the Congress.

INDEPENDENT AGENCIES

GENERAL SERVICES ADMINISTRATION

POLICY AND OPERATIONS

For an additional amount, $3,300,000 to remain available until expended for the Salt Lake 2002 Winter Olympic and Paralympic Games doping control program: Provided, That the entire amount in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the Presdient to the Congress.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2701. Notwithstanding section 1345 of title 31, United States Code, or section 610 of the Treasury and General Government Appropriations Act, 2000 (Public Law 106–58; 113 Stat. 467), funds made available for fiscal year 2000 for any other department or agency of the Federal Government with authority to conduct counterdrug intelligence activities may be available to finance an appropriate share of the administrative costs incurred by the Department of Justice for the Counterdrug Intelligence Executive Secretariat authorized by the General Counterdrug Intelligence Plan of February 12, 2000, except that the total amount that may be used under this section for such purpose shall not exceed $1,100,000.

SEC. 2702. (a) The unobligated balance as of September 30, 2000, of funds appropriated under the heading "Internal Revenue Service, Information Technology Investments" in the Treasury Department Appropriations Act, 1998, title I of Public Law 105–61, is rescinded.

(b) Subsection (a) shall be effective September 30, 2000.

(c) The amount rescinded pursuant to subsection (a) is appropriated for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109, which shall be available through September 30, 2001: Provided, That none of these funds shall be obligated until the Internal Revenue Service submits to Congress and Congress approves a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A–11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements,

guidelines, and systems acquisition management practices of the Federal Government.

SEC. 2703. RESTORATION OF MEDICARE TRUST FUNDS. (a) CORRECTION OF TRUST FUND HOLDINGS.—

(1) IN GENERAL.—Within 120 days after the effective date of this Act, the Secretary of the Treasury shall take the actions described in paragraph (2) with respect to each trust fund with the goal being that, after the actions are taken, the holdings of the trust fund will replicate, to the extent practicable in the judgement of the Secretary of the Treasury, in consultation with the Secretary of Health and Human Services, the obligations that would have been held by the trust fund if the clerical error had not occurred.

(2) OBLIGATIONS ISSUED AND REDEEMED.—The Secretary of the Treasury shall—

(A) issue to each trust fund obligations under chapter 31 of title 31, United States Code, that bear issue dates, interest rates, and maturity dates as the obligations that—

(i) would have been issued to the trust fund if the clerical error had not occurred; or

(ii) were issued to the trust fund and were redeemed by reason of the clerical error; and

(B) redeem from each trust fund obligations that—

(i) would not have been issued to the trust fund if the clerical error had not occurred; or

(ii) would have been redeemed from the trust fund if the clerical error had not occurred.

(b) CORRECTION OF INTEREST INCOME.—

(1) TRANSFER OF EXCESS INTEREST INCOME.—Within 120 days after the effective date of this Act, the Secretary of the Treasury shall transfer from the Federal Hospital Insurance Trust Fund to the Federal Supplementary Medical Insurance Trust Fund an amount determined by the Secretary of the Treasury, in consultation with the Secretary of Health and Human Services, to be equal to the amount of interest income that was credited to the Federal Hospital Insurance Trust Fund that would not have been credited if the clerical error had not occurred.

(2) CREDIT OF LOST INTEREST INCOME.—Within 120 days after the effective date of this Act, there is hereby appropriated to the Federal Supplementary Medical Insurance Trust Fund, out of any money in the Treasury not otherwise appropriated, an amount determined by the Secretary of the Treasury, in consultation with the Secretary of Health and Human Services, to be equal to the difference between—

(A) the interest income lost by that trust fund through the date of credit by reason of the clerical error; and

(B) the amount transferred to that trust fund under paragraph (1).

(c) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) CLERICAL ERROR.—The term "clerical error" means the erroneous transfers of moneys between the investment accounts and uninvested transfer accounts of the trust funds that occurred in the fiscal year ending September 30, 1999, as de-

scribed in the Department of Health and Human Services' "Accountability Report for Fiscal Year 1999: Federal Managers Financial Integrity Act Report on Systems and Controls".

(2) TRUST FUND.—The term "trust fund" means either the Federal Hospital Insurance Trust Fund or the Federal Supplementary Medical Insurance Trust Fund.

SEC. 2704. (a) IN GENERAL.—Of the amounts provided to the Office of National Drug Control Policy for fiscal year 2000, pursuant to section 237 of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of Public Law 106–113, the Director of such Office shall make a direct payment of $3,000,000 to the United States Olympic Committee for the conduct of anti-doping activities through the United States Anti-Doping Agency.

(b) DIRECT PAYMENTS.—Effective on the date of the enactment of this Act, the Director of the Office of National Drug Control Policy is authorized and directed to make a direct payment to the United States Olympic Committee for the conduct of anti-doping activities through the United States Anti-Doping Agency.

SEC. 2705. (a) The unobligated balance as of September 30, 2000, of funds transferred to the United States Secret Service pursuant to the second sentence of section 240 of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of Public Law 106–113, is rescinded.

(b) Subsection (a) shall be effective September 30, 2000.

(c) The amount rescinded pursuant to subsection (a) is appropriated to the United States Secret Service for salaries and expenses, to remain available until September 30, 2001.

SEC. 2706. Of the amounts provided in Public Law 106–58 in the Policy and Operations account, the General Services Administration is hereby authorized to provide $225,000, to remain available until expended, for the Nebraska State Patrol Digital Distance Learning project.

CHAPTER 8

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS

The referenced statement of the managers in the sixth undesignated paragraph under this heading in title II of Public Law 106–74 is deemed to be amended by striking "Montgomery" in reference to the planning and construction of a regional learning center at Spring Hill College, and inserting "Mobile".

The referenced statement of the managers in the fourth undesignated paragraph under this heading in title II of Public Law 106–74 for neighborhood initiatives for specified grants to the City of Yankton, South Dakota, for the restoration of the downtown area and the development of the Fox Run Industrial Park is deemed to be amended by adding after the word "Park" the following: "and for activities to facilitate economic development, including infrastructure improvements".

For an additional amount for targeted economic development initiatives under the Community Development Block Grants pro-

gram, $27,500,000: Provided, That the statement of the managers accompanying Public Law 106–74 is deemed to be amended to include in the description of targeted economic development initiatives the following:

"—$1,300,000 to the City of Park Falls, Wisconsin for economic development, including purchase of municipal equipment and infrastructure improvements in industrial parks and the City of Park Falls;

"—$250,000 to the Lake Superior BTC cultural center in Washburn, Wisconsin for restoration of facilities and equipment destroyed by fire;

"—$900,000 to the City of Hatley, Wisconsin for the cost of water, wastewater and sewer system improvements;

"—$50,000 to the City of Hamlet, North Carolina for demolition and removal of buildings and equipment destroyed by fire; and

"—$25,000,000 to the City of Youngstown, Ohio for site acquisition, planning, architectural design, and construction of a convocation and community center.":

Provided, That the entire amount under this paragraph shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For an additional amount for the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625), as amended, $36,000,000: Provided, That of said amount, $11,000,000 shall be provided to the New Jersey Department of Community Affairs and $25,000,000 shall be provided to the North Carolina Housing Finance Agency for the purpose of providing temporary assistance in obtaining rental housing, and for construction of affordable replacement housing: Provided further, That assistance provided under this paragraph shall be for very low-income families displaced by flooding caused by Hurricane Floyd and surrounding events: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

HOMELESS ASSISTANCE GRANTS

Of the amounts made available under this heading in title II of Public Law 106–74, the Secretary of Housing and Urban Develop-

ment shall, for each request described in the following proviso, make a 1-year grant to the entity making the request in the amount under the second proviso: Provided, That a request described in this proviso is a request for a grant under subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11381 et seq.) for permanent housing for homeless persons with disabilities or subtitle F of such title (42 U.S.C. 11403 et seq.) that: (1) was submitted in accordance with the eligibility requirements established by the Secretary and pursuant to the notice of funding availability for fiscal year 1999 covering such programs, but was not approved; (2) was made by an entity that received such a grant pursuant to the notice of funding availability for a previous fiscal year; and (3) requested renewal of funding made under such previous grant for use for eligible activities because funding under such previous grant expires during calendar year 2000: Provided further, That the amount under this proviso is the amount necessary, as determined by the Secretary, to renew funding for the eligible activities under the grant request for a period of only 1 year, taking into consideration the amount of funding requested for the first year of funding under the grant request: Provided further, That in the third proviso under this heading in Public Law 106–74, insert "and management and information systems" after "technical assistance".

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

The Secretary of Housing and Urban Development is prohibited from using any funds in Public Law 106–74 or any other Act to employ more than 9,100 full-time equivalent employees at the Department of Housing and Urban Development in fiscal year 2000.

OFFICE OF INSPECTOR GENERAL

(INCLUDING RESCISSION OF FUNDS)

Of the amounts made available under this heading in Public Law 106–74, $6,000,000 provided for the "Office of Inspector General" is rescinded. For an additional amount for the "Office of Inspector General", $6,000,000, to remain available until September 30, 2001: Provided, That these funds shall be made available under the same terms and conditions as authorized for the funds under this heading in Public Law 106–74.

INDEPENDENT AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS

OPERATING EXPENSES

(RESCISSION OF FUNDS)

Of the amounts available in the National Service Trust account from previous appropriations Acts, $1,000,000 shall be rescinded.

OFFICE OF INSPECTOR GENERAL

For an additional amount for the "Office of Inspector General" for reviews and audits of the State Commissions on National and Community Service (including alternative administrative entities) established under section 178 of the National and Community Service Act of 1990 (42 U.S.C. 12638), $1,000,000, to remain available until September 30, 2001.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

Of the amount appropriated under this heading in title III of Public Law 106–74, $2,374,900, in addition to amounts made available for the following in prior Acts, shall be and have been available to award grants for work on the Buffalo Creek and other New York watersheds and for aquifer protection work in and around Cortland County, New York, including work on the Upper Susquehanna watershed.

Of the amount appropriated under this heading in title III of Public Law 105–276 to establish a regional environmental data center and to develop an integrated, automated water quality monitoring and information system for watersheds impacting Chesapeake Bay, $2,600,000 shall be transferred to the "State and tribal assistance grants" account to remain available until expended for grants for wastewater and sewer infrastructure improvements for Smithfield Township, Monroe County ($800,000); the Municipal Authority of the Borough of Milford, Pike County ($800,000); the City of Carbondale, Lackawanna County ($200,000); Throop Borough, Lackawanna County ($200,000); and Dickson City, Lackawanna County ($600,000), Pennsylvania.

None of the funds made available for fiscal years 2000 and 2001 for the Environmental Protection Agency may be used to make a final determination on or implement any new rule relative to the Proposed Revisions to the National Pollutant Discharge Elimination System Program and Federal Antidegradation Policy and the Proposed Revisions to the Water Quality Planning and Management Regulations Concerning Total Maximum Daily Load, published in the Federal Register on August 23, 1999.

STATE AND TRIBAL ASSISTANCE GRANTS

The referenced statement of the managers under this heading in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74), is deemed to be amended by striking "in the town of Waynesville" in reference to water and wastewater infrastructure improvements as identified in project number 102, and by inserting "Haywood County"; by adding the words "for the Fourpole Pumping Station" after the word "improvements" in reference to water and wastewater infrastructure improvements as identified in project number 135; and by striking the words "at the West County Wastewater Treatment Plant" in reference to wastewater infrastructure improvements within the Metropolitan Sewer District at Louisville, Kentucky as identified in project number 50.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

Of the unobligated balances made available under the second paragraph under this heading in Public Law 106–74, in addition to other amounts made available, up to $50,000,000 may be used by the Director of the Federal Emergency Management Agency for the buyout or elevation of properties which are principal residences that have been made uninhabitable by floods in areas which were declared Federal disasters in fiscal years 1999 and 2000: Provided, That such properties are located in a 100-year floodplain: Provided further, That no homeowner may receive any assistance for buyouts in excess of the pre-flood fair market value of the residence (reduced by any proceeds from insurance or any other source paid or owed as a result of the flood damage to the residence): Provided further, That each state shall ensure that there is a contribution from non-Federal sources of not less than 25 percent in matching funds (other than administrative costs) for any funds allocated to the State for buyout assistance: Provided further, That all buyouts under this section shall be subject to the terms and conditions specified under 42 U.S.C. 5170c(b)(2)(B): Provided further, That none of the funds made available for buyouts under this paragraph may be used in any calculation of a State's section 404 allocation: Provided further, That the Director shall report quarterly to the House and Senate Committees on Appropriations on the use of all funds allocated under this paragraph and certify that the use of all funds are consistent with all applicable laws and requirements: Provided further, That no funds shall be allocated for buyouts under this paragraph except in accordance with regulations promulgated by the Director: Provided further, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND TECHNOLOGY

For an additional amount for "Science, aeronautics and technology", $1,500,000, to remain available until September 30, 2001: Provided, That the entire amount shall be available only to the extent an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined by the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2801. Title V, subtitle C, section 538 of Public Law 106–74, is amended by striking "during any period that the assisted family continues residing in the same project in which the family was residing on the date of the eligibility event for the project, if" and inserting the following: "the assisted family may elect to remain in the same project in which the family was residing on the date of the eligibility event for the project, and if, during any period the family makes such an election and continues to so reside,".

SEC. 2802. Section 175 of Public Law 106–113 is amended by striking "as a grant for Special Olympics in Anchorage, Alaska to develop the Ben Boeke Arena and Hilltop Ski Area," and inserting the following "to the Organizing Committee for the 2001 Special Olympics World Winter games to be used in support of related activities in Alaska,".

SEC. 2803. (a) TECHNICAL REVISION TO PUBLIC LAW 106–74.—Title II of Public Law 106–74 is amended—

(1) under the heading "Urban Empowerment Zones", by striking "$3,666,000" and inserting "$3,666,666"; and

(2) under the heading "Community Development Block Grants" under the fourth undesignated paragraph, by striking "$23,000,000" and inserting "$22,750,000".

(b) TECHNICAL REVISION TO PUBLIC LAW 106–113.—Section 242(a) of Appendix E of Public Law 106–113 is amended—

(1) by striking "seventh" and inserting "sixth"; and

(2) by striking "$250,175,000" and inserting "$250,900,000".

(c) EFFECTIVE DATES.—The amendments made by—

(1) subsection (a) shall be construed to have taken effect on October 20, 1999; and

(2) subsection (b) shall be construed to have taken effect on November 29, 1999.

SEC. 2804. SECTION 235 RESCISSION. Section 208(3) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 is amended—

(1) by striking "235(r)" and inserting "235";

(2) by inserting after "104 Stat. 2305)" the following: "for payments under section 235(r) of the National Housing Act"; and

(3) by striking "for such purposes".

CHAPTER 9

GENERAL PROVISION—THIS TITLE

SEC. 2901. For an additional amount for the District of Columbia Metropolitan Police Department, $4,485,000 for the reimbursement of certain costs incurred by the District of Columbia as host of the International Monetary Fund and World Bank Organization Spring Conference in April 2000: Provided, That the entire amount shall be available only to the extent an official budget request for $4,485,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is

transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

TITLE III—COUNTERNARCOTICS

CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", $30,000,000, to remain available for obligation until September 30, 2002: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", $154,059,000, to remain available for obligation until expended: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and working capital funds: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: Provided further, That no funds made available under this heading may be obligated or expended for training, logistics support, planning or assistance contracts for any overseas activity until 15 days after the Assistant Secretary of Defense, Special Operations and Low-Intensity Conflict reports to the congressional defense committees on the value, duration and purpose of such contracts.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3101. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated in this Act for the Department of Defense, not

to exceed $45,000,000 shall be available for the provision of support for counter-drug activities of the Government of Colombia. The support provided under this section shall be in addition to support provided for counter-drug activities of the Government of Colombia under any other provision of law.

(b) TYPES OF SUPPORT.—The support that may be provided using this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1882). In addition, using unobligated balances from the Department of Defense Appropriations Act, 1999 (Public Law 105–262), the Secretary of Defense may transfer one light observation aircraft to Colombia for counter-drug activities.

(c) CONDITIONS ON PROVISION OF SUPPORT.—(1) The Secretary of Defense may not obligate or expend funds appropriated in this Act to provide support under this section for counter-drug activities of the Government of Colombia until the end of the 15-day period beginning on the date on which the Secretary submits the written certification for fiscal year 2000 pursuant to section 1033(f)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1882).

(2) The elements of the written certification submitted for fiscal year 2000 described in section 1033(g) of that Act shall apply to, and the written certification shall address, the support provided under this section for counter-drug activities of the Government of Colombia.

CHAPTER 2

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEPARTMENT OF STATE

ASSISTANCE FOR COUNTERNARCOTICS ACTIVITIES

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support Central and South America and Caribbean counternarcotics activities, $1,018,500,000, to remain available until expended: Provided, That of the funds appropriated under this heading, not less than $110,000,000 shall be made available for assistance for Bolivia, of which not less than $85,000,000 may be made available for alternative development and other economic activities: Provided further, That of the funds appropriated under this heading, not less than $20,000,000 may be made available for assistance for Ecuador, of which not less than $8,000,000 may be made available for alternative development and other economic activities: Provided further, That of the funds appropriated under this heading, not less than $18,000,000 shall be made available for assistance for other countries in South and Central America and the Caribbean which are cooperating with United States counternarcotics objectives: Provided further, That of the funds appropriated under this heading not less than $60,000,000 shall be made available for the procurement, refurbishing, and support for UH–1H Huey II helicopters for the Colombian Army: Provided further, That of the funds appropriated under this heading, not less than

$234,000,000 shall be made available for the procurement of and support for UH–60 Blackhawk helicopters for use by the Colombian Army and the Colombian National Police: Provided further, That procurement of UH–60 Blackhawk helicopters from funds made available under this heading shall be managed by the United States Defense Security Cooperation Agency: Provided further, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of an illegal self-defense group or illegal security cooperative, then such helicopter shall be immediately returned to the United States: Provided further, That of the amount appropriated under this heading, $2,500,000 shall be available for a program for the demobilization and rehabilitation of child soldiers in Colombia: Provided further, That funds made available under this heading shall be in addition to amounts otherwise available for such purposes: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, That the Secretary of State, in consultation with the Secretary of Defense and the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 30 days after the date of the enactment of this Act and prior to the initial obligation of any funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project or activity: Provided further, That at least 20 days prior to the obligation of funds made available under this heading the Secretary of State shall inform the Committees on Appropriations: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 3201. CONDITIONS ON ASSISTANCE FOR COLOMBIA. (a) CONDITIONS.—

(1) CERTIFICATION REQUIRED.—Assistance provided under this heading may be made available for Colombia in fiscal years 2000 and 2001 only if the Secretary of State certifies to the appropriate congressional committees prior to the initial obligation of such assistance in each such fiscal year, that—

(A)(i) the President of Colombia has directed in writing that Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights will be brought to justice in Colombia's civilian courts, in accordance with the 1997 ruling of Colombia's Constitutional court regarding civilian court jurisdiction in human rights cases; and

(ii) the Commander General of the Colombian Armed Forces is promptly suspending from duty any Colombian Armed Forces personnel who are credibly alleged to have

committed gross violations of human rights or to have aided or abetted paramilitary groups; and

(iii) the Colombian Armed Forces and its Commander General are fully complying with (A)(i) and (ii); and

(B) the Colombian Armed Forces are cooperating fully with civilian authorities in investigating, prosecuting, and punishing in the civilian courts Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights; and

(C) the Government of Colombia is vigorously prosecuting in the civilian courts the leaders and members of paramilitary groups and Colombian Armed Forces personnel who are aiding or abetting these groups.

(D) the Government of Colombia has agreed to and is implementing a strategy to eliminate Colombia's total coca and opium poppy production by 2005 through a mix of alternative development programs; manual eradication; aerial spraying of chemical herbicides; tested, environmentally safe mycoherbicides; and the destruction of illicit narcotics laboratories on Colombian territory;

(E) the Colombian Armed Forces are developing and deploying in their field units a Judge Advocate General Corps to investigate Colombian Armed Forces personnel for misconduct.

(2) CONSULTATIVE PROCESS.—The Secretary of State shall consult with internationally recognized human rights organizations regarding the Government of Colombia's progress in meeting the conditions contained in paragraph (1), prior to issuing the certification required under paragraph (1).

(3) APPLICATION OF EXISTING LAWS.—The same restrictions contained in section 564 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (Public Law 106–113) and section 8098 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79) shall apply to the availability of funds under this heading.

(4) WAIVER.—Assistance may be furnished without regard to this section if the President determines and certifies to the appropriate Committees that to do so is in the national security interest.

(b) DEFINITIONS.—In this section:

(1) AIDING OR ABETTING.—The term "aiding or abetting" means direct and indirect support to paramilitary groups, including conspiracy to allow, facilitate, or promote the activities of paramilitary groups.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

(3) PARAMILITARY GROUPS.—The term "paramilitary groups" means illegal self-defense groups and illegal security cooperatives.

(4) ASSISTANCE.—The term "assistance" means assistance appropriated under this heading for fiscal years 2000 and 2001, and provided under the following provisions of law:

(A) Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; relating to counter-drug assistance).

(B) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; relating to counter-drug assistance to Colombia and Peru).

(C) Section 23 of the Arms Export Control Act (Public Law 90–629); relating to credit sales.

(D) Section 481 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to international narcotics control).

(E) Section 506 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to emergency drawdown authority).

SEC. 3202. REGIONAL STRATEGY. (a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate, the Committee on International Relations and the Committee on Appropriations of the House of Representatives, a report on the current United States policy and strategy regarding United States counternarcotics assistance for Colombia and neighboring countries.

(b) REPORT ELEMENTS.—The report required by subsection (a) shall address the following:

(1) The key objectives of the United States' counternarcotics strategy in Colombia and neighboring countries and a detailed description of benchmarks by which to measure progress toward those objectives.

(2) The actions required of the United States to support and achieve these objectives, and a schedule and cost estimates for implementing such actions.

(3) The role of the United States in the efforts of the Government of Colombia to deal with illegal drug production in Colombia.

(4) The role of the United States in the efforts of the Government of Colombia to deal with the insurgency and paramilitary forces in Colombia.

(5) How the strategy with respect to Colombia relates to and affects the United States' strategy in the neighboring countries.

(6) How the strategy with respect to Colombia relates to and affects the United States' strategy for fulfilling global counternarcotics goals.

(7) A strategy and schedule for providing material, technical, and logistical support to Colombia and neighboring countries in order to defend the rule of law and to more effectively impede the cultivation, production, transit, and sale of illicit narcotics.

(8) A schedule for making Forward Operating Locations (FOL) fully operational, including cost estimates and a description of the potential capabilities for each proposed location and

an explanation of how the FOL architecture fits into the overall the Strategy.

SEC. 3203. REPORT ON EXTRADITION OF NARCOTICS TRAFFICKERS. (a) Not later than 6 months after the date of the enactment of this title, and every 6 months thereafter, during the period Plan Colombia resources are made available, the Secretary of State shall submit to the Committee on Foreign Relations, the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on International Relations, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives a report setting forth—

(1) a list of the persons whose extradition has been requested from any country receiving counter narcotics assistance from the United States, indicating those persons who—

(A) have been surrendered to the custody of United States authorities;

(B) have been detained by the authorities and who are being processed for extradition;

(C) have been detained by the authorities and who are not yet being processed for extradition; or

(D) are at large;

(2) a determination whether authorities of each country receiving counternarcotics assistance from the United States are making good faith efforts to ensure the prompt extradition of each of the persons sought by United States authorities; and

(3) an analysis of—

(A) any legal obstacles in the laws of each country receiving counternarcotics assistance from the United States regarding prompt extradition of persons sought by United States authorities; and

(B) the steps taken by authorities of the United States and the authorities of each country receiving counternarcotics assistance from the United States to overcome such obstacles.

SEC. 3204. LIMITATIONS ON SUPPORT FOR PLAN COLOMBIA AND ON THE ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA. (a) LIMITATION ON SUPPORT FOR PLAN COLOMBIA.—

(1) LIMITATION.—Except as provided in paragraph (2), none of the funds appropriated or otherwise made available by any Act shall be available for support of Plan Colombia unless and until—

(A) the President submits a report to Congress requesting the availability of such funds; and

(B) Congress enacts a joint resolution approving the request of the President under subparagraph (A).

(2) EXCEPTIONS.—The limitation in paragraph (1) does not apply to—

(A) appropriations made by this Act, the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, the Military Construction Appropriations Act, 2001, the Commerce, Justice, State and the Judiciary Appropriations Act, 2001, the Treasury and General Government Appropriations Act, 2001, or the Department of Defense Appropriations Act, 2001, for the purpose of support of Plan Colombia; or

(B) the unobligated balances from any other program used for their originally appropriated purpose to combat drug production and trafficking, foster peace, increase the rule of law, improve human rights, expand economic development, and institute justice reform in the countries covered by Plan Colombia.

(3) WAIVER.—The limitations in subsection (a) may be waived by an Act of Congress.

(b) LIMITATION ON ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA.—

(1) LIMITATION.—Except as provided in paragraph (2), none of the funds appropriated or otherwise made available by this or any other Act (including funds described in subsection (c)) may be available for—

(A) the assignment of any United States military personnel for temporary or permanent duty in Colombia in connection with support of Plan Colombia if that assignment would cause the number of United States military personnel so assigned in Colombia to exceed 500; or

(B) the employment of any United States individual civilian retained as a contractor in Colombia if that employment would cause the total number of United States individual civilian contractors employed in Colombia in support of Plan Colombia who are funded by Federal funds to exceed 300.

(2) EXCEPTION.—The limitation contained in paragraph (1) shall not apply if—

(A) the President submits a report to Congress requesting that the limitation not apply; and

(B) Congress enacts a joint resolution approving the request of the President under subparagraph (A).

(c) WAIVER.—The President may waive the limitation in subsection (b)(1) for a single period of up to 90 days in the event that the Armed Forces of the United States are involved in hostilities or that imminent involvement by the Armed Forces of the United States in hostilities is clearly indicated by the circumstances.

(d) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to affect the authority of the President to carry out any emergency evacuation of United States citizens or any search or rescue operation for United States military personnel or other United States citizens.

(e) REPORT ON SUPPORT FOR PLAN COLOMBIA.—Not later than June 1, 2001, and not later than June 1 and December 1 of each of the succeeding four fiscal years, the President shall submit a report to Congress setting forth any costs (including incremental costs incurred by the Department of Defense) incurred by any department, agency, or other entity of the Executive branch of Government during the two previous fiscal quarters in support of Plan Colombia. Each such report shall provide an itemization of expenditures by each such department, agency, or entity.

(f) BIMONTHLY REPORTS.—Beginning within 90 days of the date of the enactment of this joint resolution, and every 60 days thereafter, the President shall submit a report to Congress that shall include the aggregate number, locations, activities, and lengths of assignment for all temporary and permanent United States military

personnel and United States individual civilians retained as contractors involved in the antinarcotics campaign in Colombia.

(g) CONGRESSIONAL PRIORITY PROCEDURES.—

(1) JOINT RESOLUTIONS DEFINED.—

(A) For purposes of subsection (a)(1)(B), the term "joint resolution" means only a joint resolution introduced not later than 10 days of the date on which the report of the President under subsection (a)(1)(A) is received by Congress, the matter after the resolving clause of which is as follows: "That Congress approves the request of the President for additional funds for Plan Colombia contained in the report submitted by the President under section 3204(a)(1) of the 2000 Emergency Supplemental Appropriations Act.".

(B) For purposes of subsection (b)(2)(B), the term "joint resolution" means only a joint resolution introduced not later than 10 days of the date on which the report of the President under subsection (a)(1)(A) is received by Congress, the matter after the resolving clause of which is as follows: "That Congress approves the request of the President for exemption from the limitation applicable to the assignment of personnel in Colombia contained in the report submitted by the President under section 3204(b)(2)(B) of the 2000 Emergency Supplemental Appropriations Act.".

(2) PROCEDURES.—Except as provided in subparagraph (B), a joint resolution described in paragraph (1)(A) or (1)(B) shall be considered in a House of Congress in accordance with the procedures applicable to joint resolutions under paragraphs (3) through (8) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473; 98 Stat. 1936).

(h) PLAN COLOMBIA DEFINED.—In this section, the term "Plan Colombia" means the plan of the Government of Colombia instituted by the administration of President Pastrana to combat drug production and trafficking, foster peace, increase the rule of law, improve human rights, expand economic development, and institute justice reform.

SEC. 3205. (a) DENIAL OF VISAS FOR PERSONS CREDIBLY ALLEGED TO HAVE AIDED AND ABETTED COLOMBIAN INSURGENT AND PARAMILITARY GROUPS.—None of the funds appropriated or otherwise made available in this Act for any fiscal year for the Department of State may be used to issue visas to any person who has been credibly alleged to have provided direct or indirect support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Colombian Self Defense organization (AUC), including conspiracy to allow, facilitate, or promote the illegal activities of such groups.

(b) EXEMPTION.—Subsection (a) shall not apply if the Secretary of State finds, on a case-by-case basis, that the entry into the United States of a person who would otherwise be excluded under this section is necessary for medical reasons, or to permit the prosecution of such person in the United States, or the person has cooperated fully with the investigation of crimes committed by individuals associated with the Revolutionary Armed Forces of Colombia (FARC),

the National Liberation Army (ELN), or the United Colombian Self Defense organization (AUC).

(c) WAIVER.—The President may waive the limitation in subsection (a) if the President determines that the waiver is in the national interest.

SEC. 3206. LIMITATION ON SUPPLEMENTAL FUNDS FOR POPULATION PLANNING.—Amounts appropriated under this division or under any other provision of law for fiscal year 2000 that are in addition to the funds made available under title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as enacted into law by section 1000(a)(2) of Public Law 106–113) shall be deemed to have been appropriated under title II of such Act and shall be subject to all limitations and restrictions contained in section 599D of such Act, notwithstanding section 543 of such Act.

SEC. 3207. DECLARATION OF SUPPORT. (a) CERTIFICATION REQUIRED.—Assistance may be made available for Colombia in fiscal years 2000 and 2001 only if the Secretary of State certifies to the appropriate congressional committees, before the initial obligation of such assistance in each such fiscal year, that the United States Government publicly supports the military and political efforts of the Government of Colombia, consistent with human rights conditions in section 3101, necessary to effectively resolve the conflicts with the guerrillas and paramilitaries that threaten the territorial integrity, economic prosperity, and rule of law in Colombia.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means the following:

(A) The Committees on Appropriations and Foreign Relations of the Senate.

(B) The Committees on Appropriations and International Relations of the House of Representatives.

(2) ASSISTANCE.—The term "assistance" means assistance appropriated under this heading for fiscal years 2000 and 2001, and provided under the following provisions of law:

(A) Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; relating to counter-drug assistance).

(B) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; relating to counter-drug assistance to Colombia and Peru).

(C) Section 23 of the Arms Export Control Act (Public Law 90–629; relating to credit sales).

(D) Section 481 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to international narcotics control).

(E) Section 506 of the Foreign Assistance Act of 1961 (Public Law 87–195; relating to emergency drawdown authority).

CHAPTER 3

MILITARY CONSTRUCTION, DEFENSE-WIDE

Notwithstanding any other provision of law, for an additional amount for "Military Construction, Defense-Wide", $116,523,000, to

remain available until September 30, 2004: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent that an official budget request for $116,523,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

TITLE IV—LEWIS AND CLARK RURAL WATER SYSTEM

SEC. 4101. SHORT TITLE.

This title may be cited as the "Lewis and Clark Rural Water System Act of 2000".

SEC. 4102. DEFINITIONS.

In this title:

(1) FEASIBILITY STUDY.—The term "feasibility study" means the study entitled "Feasibility Level Evaluation of a Missouri River Regional Water Supply for South Dakota, Iowa and Minnesota", dated September 1993, that includes a water conservation plan, environmental report, and environmental enhancement component.

(2) INCREMENTAL COST.—The term "incremental cost" means the cost of the savings to the project were the City of Sioux Falls not to participate in the water supply system.

(3) MEMBER ENTITY.—The term "member entity" means a rural water system or municipality that meets the requirements for membership as defined by the Lewis and Clark Rural Water System, Inc. bylaws, dated September 6, 1990.

(4) PROJECT CONSTRUCTION BUDGET.—The term "project construction budget" means the description of the total amount of funds needed for the construction of the water supply project, as contained in the feasibility study.

(5) PUMPING AND INCIDENTAL OPERATIONAL REQUIREMENTS.—The term "pumping and incidental operational requirements" means all power requirements that are necessary for the operation of intake facilities, pumping stations, water treatment facilities, reservoirs, and pipelines up to the point of delivery of water by the water supply system to each member entity that distributes water at retail to individual users.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(7) WATER SUPPLY PROJECT.—

(A) IN GENERAL.—The term "water supply project" means the physical components of the Lewis and Clark Rural Water Project.

(B) INCLUSIONS.—The term "water supply project" includes—

(i) necessary pumping, treatment, and distribution facilities;

(ii) pipelines;

(iii) appurtenant buildings and property rights;

(iv) electrical power transmission and distribution facilities necessary for services to water systems facilities; and

(v) such other pipelines, pumping plants, and facilities as the Secretary considers necessary and appropriate to meet the water supply, economic, public health, and environment needs of the member entities (including water storage tanks, water lines, and other facilities for the member entities).

(8) WATER SUPPLY SYSTEM.—The term "water supply system" means the Lewis and Clark Rural Water System, Inc., a nonprofit corporation established and operated substantially in accordance with the feasibility study.

SEC. 4103. FEDERAL ASSISTANCE FOR THE WATER SUPPLY SYSTEM.

(a) IN GENERAL.—The Secretary shall make grants to the water supply system for the planning and construction of the water supply project.

(b) SERVICE AREA.—The water supply system shall provide for the member entities safe and adequate municipal, rural, and industrial water supplies, mitigation of wetland areas, and water conservation in—

(1) Lake County, McCook County, Minnehaha County, Turner County, Lincoln County, Clay County, and Union County, in southeastern South Dakota;

(2) Rock County and Nobles County, in southwestern Minnesota; and

(3) Lyon County, Sioux County, Osceola County, O'Brien County, Dickinson County, and Clay County, in northwestern Iowa.

(c) AMOUNT OF GRANTS.—Grants made available under subsection (a) to the water supply system shall not exceed the amount of funds authorized under section 4108.

(d) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for the construction of the water supply project until—

(1) the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met; and

(2) a final engineering report and a plan for a water conservation program are prepared and submitted to the Congress not less than 90 days before the commencement of construction of the water supply project.

SEC. 4104. MITIGATION OF FISH AND WILDLIFE LOSSES.

Mitigation for fish and wildlife losses incurred as a result of the construction and operation of the water supply project shall be on an acre-for-acre basis, based on ecological equivalency, concurrent with project construction, as provided in the feasibility study.

SEC. 4105. USE OF PICK-SLOAN POWER.

(a) IN GENERAL.—From power designated for future irrigation and drainage pumping for the Pick-Sloan Missouri Basin program, the Western Area Power Administration shall make available, at the firm power rate, the capacity and energy required to meet the pumping and incidental operational requirements of the water supply project during the period beginning on May 1 and ending on October 31 of each year.

(b) QUALIFICATION TO USE PICK-SLOAN POWER.—For operation during the period beginning May 1 and ending October 31 of each year, for as long as the water supply system operates on a not-for-profit basis, the portions of the water supply project constructed with assistance under this title shall be eligible to receive firm power from the Pick-Sloan Missouri Basin program established by section 9 of the Act of December 22, 1944 (chapter 665; 58 Stat. 887), popularly known as the Flood Control Act of 1944.

SEC. 4106. NO LIMITATION ON WATER PROJECTS IN STATES.

This title does not limit the authorization for water projects in the States of South Dakota, Iowa, and Minnesota under law in effect on or after the date of the enactment of this Act.

SEC. 4107. WATER RIGHTS.

Nothing in this title—

(1) invalidates or preempts State water law or an interstate compact governing water;

(2) alters the rights of any State to any appropriated share of the waters of any body of surface or ground water, whether determined by past or future interstate compacts or by past or future legislative or final judicial allocations;

(3) preempts or modifies any Federal or State law, or interstate compact, governing water quality or disposal; or

(4) confers on any non-Federal entity the ability to exercise any Federal right to the waters of any stream or to any ground water resource.

SEC. 4108. COST SHARING.

(a) FEDERAL COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall provide funds equal to 80 percent of—

(A) the amount allocated in the total project construction budget for planning and construction of the water supply project under section 4103; and

(B) such amounts as are necessary to defray increases in development costs reflected in appropriate engineering cost indices after September 1, 1993.

(2) SIOUX FALLS.—The Secretary shall provide funds for the City of Sioux Falls, South Dakota, in an amount equal to 50 percent of the incremental cost to the city of participation in the project.

(b) NON-FEDERAL COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the non-Federal share of the costs allocated to the water supply system shall be 20 percent of the amounts described in subsection (a)(1).

(2) SIOUX FALLS.—The non-Federal cost-share for the City of Sioux Falls, South Dakota, shall be 50 percent of the incremental cost to the city of participation in the project.

SEC. 4109. BUREAU OF RECLAMATION.

(a) AUTHORIZATION.—At the request of the water supply system, the Secretary may allow the Commissioner of Reclamation to provide project construction oversight to the water supply project for the service area of the water supply system described in section 4103(b).

(b) PROJECT OVERSIGHT ADMINISTRATION.—The amount of funds used by the Commissioner of Reclamation for oversight described in subsection (a) shall not exceed the amount that is equal to 1 percent of the amount provided in the total project construction budget for the entire project construction period.

SEC. 4110. PROJECT OWNERSHIP AND RESPONSIBILITY.

The water supply system shall retain title to all project facilities during and after construction, and shall be responsible for all operation, maintenance, repair, and rehabilitation costs of the project.

SEC. 4111. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $213,887,700, to remain available until expended.

TITLE V—GENERAL PROVISIONS THIS DIVISION

SEC. 5101. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 5102. Sections 305 and 306 of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of Public Law 106–113, are hereby repealed.

REPEAL OF UNOBLIGATED BALANCE RESTRICTIONS

SEC. 5103. The final proviso under the heading "Foreign Military Financing Program" in title VI of the Foreign Operations, Export Financing, and Related Programs as enacted into law by section 1000(a)(2) of division B of Public Law 106–113 (113 Stat. 1501A–133), is null and void.

SEC. 5104. Section 216 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(4) of Public Law 106–113) is repealed.

SEC. 5105. Section 5527 of Public Law 105–33, The Balanced Budget Act of 1997, is repealed.

SEC. 5106. Section 9305 of Public Law 105–33 (111 Stat. 677) is repealed.

SEC. 5107. Notwithstanding section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985, there shall be no sequestration under that section to eliminate a fiscal year 2000 breach or no reductions in discretionary spending limits for fiscal year 2001 that might be caused by the appropriations or other provisions in this Act.

SEC. 5108. (a) The enactment of this Act shall be deemed to fulfill the requirements for enactment of a law for purposes of section 206(b) of H. Con. Res. 290 (106th Congress).

(b) Section 312(b) of the Congressional Budget Act of 1974 shall not apply in the Senate with respect to fiscal year 2001.

SEC. 5109. Section 207 of H. Con. Res. 290 (106th Congress) is amended as follows:

(a) by reducing the limit on outlays set forth in subsection (a)(1) by $2,000,000,000; and

(b) by increasing the limit on outlays set forth in subsection (a)(2) by $2,000,000,000.

This division may be cited as the "Emergency Supplemental Act, 2000".

DIVISION C

CERRO GRANDE FIRE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—CERRO GRANDE FIRE ASSISTANCE ACT

SEC. 101. SHORT TITLE.

This title may be cited as the "Cerro Grande Fire Assistance Act".

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) on May 4, 2000, the National Park Service initiated a prescribed burn on Federal land at Bandelier National Monument in New Mexico during the peak of the fire season in the Southwest;

(2) on May 5, 2000, the prescribed burn, which became known as the "Cerro Grande Prescribed Fire", exceeded the containment capabilities of the National Park Service, was reclassified as a wildland burn, and spread to other Federal and non-Federal land, quickly becoming characterized as a wildfire;

(3) by May 7, 2000, the fire had grown in size and caused evacuations in and around Los Alamos, New Mexico, including the Los Alamos National Laboratory, one of the leading national research laboratories in the United States and the birthplace of the atomic bomb;

(4) on May 13, 2000, the President issued a major disaster declaration for the counties of Bernalillo, Cibola, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Taos, and Torrance, New Mexico;

(5) the fire resulted in the loss of Federal, State, local, tribal, and private property;

(6) the Secretary of the Interior and the National Park Service have assumed responsibility for the fire and subsequent losses of property; and

(7) the United States should compensate the victims of the Cerro Grande fire.

(b) PURPOSES.—The purposes of this title are—

(1) to compensate victims of the fire at Cerro Grande, New Mexico, for injuries resulting from the fire; and

(2) to provide for the expeditious consideration and settlement of claims for those injuries.

SEC. 103. DEFINITIONS.

In this title:

(1) CERRO GRANDE FIRE.—The term "Cerro Grande fire" means the fire resulting from the initiation by the National Park Service of a prescribed burn at Bandelier National Monument, New Mexico, on May 4, 2000.

(2) DIRECTOR.—The term "Director" means—

(A) the Director of the Federal Emergency Management Agency; or

(B) if a Manager is appointed under section 104(a)(3), the Manager.

(3) INJURED PERSON.—The term "injured person" means—

(A) an individual, regardless of the citizenship or alien status of the individual; or

(B) an Indian tribe, corporation, tribal corporation, partnership, company, association, insurer, county, township, city, State, school district, or other non-Federal entity (including a legal representative);

that suffered injury resulting from the Cerro Grande fire.

(4) INJURY.—The term "injury" has the same meaning as the term "injury or loss of property, or personal injury or death" as used in section 1346(b)(1) of title 28, United States Code.

(5) MANAGER.—The term "Manager" means an Independent Claims Manager appointed under section 104(a)(3).

(6) OFFICE.—The term "Office" means the Office of Cerro Grande Fire Claims established by section 104(a)(2).

SEC. 104. COMPENSATION FOR VICTIMS OF CERRO GRANDE FIRE.

(a) IN GENERAL.—

(1) COMPENSATION.—Each injured person shall be entitled to receive from the United States—

(A) compensation for injury suffered by the injured person as a result of the Cerro Grande fire; and

(B) damages described in subsection (d)(4), as determined by the Director.

(2) OFFICE OF CERRO GRANDE FIRE CLAIMS.—

(A) IN GENERAL.—There is established within the Federal Emergency Management Agency an Office of Cerro Grande Fire Claims.

(B) PURPOSE.—The Office shall receive, process, and pay claims in accordance with this title.

(C) FUNDING.—The Office—

(i) shall be funded from funds made available to the Director under this title;

(ii) may reimburse other Federal agencies for claims processing support and assistance;

(iii) may appoint and fix the compensation of such temporary personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service;

(iv) upon the request of the Director, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Federal Emergency Management Agency to assist it in carrying out its duties under this title; and

(v) shall not diminish the ability of the Director to carry out the responsibilities of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), including the timely provision of disaster assistance to a State or territory, an area of which is

the subject of a major disaster or emergency declaration made by the President during the period in which the Director carries out this Act.

(3) OPTION TO APPOINT INDEPENDENT CLAIMS MANAGER.—The Director may appoint an Independent Claims Manager to—

(A) head the Office; and

(B) assume the duties of the Director under this title.

(b) SUBMISSION OF CLAIMS.—Not later than 2 years after the date on which regulations are first promulgated under subsection (f), an injured person may submit to the Director a written claim for one or more injuries suffered by the injured person in accordance with such requirements as the Director determines to be appropriate.

(c) INVESTIGATION OF CLAIMS.—

(1) IN GENERAL.—The Director shall, on behalf of the United States, investigate, consider, ascertain, adjust, determine, grant, deny, or settle any claim for money damages asserted under subsection (b).

(2) APPLICABILITY OF STATE LAW.—Except as otherwise provided in this title, the laws of the State of New Mexico shall apply to the calculation of damages under subsection (d)(4).

(3) EXTENT OF DAMAGES.—Any payment under this title—

(A) shall be limited to actual compensatory damages measured by injuries suffered; and

(B) shall not include—

(i) interest before settlement or payment of a claim; or

(ii) punitive damages.

(d) PAYMENT OF CLAIMS.—

(1) DETERMINATION AND PAYMENT OF AMOUNT.—

(A) IN GENERAL.—

(i) PAYMENT.—Not later than 180 days after the date on which a claim is submitted under this title, the Director shall determine and fix the amount, if any, to be paid for the claim.

(ii) PRIORITY.—The Director, to the maximum extent practicable, shall pay subrogation claims submitted under this title only after paying claims submitted by injured parties that are not insurance companies seeking payment as subrogees.

(B) PARAMETERS OF DETERMINATION.—In determining and settling a claim under this title, the Director shall determine only—

(i) whether the claimant is an injured person;

(ii) whether the injury that is the subject of the claim resulted from the fire;

(iii) the amount, if any, to be allowed and paid under this title; and

(iv) the person or persons entitled to receive the amount.

(C) INSURANCE AND OTHER BENEFITS.—

(i) IN GENERAL.—In determining the amount of, and paying, a claim under this title, to prevent recovery by a claimant in excess of actual compensatory damages, the Director shall reduce the amount to be

paid for the claim by an amount that is equal to the total of insurance benefits (excluding life insurance benefits) or other payments or settlements of any nature that were paid, or will be paid, with respect to the claim.

(ii) GOVERNMENT LOANS.—This subparagraph shall not apply to the receipt by a claimant of any government loan that is required to be repaid by the claimant.

(2) PARTIAL PAYMENT.—

(A) IN GENERAL.—At the request of a claimant, the Director may make one or more advance or partial payments before the final settlement of a claim, including final settlement on any portion or aspect of a claim that is determined to be severable.

(B) JUDICIAL DECISION.—If a claimant receives a partial payment on a claim under this title, but further payment on the claim is subsequently denied by the Director, the claimant may—

(i) seek judicial review under subsection (i); and

(ii) keep any partial payment that the claimant received, unless the Director determines that the claimant—

(I) was not eligible to receive the compensation; or

(II) fraudulently procured the compensation.

(3) RIGHTS OF INSURER OR OTHER THIRD PARTY.—If an insurer or other third party pays any amount to a claimant to compensate for an injury described in subsection (a), the insurer or other third party shall be subrogated to any right that the claimant has to receive any payment under this title or any other law.

(4) ALLOWABLE DAMAGES.—

(A) LOSS OF PROPERTY.—A claim that is paid for loss of property under this title may include otherwise uncompensated damages resulting from the Cerro Grande fire for—

(i) an uninsured or underinsured property loss;

(ii) a decrease in the value of real property;

(iii) damage to physical infrastructure;

(iv) a cost resulting from lost tribal subsistence from hunting, fishing, firewood gathering, timbering, grazing, or agricultural activities conducted on land damaged by the Cerro Grande fire;

(v) a cost of reforestation or revegetation on tribal or non-Federal land, to the extent that the cost of reforestation or revegetation is not covered by any other Federal program; and

(vi) any other loss that the Director determines to be appropriate for inclusion as loss of property.

(B) BUSINESS LOSS.—A claim that is paid for injury under this title may include damages resulting from the Cerro Grande fire for the following types of otherwise uncompensated business loss:

(i) Damage to tangible assets or inventory.

(ii) Business interruption losses.

(iii) Overhead costs.

(iv) Employee wages for work not performed.

(v) Any other loss that the Director determines to be appropriate for inclusion as business loss.

(C) FINANCIAL LOSS.—A claim that is paid for injury under this title may include damages resulting from the Cerro Grande fire for the following types of otherwise uncompensated financial loss:

(i) Increased mortgage interest costs.

(ii) An insurance deductible.

(iii) A temporary living or relocation expense.

(iv) Lost wages or personal income.

(v) Emergency staffing expenses.

(vi) Debris removal and other cleanup costs.

(vii) Costs of reasonable efforts, as determined by the Director, to reduce the risk of wildfire, flood, or other natural disaster in the counties specified in section 102(a)(4), to risk levels prevailing in those counties before the Cerro Grande fire, that are incurred not later than the date that is 3 years after the date on which the regulations under subsection (f) are first promulgated.

(viii) A premium for flood insurance that is required to be paid on or before May 12, 2002, if, as a result of the Cerro Grande fire, a person that was not required to purchase flood insurance before the Cerro Grande fire is required to purchase flood insurance.

(ix) Any other loss that the Director determines to be appropriate for inclusion as financial loss.

(e) ACCEPTANCE OF AWARD.—The acceptance by a claimant of any payment under this title, except an advance or partial payment made under subsection (d)(2), shall—

(1) be final and conclusive on the claimant (but not on any subrogee of the claimant), with respect to all claims arising out of or relating to the same subject matter;

(2) constitute a complete release of all claims against the United States (including any agency or employee of the United States) under chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"), or any other Federal or State law, arising out of or relating to the same subject matter; and

(3) shall include a certification by the claimant, made under penalty of perjury and subject to the provisions of section 1001 of title 18, United States Code, that such claim is true and correct.

(f) REGULATIONS AND PUBLIC INFORMATION.—

(1) REGULATIONS.—Notwithstanding any other provision of law, not later than 45 days after the date of the enactment of this Act, the Director shall promulgate and publish in the Federal Register interim final regulations for the processing and payment of claims under this title.

(2) PUBLIC INFORMATION.—

(A) IN GENERAL.—At the time at which the Director promulgates regulations under paragraph (1), the Director

shall publish, in newspapers of general circulation in the State of New Mexico, a clear, concise, and easily understandable explanation, in English and Spanish, of—

(i) the rights conferred under this title; and

(ii) the procedural and other requirements of the regulations promulgated under paragraph (1).

(B) DISSEMINATION THROUGH OTHER MEDIA.—The Director shall disseminate the explanation published under subparagraph (A) through brochures, pamphlets, radio, television, and other media that the Director determines are likely to reach prospective claimants.

(g) CONSULTATION.—In administering this title, the Director shall consult with the Secretary of the Interior, the Secretary of Energy, the Secretary of Agriculture, the Administrator of the Small Business Administration, other Federal agencies, and State, local, and tribal authorities, as determined to be necessary by the Director to—

(1) ensure the efficient administration of the claims process; and

(2) provide for local concerns.

(h) ELECTION OF REMEDY.—

(1) IN GENERAL.—An injured person may elect to seek compensation from the United States for one or more injuries resulting from the Cerro Grande fire by—

(A) submitting a claim under this title;

(B) filing a claim or bringing a civil action under chapter 171 of title 28, United States Code; or

(C) bringing an authorized civil action under any other provision of law.

(2) EFFECT OF ELECTION.—An election by an injured person to seek compensation in any manner described in paragraph (1) shall be final and conclusive on the claimant with respect to all injuries resulting from the Cerro Grande fire that are suffered by the claimant.

(3) ARBITRATION.—

(A) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Director shall establish by regulation procedures under which a dispute regarding a claim submitted under this title may be settled by arbitration.

(B) ARBITRATION AS REMEDY.—On establishment of arbitration procedures under subparagraph (A), an injured person that submits a disputed claim under this title may elect to settle the claim through arbitration.

(C) BINDING EFFECT.—An election by an injured person to settle a claim through arbitration under this paragraph shall—

(i) be binding; and

(ii) preclude any exercise by the injured person of the right to judicial review of a claim described in subsection (i).

(4) NO EFFECT ON ENTITLEMENTS.—Nothing in this title affects any right of a claimant to file a claim for benefits under any Federal entitlement program.

(i) JUDICIAL REVIEW.—

(1) IN GENERAL.—Any claimant aggrieved by a final decision of the Director under this title may, not later than 60 days after the date on which the decision is issued, bring a civil action in the United States District Court for the District of New Mexico, to modify or set aside the decision, in whole or in part.

(2) RECORD.—The court shall hear a civil action under paragraph (1) on the record made before the Director.

(3) STANDARD.—The decision of the Director incorporating the findings of the Director shall be upheld if the decision is supported by substantial evidence on the record considered as a whole.

(j) ATTORNEY'S AND AGENT'S FEES.—

(1) IN GENERAL.—No attorney or agent, acting alone or in combination with any other attorney or agent, shall charge, demand, receive, or collect, for services rendered in connection with a claim submitted under this title, fees in excess of 10 percent of the amount of any payment on the claim.

(2) VIOLATION.—An attorney or agent who violates paragraph (1) shall be fined not more than $10,000.

(k) WAIVER OF REQUIREMENT FOR MATCHING FUNDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a State or local project that is determined by the Director to be carried out in response to the Cerro Grande fire under any Federal program that applies to an area affected by the Cerro Grande fire shall not be subject to any requirement for State or local matching funds to pay the cost of the project under the Federal program.

(2) FEDERAL SHARE.—The Federal share of the costs of a project described in paragraph (1) shall be 100 percent.

(l) APPLICABILITY OF DEBT COLLECTION REQUIREMENTS.—Section 3716 of title 31, United States Code, shall not apply to any payment under this title.

(m) INDIAN COMPENSATION.—Notwithstanding any other provision of law, in the case of an Indian tribe, a tribal entity, or a member of an Indian tribe that submits a claim under this title—

(1) the Bureau of Indian Affairs shall have no authority over, or any trust obligation regarding, any aspect of the submission of, or any payment received for, the claim;

(2) the Indian tribe, tribal entity, or member of an Indian tribe shall be entitled to proceed under this title in the same manner and to the same extent as any other injured person; and

(3) except with respect to land damaged by the Cerro Grande fire that is the subject of the claim, the Bureau of Indian Affairs shall have no responsibility to restore land damaged by the Cerro Grande fire.

(n) REPORT.—Not later than 1 year after the date of promulgation of regulations under subsection (f)(1), and annually thereafter, the Director shall submit to Congress a report that describes the claims submitted under this title during the year preceding the date of submission of the report, including, for each claim—

(1) the amount claimed;

(2) a brief description of the nature of the claim;

(3) the status or disposition of the claim, including the amount of any payment under this title; and

(4) the Comptroller General shall conduct an annual audit on the payment of all claims made under this title and shall report to the Congress on the results of this audit beginning not later than the expiration of the 1-year period beginning on the date of the enactment of this Act. This report shall include a review of all subrogation claims for which insurance companies have been paid or are seeking payment as subrogees under this title.

(o) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated such sums as are necessary to carry out this Act, to remain available until expended.

(2) FEMA FUNDS.—None of the funds provided to the Federal Emergency Management Agency for the administration of disaster relief shall be used to carry out this Act.

SEC. 105. APPROPRIATION OF FUNDS.

(a) CERRO GRANDE FIRE ASSISTANCE CLAIMS OFFICE.—

(1) IN GENERAL.—There is appropriated for the Office for administration of the compensation process under this title up to $45,000,000, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The entire amount made available under subparagraph (A)—

(A) shall be available only to the extent that the President submits to Congress an official budget request for up to $45,000,000 that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(B) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

(b) CERRO GRANDE FIRE ASSISTANCE.—

(1) IN GENERAL.—There is appropriated for the payment of claims in accordance with this title up to $455,000,000, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The entire amount made available under subparagraph (A)—

(A) shall be available only to the extent that the President submits to Congress an official budget request for up to $455,000,000 that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(B) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

SEC. 106. PERIOD OF EFFECTIVENESS.

This title shall apply on and after the date of the enactment of this Act, without regard to any fiscal year.

TITLE II—CERRO GRANDE FIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

For an additional amount for "Emergency Conservation Program", $10,000,000: Provided, That notwithstanding any other provision of law, these funds shall be available to rehabilitate farmland damaged from fires which resulted from prescribed burnings conducted by the Federal Government which subsequently resulted in unintended damage to farmlands and other lands: Provided further, That requirements for cost-sharing by landowners shall not apply to funds provided pursuant to this section: Provided further, That the entire amount shall be available only to the extent that an official budget request for $10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Watershed and Flood Prevention Operations", for the Emergency Watershed Protection Program, to repair damages to the waterways and watersheds resulting from fires which resulted from prescribed burnings conducted by the Federal Government, and other natural occurrences, $4,000,000, to remain available until expended: Provided, That requirements for cost-sharing by project sponsors shall not apply to funds provided under this provision: Provided further, That the entire amount shall be available only to the extent an official budget request for $4,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

For necessary expenses to remediate damaged Department of Energy facilities and for other expenses associated with the Cerro Grande fire, $138,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for $138,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for "Operation of Indian Programs", $8,982,000, to remain available until expended, for emergency restoration, rehabilitation, and reforestation of tribal lands and facilities of the Pueblo of Santa Clara and the Pueblo of San Ildefonso damaged by the Cerro Grande Fire in New Mexico: Provided, That the entire amount shall be available only to the extent an official budget request for $8,982,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

GENERAL PROVISION—THIS TITLE

SEC. 2101. The Secretary of the Interior shall allow enrolled members of the Pueblo of San Ildefonso and the Pueblo of Santa Clara to collect plants, including the parts or products thereof, and mineral resources within the Bandelier National Monument for traditional and cultural uses. All collection activity, except quantity limitations in current regulations of the National Park Service, shall be consistent with applicable laws, and shall be subject to such conditions as the Secretary deems necessary to protect the resources and values of the Monument.

This division may be cited as the "Cerro Grande Fire Supplemental".

And the Senate agree to the same.

For the consideration of the House bill and Division A of the Senate amendment, and modifications committed to conference:

DAVID L. HOBSON,
JOHN EDWARD PORTER,
TODD TIAHRT,
JAMES T. WALSH,
DAN MILLER,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE, Jr.,
C.W. BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN D. DICKS,
DAVID OBEY,

For the consideration of Division B of the Senate amendment and modifications committed to conference:

C.W. BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
HAROLD ROGERS,
JOE SKEEN,
SONNY CALLAHAN,
DAVID OBEY,
JOHN MURTHA,
Managers on the Part of the House.

CONRAD BURNS,
KAY BAILEY HUTCHISON,
LARRY CRAIG,
JON KYL,
TED STEVENS,
PATTY MURRAY,
HARRY REID,
DANIEL K. INOUYE,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference report includes fiscal year 2000 supplemental appropriations, as included in the Senate amendment, in addition to military construction appropriations for fiscal year 2001. The conference report is organized with Division A containing fiscal year 2001 military construction appropriations, Division B containing fiscal year 2000 supplemental appropriations, and Division C containing fiscal year 2000 supplemental appropriations and authorization for Cerro Grande Fire recovery activities necessitated by this devastating fire that occurred recently near Los Alamos, New Mexico.

This conference agreement addresses some activities that were not technically in conference. The House had passed H.R. 3908 that included its version of supplemental appropriations. The Senate reported S. 2536, which included several other supplemental appropriations in addition to the ones included in the amendment to this bill. The Senate also has taken action on S. 2522, which includes additional supplemental appropriations. The conferees have attempted to address many of the fiscal year 2000 supplemental appropriations in this conference.

DIVISION A—FISCAL YEAR 2001 MILITARY CONSTRUCTION APPROPRIATIONS

ITEMS OF GENERAL INTEREST

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 106–614 and Senate Report 106–290 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or the Senate has directed the submission of a report from the Department of Defense, such report

is to be submitted to both House and Senate Committees on Appropriations.

Contingency Funding.—The Department of Defense requested no contingency funding for military construction and family housing projects in the fiscal year 2001 budget request. The conferees believe that some level of contingency funding is essential for the efficient and cost-effective completion of these projects. If the Department loses this funding flexibility, it will be incapable of supporting requirements generated by unforeseen needs, such as environmental and regulatory requirements, unanticipated subsurface conditions and changes in bid climate. As a result, the conferees direct the Department to include 5 percent contingency funding when requesting construction funds in the fiscal year 2002 budget submission and for future year projects.

Financial Management.—The conferees agree that the rescission of funds included in the conference agreement are based on large prior year unobligated balances and such factors as savings through favorable bids, reduced overhead costs, downsizing or cancellation due to force structure changes (if any), other administrative cost reduction initiatives, revised economic assumptions, and inflation re-estimates. The conferees direct that no project for which funds were previously appropriated, or for which funds are appropriated in this bill, may be canceled as a result of the reductions included in the conference agreement.

Foreign Currency Fluctuations, Construction, Defense.—Due to the U.S. dollar significantly improving over prior fiscal years and for other reasons, the amounts available in the "Foreign Currency Fluctuations, Construction, Defense" account exceed those necessary to eliminate losses due to unfavorable fluctuations in foreign currency exchange rates. Accordingly, the conferees include a provision (Section 132) which rescinds $83,000,000 from this account. The conferees also include a total reduction of $43,852,000 to the following appropriations because the U.S. dollar has significantly improved against most foreign currencies than the Department of Defense predicted when it submitted its fiscal year 2001 budget:

Account	*Amount*
Military Construction, Army	−$635,000
Military Construction, Navy	−2,889,000
Military Construction, Defense-Wide	−7,115,000
Family Housing, Army	−19,911,000
Family Housing, Navy and Marine Corps	−1,071,000
Family Housing, Air Force	−12,231,000
Total	−43,852,000

Joint Use Facilities.—The conferees support joint use of facilities between the various components of the Defense Department. Joint use facilities can optimize military construction and operation and maintenance funds while enhancing joint training and the total force concept. Beginning with the fiscal year 2003 budget submission, the conferees direct that any Form 1390/1391, which is presented as justification material, shall include certification by the originating installation commander. The certification will include information that the project has been considered and reviewed for joint use potential, a recommendation for either joint use or unilateral construction, and the reasons(s) for that recommendation if joint use is not recommended. This certification is to be reviewed

by the Under Secretary of Defense (Comptroller) during the budget review to ensure impartial review.

Proposed Financing of Current Year Programs Via Prior Year Savings.—The budget request for fiscal year 2001 proposed partial financing of current year programs via prior year savings, as follows:

Account/Location	Project description	Authorization	Appropriation
Military Construction, Navy:			
District of Columbia: Naval Research Lab.	Nano-Science Research Facility	$12,390,000	0
Texas: Kingsville Naval Air Station	Aircraft Parking Apron	2,670,000	0
North Carolina: Camp Lejuene MCB	Armories	14,000,000	$10,000,000
Italy: Sigonella Naval Air Station	Community Facilities	32,969,000	32,029,000
Total		62,029,000	42,029,000

If program execution has resulted in identifiable prior year savings within individual projects, the correct financing method is to detail such savings and to request rescissions of funds by account and by fiscal year. The conferees direct the Under Secretary of Defense (Comptroller) to follow the conventional rescission procedure in future budget submissions.

Quadrennial Defense Review.—The conferees are concerned with the Defense Department's declining investments in the construction, replacement, and revitalization of facilities. Therefore, the conferees strongly support the language included in House Report 106–614 on the Quadrennial Defense Review. The conferees expect the Congressionally mandated Quadrennial Defense Review to include a thorough review of the Defense Department's basing capacity, outsourcing strategy, and military construction requirements and related facilities restoration and modernization programs.

Real Property Maintenance: Reporting Requirement.—The conferees agree to the following general rules for repairing a facility under Operation and Maintenance funding:

Components of the facility may be repaired by replacement, and such replacement can be up to current standards or code.

Interior arrangements and restorations may be included as repair, but additions, new facilities, and functional conversions must be performed as military construction projects.

Such projects may be done concurrent with repair projects, as long as the final conjunctively funded project is a complete and usable facility.

The appropriate Service Secretary shall submit a 21-day notification prior to carrying out any repair project with an estimated cost in excess of $7,500,000.

Reprogramming Criteria.—The conferees believe there is a need to clarify the rules for military construction and family housing reprogrammings. A project or account (including the sub-elements of an account) which has been specifically reduced by the Congress in acting on the appropriation request is considered to be a congressional interest item. A prior approval reprogramming is required for any increase to an item that has been specifically reduced by the Congress. Consequently, there can be no below

threshold reprogrammings to an item specifically reduced by the Congress.

Furthermore, in instances where a prior approval reprogramming request for a project or account has been approved becomes the new base for any future increase or decrease via a below threshold reprogramming (provided that the project or account is not a congressional interest item).

Alkali Silica Reactivity.—The conferees continue to be concerned about the effects of Alkali Silica Reactivity (ASR) on Department of Defense concrete facilities including aprons, taxiways, runways and tarmacs. The conferees direct the Under Secretary of Defense for Acquisition, Technology and Logistics to assess the overall condition of Department of Defense facilities and infrastructure with respect to ASR. This review should also address the Department's long-term strategy and recommendations to manage this issue. These findings should be provided to the congressional defense committees not later than May 1, 2001.

MILITARY CONSTRUCTION, ARMY

The conference agreement appropriates $909,245,000 for Military Construction, Army, instead of $869,950,000 as proposed by the House, and $823,503,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $109,306,000 for study, planning, design, architect and engineer services, and host nation support instead of $99,961,000 as proposed by the House and $84,706,000 as proposed by the Senate.

Kansas—Fort Leavenworth: Bell Hall.—The conferees note the deteriorating condition of Bell Hall, the central academic and instructional facility of the Army's Command and General Staff College. The cost to maintain the current physical plant is no longer cost effective and its communications capabilities are significantly constrained. The conferees encourage the Army to include this replacement in the fiscal year 2002 budget submission.

New York—U.S. Military Academy: Multimedia Learning Centers.—Within funds provided for unspecified minor construction, the conferees direct the Army to execute a project in the amount of $500,000 to provide Multimedia Learning Centers at the United States Military Academy in New York.

Pennsylvania—Letterkenny Army Depot: Missile Igloo Modifications.—Of the additional funding provided for planning and design, the conferees direct that not less than $112,000 be made available for the design of this facility.

Virginia—Fort Belvoir: Potomac Heritage National Scenic Trail.—Within the additional funds provided for unspecified minor construction, the conferees direct the Army to provide not less than $500,000 for the multi-use trail system at Fort Belvoir in Virginia.

Washington-Fort Lewis: Vancouver Barracks.—Within the additional funds provided for unspecified minor construction, the conferees direct the Army to provide not less than $1,500,000 for the protection of historic facilities at the Vancouver Barracks at Fort Lewis in Washington.

MILITARY CONSTRUCTION, NAVY

The conference agreement appropriates $928,273,000 for Military Construction, Navy, instead of $891,380,000 as proposed by the House, and $828,278,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $73,335,000 for study, planning, design, architect and engineer services instead of $67,502,000 as proposed by the House and $71,000,000 as proposed by the Senate.

California—North Island Naval Air Station: Transportation Infrastructure.—The conferees do not expect the Navy to begin design of a project to alleviate traffic flow problems at North Island Naval Air Station. The scope of the project is far reaching and involves traffic considerations that fall beyond the Navy mission. Therefore, planning and design funds are not the proper source of funds to determine the project requirements (10 U.S.C. 2807).

MILITARY CONSTRUCTION, AIR FORCE

The conference agreement appropriates $870,208,000 for Military Construction, Air Force, instead of $703,903,00 as proposed by the House, and $777,793,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $74,628,000 for study, planning, design, architect and engineer services instead of $56,949,000 as proposed by the House and $69,337,000 as proposed by the Senate.

Air Force Electronic Warfare Evaluation Simulator.—The conferees are aware of an Air Force effort to develop a plan to relocate the Air Force Electronic Warfare Evaluation Simulator (AFEWES) from Air Force Plant 4 to the Air Force Flight Test Center. Government studies, including the 1995 Base Realignment and Closure Commission and a 1997 GAO report, all highlight the absence of cost/capability rationale to justify such a relocation. For these reasons, and to ensure that prudent future expenditure of military construction funds, the conferees encourage the Air Force to include a comprehensive cost/benefit analysis and standard return on investment criteria in the relocation study now being performed. Because AFEWES specialized test capabilities are a vital element of our national defense posture, study findings should also demonstrate the technical and cost merits of relocation to the Air Force Flight Test Center. The Secretary of the Air Force is to review this matter and report to the House and Senate Appropriations Committees no later than February 28, 2001.

Delaware—Dover AFB: Control Tower.—The conferees note that the control tower at Dover AFB is antiquated, inadequately sited, and lacks modern air traffic control equipment. Given the activity level and mission critical nature of this base, the project appears to be an excellent candidate for the President's fiscal year 2002 budget. Accordingly, the conferees urge the Secretary of the Air Force to review this project, and to expedite its advancement into the fiscal year 2002 budget.

MILITARY CONSTRUCTION, DEFENSE-WIDE

The conference agreement appropriates $814,647,000 for Military Construction, Defense-wide, instead of $800,314,000 as pro-

posed by the House, and $801,098,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $77,505,000 for study, planning, design, architect and engineer services as proposed by the House instead of $163,700,000 as proposed by the Senate.

Chemical Demilitarization Program.—The budget request proposes funding the construction of chemical weapon demilitarization facilities under the "Military Construction, Army" account. As in prior years, the conferees recommend that this funding be appropriated under the "Military Construction, Defense-wide" account, in order to facilitate the tracking of expenses for the Chemical Demilitarization Program, and to avoid distorting the size of the Army's military construction program.

The conference agreement provides $175,400,000 for the chemical demilitarization program to fully fund all requested projects for fiscal year 2001. However, the conferees continue to be concerned over the extremely slow obligation and expenditure rates for the program due to significant delays at most of the sites that are currently being constructed. Therefore, the conferees include a general reduction of $20,000,000 against the entire program.

Department of Defense Education Activity (DODEA).—The conferees strongly support DODEA initiatives to increase the half-day kindergarten program to full day in overseas schools and reduce class size in grades 1–3 to an average of 18 students to 1 teacher. These educational initiatives are valued and supported by the military community as a critical element of its quality of life and readiness. Because these initiatives require substantial funding to modernize school facilities, the conference agreement provides an additional $11,852,000 for the DODEA military construction program. Additional funding is provided for the following projects:

Location	Project title	Request	Recommendation
Germany: Hanau	Elementary School Classroom Addition	$1,026,000	$2,030,000
Germany: Schweinfurt	Elementary School Classroom Addition	1,444,000	1,750,000
Germany: Wuerzburg	Elementary School Classroom Addition	1,798,000	2,635,000
Italy: Sigonella	Elementary/High School Classroom Addition	971,000	3,450,000
Korea: Osan	Elementary School Classroom Addition		892,000
Korea: Seoul	Elementary School Classroom Addition		2,451,000
Korea: Taegu	Elementary/High School Classroom Addition		806,000
United Kingdom: RAF Feltwell	Elementary School Classroom Addition	1,287,000	1,800,000
United Kingdom: RAF Lakenheath	Elementary School Classroom Addition	3,086,000	5,650,000
Total		9,612,000	21,464,000

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $281,717,000 for military Construction, Army National Guard, instead of $137,603,000 as proposed by the House, and $233,675,000 as proposed by the Senate.

California-Bakersfield: Readiness Center.—Of the additional funding provided for planning and design, the conferees direct that not less than $500,000 be made available for the design of this facility.

California-Los Alamitos: Joint Headquarters Building.—House Report 106–614 included language directing the Army Reserve to

accelerate the design of this facility and include the required construction funding in its fiscal year 2002 budget request. The Army National Guard should be the lead proponent for the facility. Therefore, the conferees direct the Army National Guard to accelerate the design of the Joint Headquarters Building in Los Alamitos, California and to include the required construction funding in its fiscal year 2002 budget request.

California-National Guard Facilities.—The Army National Guard requested nine location changes to the budget submission for the state of California. The changes will provide a more centralized vehicle maintenance management system. After design of the budgeted projects began, the Army National Guard realized the existing locations were unsuitable and further facility investment would prove unwise. Accordingly, the conferees recommend the following location changes:

(1) The project titles budgeted for Bakersfield, Escondido, Richmond, San Jose, San Mateo, and Santa Barbara are moved to Camp Parks.

(2) The project titles budgeted for Colton, Fresno, and Los Alamitos are moved to Fresno.

Iowa-Fairfield: Readiness Center Addition.—Within the additional funds provided for unspecified minor construction, the conferees direct the Army National Guard to provide not less than $1,066,000 for an addition to the readiness center at Fairfield, Iowa.

Missouri—Fort Leonard Wood: Army Aviation Support Center.—In the Senate report 106–290, the Army Aviation Support Center at Fort Leonard Wood was incorrectly identified as an unspecified minor construction project. This project should be executed with funds made available for planning and design.

Nevada—Carson City: Readiness Center.—The conferees are concerned that the cost of the Readness Center in Carson City, Nevada has increased due to changes in criteria directed by the National Guard Bureau. Funding for this project was appropriated in fiscal year 1999. The conferees direct the National Guard Bureau to ensure that adequate additional funding is provided to the Nevada National Guard to complete this project.

Oregon—Eugene: Armed Forces Reserve Center Complex.—The number one priority for the Oregon National Guard is to replace a 66-year-old facility in Eugene which is considered undersized by Naval Reserve/Marine Corps standards. The buildings have deteriorated extensively and are substandard with respect to size and level of serviceability of the building. The consolidation will provide savings of about $1,400,000 in direct construction costs and will reduce the operations and maintenance burden by at least 20 percent annually. The conferees encourage the National Guard to complete the design and to include this project in its fiscal year 2002 budget request.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $203,829,000 for Military Construction, Air National Guard, instead of $110,585,000 as proposed by the House, and $183,029,000 as proposed by the Senate.

Connecticut—Orange Air National Guard Station: Air Control Squadron Complex.—Although the conferees were unable to fund this project due to funding constraints, the conferees strongly urge the Air National Guard to include this project in its fiscal year 2002 budget submission.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $108,738,000 for Military Construction, Army Reserve, instead of $115,854,000 as proposed by the House, and $99,888,000 as proposed by the Senate.

New Jersey—Fort Dix: Barracks.—Of the $11,900,000 provided for planning and design within the "Army Reserve" amount, the conferees direct that not less than $900,000 be made available for the design of this facility.

Utah—S.A. Douglas Armed Forces Reserve Center: Parking and Site Improvements.—The conferees direct the Army Reserve to execute a project to provide parking and site improvements at the S.A. Douglas Armed Forces Reserve Center in Utah using funds available for unspecified minor construction. The estimated cost of this project is $700,000.

MILITARY CONSTRUCTION, NAVAL RESERVE

The conference agreement appropriates $64,473,000 for Military Construction, Naval Reserve, instead of $53,004,000 as proposed by the House, and $38,532,000 as proposed by the Senate.

Rescission of Funds.—The conferees rescind $2,400,000 appropriated under the "Military Construction, Naval Reserve" account in the fiscal year 1998 Military Construction Appropriations Act (Public Law 105–45). These are funds which remain unobligated from the renovation of Building 1900 at the Westover Air Force Reserve Base in Massachusetts. The project was halted due to escalating costs in connection with asbestos and other environmental problems.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $36,591,000 for Military Construction, Air Force Reserve, instead of $43,748,000 as proposed by the House, and $25,533,000 as proposed by the Senate.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The conference agreement appropriates $172,000,000 for the North Atlantic Treaty Organization Security Investment Program (NSIP), instead of $177,500,000 as proposed by the House, and $175,000,000 as proposed by the Senate.

FAMILY HOUSING, ARMY

The conference agreement appropriates $235,956,000 for Construction, Family Housing Army, instead of $198,505,000 as proposed by the House and $221,106,000 as proposed by the Senate.

The conference agreement appropriates $951,793,000 for Operation and Maintenance, Family Housing, Army, instead of

$953,744,000 as proposed by the House and $958,364,000 as proposed by the Senate.

The conference agreement appropriates a total of $1,187,749,000 for Family Housing, Army, instead of $1,152,249,000 as proposed by the House and $1,179,470,000 as proposed by the Senate.

FAMILY HOUSING, NAVY AND MARINE CORPS

The conference agreement appropriates $418,155,000 for Construction, Family Housing, Navy and Marine Corps, instead of $419,584,000 as proposed by the House and $392,765,000 as proposed by the Senate.

The conferees direct that the following projects are to be accomplished within the increased amount provided for construction improvements:

California—Camp Pendelton (98 units)	$9,030,000
District of Columbia: 8th and I Marine Barracks (1 unit)	500,000

The conference agreement appropriates $881,567,000 for Operation and Maintenance, Family Housing, Navy and Marine Corps, as proposed by the Senate instead of $879,208,000 as proposed by the House.

The conference agreement appropriates a total of $1,299,722,000 for Family Housing, Navy and Marine Corps, instead of $1,298,792,000 as proposed by the House and $1,274,332,000 as proposed by the Senate.

California—Mission Trails Regional Park.—The conferees include a new provision (Section 133) which amends Section 131 of the fiscal year 1988 Military Construction Appropriations Act (Public Law 100–202). The new provision allows the Secretary of the Navy to use proceeds from the conveyance of real property in the Mission Trails Regional Park area, for the acquisition of military family housing in the San Diego area through the use of privatization authorities contained in subchapter IV of chapter 169 of title 10. In addition, the new provision permits the transfer of proceeds into the Department of Defense Family Housing Improvement Fund.

FAMILY HOUSING, AIR FORCE

The conference agreement appropriates $251,982,000 for Construction, Family Housing, Air Force, instead of $241,384,000 as proposed by the House and $227,242,000 as proposed by the Senate.

The conference agreement appropriates $820,879,000 for Operation and Maintenance, Family Housing, Air Force, as proposed by the House and Senate.

The conference agreement appropriates a total of $1,072,861,000 for Family Housing, Air Force, instead of $1,062,263,000 as proposed by the House and $1,048,121,000 as proposed by the Senate.

FAMILY HOUSING, DEFENSE-WIDE

The conference agreement appropriates $44,886,000 for Construction, Family Housing, Defense-wide, as proposed by the House and Senate.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The conference agreement provides no appropriation for the Department of Defense Family Housing Improvement Fund, as proposed by the House and Senate. Transfer authority is provided for the execution of any qualifying project under privatization authority, which resides in the Fund.

Contractor Support for Family Housing Privatization.—The conferees are concerned about the Army spending excessive amounts on contractor support to evaluate and develop family housing privatization proposals. Therefore, the Deputy Under Secretary of Defense (Installations) is to review quarterly, and report to the appropriate Committees of Congress, the expenses of each component to ensure excessive amounts are not being spent on contractor support.

In the future, amounts appropriated into the Family Housing Improvement Fund will be the sole source of funds to finance the operation of the former Housing Revitalization Support Office. It is the conferees' intent that Family Housing funds will be the sole source of funds to develop, evaluate, and oversee privatization deals. The conferees direct the Under Secretary of Defense (Comptroller) to determine if these funds are best appropriated out of Family Housing Operation and Maintenance or Family Housing Planning and Design and to provide consistency among the Services in the fiscal year 2002 budget submission. In addition, these funds will be separately identified and justified as a sub-element account. This sub-element is considered a congressional interest item and may not be increased from the amount enacted without the prior approval of the Committees on Appropriations.

Reporting Requirements.—The conferees are concerned that the 21-day period of review prior to entering a privatization contract is too limited, and is extending this review period to a 45-day period. The Service Secretary concerned may not enter into any contract until after the end of the 45-day period beginning on the date the Secretary concerned submits written notice of the nature and terms of the contract to the appropriate committees of Congress.

To clarify existing reporting requirements, this 45-day notification requirement applies to any project, regardless of whether it is financed entirely by transfer of funds into the Family Housing Improvement Fund, or it is fully financed within funds available in the Family Housing Improvement Fund, or it is funded by combining transferred funds with funds available in the Family Housing Improvement Fund.

In addition, no transfer of appropriated funds into the account may take place until after the end of the 45-day period beginning on the date the Secretary of Defense submits written notice and justification for the transfer to the appropriate committees of Congress. The House and Senate Appropriations Committees expect to receive prior notification of all such transfers of funds.

The Department is to continue its quarterly reports on the status of privatization projects.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

The conference agreement appropriates $1,024,369,000 for the Base Realignment and Closure Account, Part IV, instead of $1,174,369,000 as proposed by the House and Senate.

Unliquidated Obligations.—The conferees recommend a reduction of $150,000,000 to the Base Realignment and Closure Account, Part IV. This reduction is based on slow budget execution and large amounts of unliquidated obligations. At the time the fiscal year 2001 budget estimate was being developed, the Department had $1,600,000,000 in reported unliquidated obligations in the Base Realignment and Closure account. Of this amount, $115,000,000 was appropriated prior to fiscal year 1995. The majority of the unliquidated funds resulted from environmental cleanup activities that were carried out more slowly than planned or determined not to be necessary.

California—Fort Ord: Thermochemical Conversion.—The conferees are concerned about the environmental challenges associated with the base closure re-use issues at Fort Ord in California and the disposal of asbestos, PCB, impregnated asbestos, lead-based paint and other hazardous construction material. The conferees are aware of a cost-competitive environmentally safe process that offers great potential for addressing the unique problems at Fort Ord. This thermochemical conversion process, which changes asbestos and other construction material to a non-hazardous mineral, has been demonstrated by the Department of Energy, validated by the Navy at the Puget Sound Naval Shipyard in Washington and approved by the Environmental Protection Agency. Accordingly, the conferees direct the Department of the Army to develop and operate a thermochemical conversion pilot plant at Fort Ord for remediation of hazardous material generated by the activities of the Fort Ord Re-use Authority.

Construction Projects: Administrative Provision.—The conferees agree that any transfer of funds which exceeds reprogramming thresholds for any construction project financed by any Base Realignment and Closure Account shall be subject to a 21-day notification to the Committees, and shall not be subject to reprogramming procedure.

GENERAL PROVISIONS

The conference agreement includes general provisions that were not amended by either the House or Senate in their versions of the bill.

The conference agreement includes a provision, Section 121, as proposed by the House, which prohibits the expenditure of funds except in compliance with the Buy American Act. The Senate bill contained no similar provision.

The conference agreement includes a provision, Section 122, as proposed by the House, which states the Sense of the Congress that recipients of equipment or products authorized to be purchased with financial assistance provided in this Division are to be notified

that they must purchase American-made equipment and products. The Senate bill contained no similar provision.

The conference agreement includes a provision, Section 123, as proposed by the House, permitting the transfer of funds from Family Housing, Construction accounts to the DOD Family Housing Improvement Fund. The Senate bill contained no similar provision.

The conference agreement includes a provision renumbered Section 124, as proposed by the House and the Senate, to prohibit the use of funds in this Division to be obligated for Partnership for Peace programs in the New Independent States of the former Soviet Union.

The conference agreement includes a provision renumbered Section 125, as proposed by the House and the Senate, which requires the Secretary of Defense to notify Congressional Committees sixty days prior to issuing a solicitation for a contract with the private sector for military family housing.

The conference agreement includes a provision renumbered Section 126, as proposed by the House and the Senate, which provides transfer authority to the Homeowners Assistance Program.

The conference agreement includes a provision, Section 127, as proposed by the House, regarding funding for general officers quarters and maintenance. The Senate bill contained a similar provision.

The conference agreement includes a provision, Section 128, as proposed by the House, regarding family housing master plans. The Senate bill contained no similar provision.

The conference agreement includes a provision, renumbered Section 129, as proposed by the Senate amended to reduce previous Acts by $100,000,000. The House bill contained no similar provision.

The conference agreement includes a provision, renumbered Section 130, as proposed by the House which allows the transfer of funds appropriated in Public Law 106–52 under the heading "Military Construction, Naval Reserve" or "Military Construction, Navy." The Senate bill contained a similar provision.

The conference agreement includes a provision, renumbered Section 131, as proposed by the Senate, which allows the Army to accept funds from the Federal Highway Administration for a military construction project involving a rail connector at Fort Campbell in Kentucky. The House bill contained no similar provision.

The conference agreement includes a provision, Section 132 which rescinds $83,000,000 from the "Foreign Currency Fluctuations, Construction, Defense" account. The House and Senate bill contained no similar provision.

The conference agreement includes a provision, Section 133, which amends Section 131 of the Military Construction Appropriations Act, 1988 (Public Law 100–202). The House and Senate bill contained no similar provision.

The conference agreement includes a provision, Section 134, amending the Woodrow Wilson Memorial Bridge Authority Act of 1995 (112 Stat. 160). The House and Senate bill contained no similar provision.

The conference agreement includes a provision, Section 135, authorizing the use of private donations for the purpose of ren-

ovating the Marine Corps' historic residences. This provision requires a thirty-day notification to the appropriate committees of the Congress prior to the use of such funds.

The conference agreement includes a provision, Section 136, revising Section 8168 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79) to clarify reporting requirements placed on the Department of the Air Force. This provision was included in Division B of the Senate bill. The House bill contained no similar provision.

The conference agreement includes a provision, Section 137, providing further guidance to the Department of Defense concerning planning and design impacting the Naval Submarine Base, Bangor, Washington. This provision was included in Division B of the Senate Bill. The House bill contained no similar provision.

The conference agreement includes a provision, Section 138, limiting appropriations for the Cadet Physical Development Center at the Military Academy, West Point, New York to $77,500,000. The conferees direct that any further requirements be funded though private donations. The Secretary of the Army is directed to notify the appropriate committees of Congress thirty days prior to the use of private donations for this project. The House and Senate bills contained no similar provision.

The conference agreement includes a provision, Section 139, requiring the Secretary of Defense to report on the construction, security and operations of the Forward Operating Locations (FOL's) in Manta, Ecuador, Aruba, Curacao and El Salvador. The Senate bill contained a similar provision in Division B. The House bill contained no similiar provision.

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ALABAMA		
ARMY		
REDSTONE ARSENAL		
SPACE AND MISSILE DEFENSE COMMAND BUILDING	23,400	39,000
AIR FORCE		
MAXWELL AFB		
OFFICER TRAINING SCHOOL ACADEMIC FACILITY	3,825	3,825
TOTAL, ALABAMA	27,225	42,825
ALASKA		
ARMY		
FORT RICHARDSON		
CENTRAL VEHICLE WASH FACILITY	3,000	3,000
AIR FORCE		
CAPE ROMANZOV LONG RANGE RADAR SITE		
GENERATOR FUEL STORAGE	3,900	3,900
EIELSON AFB		
DORMITORY	14,540	14,540
HAZARDOUS MATERIAL STORAGE	1,450	1,450
JOINT MOBILITY COMPLEX	---	25,000
ELMENDORF AFB		
CHILD DEVELOPMENT CENTER	---	7,666
DORMITORY	15,920	15,920
UPGRADE HANGAR COMPLEX	11,600	11,600
AIR NATIONAL GUARD		
KULIS ANGB		
CORRISION CONTROL FACILITY	---	12,000
DEFENSE-WIDE		
FORT WAINWRIGHT		
HOSPITAL REPLACEMENT (PHASE II)	44,000	44,000
NAVY RESERVE		
ELMENDORF AFB		
MARINE CORPS RESERVE TRAINING CENTER	6,403	6,403
TOTAL, ALASKA	100,813	145,479
ARIZONA		
ARMY		
FORT HUACHUCA		
CHILD DEVELOPMENT CENTER	---	3,350
FIELD OPERATIONS FACILITY	1,250	1,250
NAVY		
CAMP NAVAJO NAVY DETACHMENT		
MAGAZINE MODERNIZATION	2,940	2,940

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
YUMA MARINE CORPS AIR STATION		
COMBAT AIRCRAFT LOADING APRON	8,200	8,200
AIR FORCE		
DAVIS MONTHAN AFB		
FITNESS CENTER	7,900	7,900
ARMY NATIONAL GUARD		
PAPAGO MILITARY RESERVATION		
ADD/ALTER READINESS CENTER	---	2,265
YUMA		
READINESS CENTER	---	1,598
TOTAL, ARIZONA	20,290	27,503
ARKANSAS		
ARMY		
PINE BLUFF ARSENAL		
AMMUNITION DEMILITARIZATION FACILITY (PHASE V)	43,600	---
CHEMICAL DEFENSE QUALIFICATION FACILITY	15,500	18,000
CHILD DEVELOPMENT CENTER	---	2,750
AIR FORCE		
LITTLE ROCK AFB		
ADD TO C-130 DROP ZONE	---	1,259
C-130 SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT	7,960	7,960
FITNESS CENTER	9,100	9,100
DEFENSE-WIDE		
PINE BLUFF ARSENAL		
AMMUNITION DEMILITARIZATION FACILITY (PHASE V)	---	43,600
AIR NATIONAL GUARD		
FORT SMITH MUNICIPAL AIRPORT		
REGIONAL FIRE TRAINING FACILITY	1,760	1,760
TOTAL, ARKANSAS	77,920	84,429
CALIFORNIA		
ARMY		
FORT IRWIN		
BARRACKS COMPLEX - NORTH	31,000	31,000
PRESIDIO OF MONTEREY		
BARRACKS ADDITION	---	2,600
NAVY		
BARSTOW MARINE CORPS LOGISTICS BASE		
PAINT AND UNDERCOAT FACILITY	---	6,660
CAMP PENDLETON MARINE CORPS BASE		
ARMOR/ANTI-ARMOR TRACKING RANGE	4,100	4,100
INFANTRY SQUADRON BATTLE COURSE	4,000	4,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
LEMOORE NAVAL AIR STATION		
BACHELOR ENLISTED QUARTERS	8,260	8,260
CHILD DEVELOPMENT CENTER EXPANSION	---	3,790
MIRAMAR MARINE CORPS AIR STATION		
GROUND COMBAT TRAINING RANGE	7,350	7,350
PHYSICAL FITNESS CENTER	---	6,390
MONTEREY NAVAL POSTGRADUATE SCHOOL		
BUILDING 245 EXTENSION (PHASE I)	---	5,280
NORTH ISLAND NAVAL AIR STATION		
BERTHING WHARF (PHASE II)	12,800	12,800
NORTH ISLAND NAVAL AVIATION DEPOT		
COMPONENT REPAIR CLEAN ROOM FACILITY	4,340	4,340
PORT HUEMEME NAVAL SURFACE WARFARE CENTER		
WEAPON/COMBAT SYSTEM INTEG LAB	10,200	10,200
POINT MUGU NAVAL AIR WARFARE CTR WPNS DIV		
ADD/ALTER RANGE OPERATIONS CENTER	11,400	11,400
SAN CLEMENTE ISLAND NAVAL FACILITY		
AIRCRAFT OPERATIONS BUILDING	8,860	8,860
SAN DIEGO NAVAL STATION		
BERTHING PIER (PHASE I)	35,700	35,700
TWENTYNINE PALMS		
BACHELOR ENLISTED QUARTERS	---	21,770
URBAN ASSAULT COURSE	2,100	2,100
AIR FORCE		
BEALE AFB		
CONTROL TOWER	---	6,299
WATER TREATMENT PLANT AND DISTRIBUTION LINE	3,800	3,800
LOS ANGELES AFB		
FITNESS CENTER	6,580	6,580
VANDENBERG AFB		
UPGRADE WATER DISTRIBUTION SYSTEM	4,650	4,650
DEFENSE-WIDE		
CAMP PENDLETON MARINE CORPS BASE		
FLEET HOSPITAL OPS/TRAINING COMMAND SUPPORT FAC	2,900	2,900
MEDICAL/DENTAL CLINIC REPLACEMENT (HORNO)	3,950	3,950
MEDICAL/DENTAL CLINIC REPLACEMENT (LAS FLORES)	3,550	3,550
MEDICAL/DENTAL CLINIC REPLACEMENT (LAS PULGAS)	3,750	3,750
CORONADO NAVAL AMPHIBIOUS BASE		
APPLIED INSTRUCTION FACILITY	4,300	4,300
NORTH ISLAND NAVAL AIR STATION		
REPLACE FUEL STORAGE TANKS	5,900	5,900
SMALL CRAFT BERTHING FACILITY	1,350	1,350
TWENTYNINE PALMS MARINE CORPS AIR STATION		
FUEL STORAGE FACILITY	2,200	2,200
EDWARDS AFB		
MEDICAL CLINIC ADDITION/DENTAL CLINIC ALTERATION	17,900	17,900

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
ARMY NATIONAL GUARD		
BAKERSFIELD		
ORGANIZATIONAL MAINTENANCE SHOP	1,380	---
COLTON		
ORGANIZATIONAL MAINTENANCE SHOP	489	---
ESCONDIDO		
ORGANIZATIONAL MAINTENANCE SHOP	1,380	---
FRESNO		
ORGANIZATIONAL MAINTENANCE SHOP	1,869	2,847
LOS ALAMITOS		
ORGANIZATIONAL MAINTENANCE SHOP	489	---
PARKS		
ORGANIZATIONAL MAINTENANCE SHOP	---	6,062
RICHMOND		
ORGANIZATIONAL MAINTENANCE SHOP	489	---
SAN JOSE		
ORGANIZATIONAL MAINTENANCE SHOP	1,869	---
SAN MATEO		
ORGANIZATIONAL MAINTENANCE SHOP	461	---
SANTA BARBARA		
ORGANIZATIONAL MAINTENANCE SHOP	483	---
NAVY RESERVE		
ALAMEDA NAVAL AIR STATION		
SEAWALL	950	950
TOTAL, CALIFORNIA	210,799	263,588
COLORADO		
ARMY		
PUEBLO DEPOT ACTIVITY		
AMMUNITION DEMILITARIZATION FACILITY (PHASE II)	10,700	---
AIR FORCE		
BUCKLEY ANGB		
SPACE BASED INFRARED SYSTEM POWER CONNECTION	2,750	2,750
PETERSON AFB		
COMPUTER NETWORK DEFENSE FACILITY	---	6,826
DORMITORY	11,000	11,000
OPERATIONS SUPPORT FACILITY	2,260	2,260
MAINTAIN MAIN ACCESS GATE	---	2,310
SCHRIEVER AFB		
ADD TO OPERATIONAL SUPPORT FACILITY	8,450	8,450
US AIR FORCE ACADEMY		
ADD TO ATHLETIC FACILITY	18,960	18,960
ARMY NATIONAL GUARD		
FORT CARSON		
MOBILIZATION AND TRAINING EQUIPMENT SITE (PHASE I)	---	15,100

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
BUCKLEY ANGB		
REPLACE JOINT MUNITIONS MAINT AND STORAGE COMPLEX.	---	6,000
DEFENSE-WIDE		
PUEBLO DEPOT ACTIVITY		
AMMUNITION DEMILITARIZATION FACILITY (PHASE II)...	---	10,700
TOTAL, COLORADO.....	54,120	84,356
CONNECTICUT		
NAVY		
NEW LONDON NAVAL SUBMARINE BASE		
DRYDOCK SUPPORT FACILITY.....	3,100	3,100
DELAWARE		
ARMY NATIONAL GUARD		
SMYRNA		
READINESS CENTER.....	---	7,020
DISTRICT OF COLUMBIA		
NAVY		
WASHINGTON COMMANDANT NAVAL DISTRICT		
NAVY MUSEUM ANNEX.....	2,450	2,450
WASHINGTON MARINE BARRACKS, 8TH & I		
BACHELOR ENLISTED QUARTERS.....	17,197	17,197
SITE IMPROVEMENTS.....	---	7,400
WASHINGTON NAVAL RESEARCH LABORATORY		
NANO-SCIENCE RESEARCH FACILITY.....	---	12,390
AIR FORCE		
BOLLING AFB		
CHILD DEVELOPMENT CENTER.....	4,520	4,520
TOTAL, DISTRICT OF COLUMBIA.....	24,167	43,957
FLORIDA		
NAVY		
FORT LAUDERDALE NAVAL SURFACE WARFARE CTR DETACHMENT		
SEAWALL AND SHIP BERTHING FACILITY.....	3,570	3,570
MAYPORT NAVAL STATION		
AIRCRAFT CARRIER WHARF IMPROVEMENTS.....	---	6,830
PANAMA CITY NAVAL COASTAL SYSTEM CENTER		
AMPHIBIOUS WARFARE INTEGRATION FACILITY.....	---	9,960
WHITING FIELD NAVAL AIR STATION		
JPATS T-6A GSE SUPPORT/PAINT FACILITY.....	3,900	3,900
JPATS T-6A OPERATIONS/MAINTENANCE FACILITY.....	1,230	1,230

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
EGLIN AFB		
PRECISION GUIDED MUNITIONS MAINTENANCE FACILITY...	3,340	3,340
UPGRADE DORMITORY.....	5,600	5,600
EGLIN AUXILIARY FIELD 9		
DEFENSE ACCESS ROAD.....	2,360	2,360
UPGRADE ACCESS ROADS.....	5,600	5,600
PATRICK AFB		
DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE FAC	12,970	12,970
TYNDALL AFB		
F-22 ADD/ALTER MAINTENANCE FACILITY.....	18,500	18,500
F-22 OPERATIONS FACILITY.....	6,800	6,800
WEAPONS CONTROLLER TRAINING SCHOOL.....	---	6,195
DEFENSE-WIDE		
EGLIN AFB		
ADD/ALTER HOSPITAL/LIFE SAFETY UPGRADE.....	37,600	37,600
EGLIN AUXILIARY FIELD 9		
AGE MAINTENANCE DISPATCH COMPLEX.....	4,750	4,750
AIRFIELD READINESS IMPROVEMENTS.....	3,000	3,000
CORROSION CONTROL FACILITY.....	8,100	8,100
HOT CARGO PAD.....	7,354	7,354
MACDILL AFB		
REPLACE HYDRANT FUEL SYSTEM.....	16,956	16,956
PATRICK AFB		
MEDICAL CLINIC.....	2,700	2,700
TYNDALL AFB		
ADD/ALTER MEDICAL CLINIC.....	7,700	7,700
ARMY RESERVE		
CLEARWATER		
ARMY AVIATION SUPPORT FACILITY.....	---	17,800
ORLANDO		
ADD/ALTER RESERVE CENTER/ORGANIZATIONAL MAINT SHOP	17,953	17,953
ST PETERSBURG		
ARMED FORCES RESERVE CENTER (PHASE I).....	---	10,000
AIR FORCE RESERVE		
HOMESTEAD AFRB		
ADD/ALTER FIRE STATION (PHASE II).....	---	2,000
TOTAL, FLORIDA.....	169,983	222,768
GEORGIA		
ARMY		
FORT BENNING		
BARRACKS COMPLEX (KELLEY HILL) (PHASE III-B).....	24,000	24,000
FIXED WING AIRCRAFT PARKING APRON.....	15,800	15,800

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FORT GORDON		
CONSOLIDATED FIRE STATION	---	2,600
FORT STEWART		
BARRACKS COMPLEX (HUNTER AAF) (PHASE I-C)	26,000	26,000
NAVY		
ALBANY MARINE CORPS LOGISTICS BASE		
RENOVATE VEHICLE STORAGE FACILITY	1,100	1,100
ATHENS NAVAL SUPPLY CORPS SCHOOL		
FITNESS CENTER	---	2,950
KINGS BAY TRIDENT REFIT FACILITY		
CONSOLIDATED SANDBLAST/PAINT FACILITY	5,200	5,200
AIR FORCE		
FORT STEWART		
AIR SUPPORT OPERATIONS SQUADRON FACILITY	4,920	4,920
MOODY AFB		
DORMITORY	---	8,818
WATER TREATMENT PLANT	2,500	2,500
ROBINS AFB		
ADD/ALTER STORM DRAINAGE SYSTEM	---	11,762
AIRMEN DINING FACILITY	---	4,095
AIR NATIONAL GUARD		
ROBINS AFB		
B-1 MUNITIONS MAINTENANCE AND TRAINING COMPLEX	8,500	8,500
NAVY RESERVE		
ATLANTA NAVAL AIR STATION		
FITNESS CENTER ADDITION	2,650	2,650
RESERVE TRAINING BUILDING ADDITION	1,769	1,769
AIR FORCE RESERVE		
DOBBINS AFB		
C-130 ASSAULT STRIP	6,032	6,032
TOTAL, GEORGIA	98,471	128,696
HAWAII		
ARMY		
POHAKULOA TRAINING RANGE		
SADDLE ACCESS ROAD	---	12,000
SCHOFIELD BARRACKS		
BARRACKS COMPLEX (WILSON STREET) (PHASE I-B)	46,400	46,400
WHEELER ARMY AIR FIELD		
BARRACKS COMPLEX	43,800	43,800
NAVY		
CAMP SMITH		
CINCPAC HEADQUARTERS (PHASE II)	35,600	35,600
FORD ISLAND		
SEWER FORCE MAIN	---	6,900

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
KANEOHE BAY MARINE CORPS BASE		
BACHELOR ENLISTED QUARTERS	18,400	18,400
LUALUALEI NAVAL UNDERSEA WARFARE DETACHMENT		
CONSOLIDATED FLEET TEST SUPPORT FACILITY	2,100	2,100
PEARL HARBOR FLEET AND INDUSTRIAL SUPPLY CENTER		
WHARF UPGRADE	12,000	12,000
PEARL HARBOR NAVAL STATION		
BACHELOR ENLISTED QUARTERS	16,500	16,500
RELOCATE SEAL DELIVERY VEHICLE TEAM	14,200	14,200
AIR FORCE		
HICKAM AFB		
UPGRADE HANGAR COMPLEX	4,620	4,620
DEFENSE-WIDE		
PEARL HARBOR		
SPECIAL DELIVERY DRYDECK FACILITY	---	9,900
ARMY NATIONAL GUARD		
MAUI		
READINESS CENTER	---	11,592
TOTAL, HAWAII	193,620	234,012
IDAHO		
AIR FORCE		
MOUNTAIN HOME AFB		
ENHANCED TRAINING RANGE (PHASE III)	10,125	10,125
AIR NATIONAL GUARD		
GOWEN FIELD		
C-130 ASSAULT STRIP	---	9,000
TOTAL, IDAHO	10,125	19,125
ILLINOIS		
NAVY		
GREAT LAKES NAVAL TRAINING CENTER		
PHYSICIAL TRAINING FACILITY	35,000	35,000
RECRUIT BARRACKS	37,000	37,000
RECRUIT BARRACKS	37,700	37,700
REPLACE TRAINING DRILL HALL	11,700	11,700
AIR FORCE		
SCOTT AFB		
MUNITIONS STORAGE/LAND ACQUISITION	3,830	3,830
ARMY NATIONAL GUARD		
AURORA		
READINESS CENTER	---	2,871
DANVILLE		
READINESS CENTER	---	2,435

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
SCOTT AFB		
KC-135E FLIGHT TRAINING FACILITY	1,500	1,500
TOTAL, ILLINOIS	126,730	132,036
INDIANA		
ARMY		
NEWPORT ARMY AMMUNITION PLANT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE III)	54,400	---
DEFENSE-WIDE		
NEWPORT ARMY AMMUNITION PLANT		
AMMUNITION DEMILITARIZATION FACILITY (PHASE III)	---	54,400
ARMY NATIONAL GUARD		
DELPHI		
ORGANIZATIONAL MAINTENANCE SHOP	1,563	1,563
ELKHART		
ORGANIZATIONAL MAINTENANCE SHOP	2,322	2,322
LOGANSPORT		
ORGANIZATIONAL MAINTENANCE SHOP	739	739
PLYMOUTH		
ORGANIZATIONAL MAINTENANCE SHOP	951	951
SOUTH BEND		
ORGANIZATIONAL MAINTENANCE SHOP	951	951
AIR NATIONAL GUARD		
FORT WAYNE INTERNATIONAL AIRPORT		
REPLACE FUEL CELL AND CORROSION CONTROL FACILITY	---	7,000
AIR FORCE RESERVE		
GRISSOM AFRB		
SERVICES COMPLEX (PHASE II)	---	11,290
NAVY RESERVE		
GRISSOM AFRB		
RESERVE TRAINING FACILITY	---	4,730
TOTAL, INDIANA	60,926	83,946
KANSAS		
ARMY		
FORT RILEY		
ADVANCE WASTE WATER TREATMENT FACILITY	---	22,000
BARRACKS COMPLEX (INFANTRY DRIVE) (PHASE I-C)	15,000	15,000
AIR FORCE		
MCCONNELL AFB		
APPROACH LIGHTING SYSTEM	---	2,100
KC-135 SQUAD OPS/AIRCRAFT MAINTENANCE UNIT	---	9,764

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DEFENSE-WIDE		
MCCONNELL AFB		
HYDRANT FUEL SYSTEM	11,000	11,000
ARMY NATIONAL GUARD		
KANSAS CITY		
ORGANIZATIONAL MAINTENANCE SHOP	641	641
AIR NATIONAL GUARD		
MCCONNELL AFB		
B-1 POWER CHECK PAD WITH SOUND SUPPRESSOR	---	1,550
TOTAL, KANSAS	26,641	62,055
KENTUCKY		
ARMY		
BLUEGRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION SUPPORT (PHASE II)	8,500	---
FORT CAMPBELL		
BARRACKS COMPLEX (MARKET GARDEN RD) (PHASE II-C)	9,400	9,400
FORT KNOX		
MULTI-PURPOSE DIGITAL TRAINING RANGE (PHASE III)	8,450	9,000
DEFENSE-WIDE		
BLUEGRASS ARMY DEPOT		
AMMUNITION DEMILITARIZATION SUPPORT (PHASE II)	---	8,500
FORT CAMPBELL		
EQUIPMENT MAINTENANCE COMPLEX	4,500	4,500
FLIGHT SIMULATOR FACILITY	5,400	5,400
TACTICAL EQUIPMENT COMPLEX	6,400	6,400
ARMY NATIONAL GUARD		
FORT KNOX		
PARKING AT MATES	---	3,929
TOTAL, KENTUCKY	42,650	47,129
LOUISIANA		
AIR FORCE		
BARKSDALE AFB		
B-52H FUEL CELL MAINTENANCE DOCK	---	14,074
DORMITORY	6,390	6,390
ARMY RESERVE		
FORT POLK		
ADD/ALTER RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/EQUIPMENT CONCENTRATION SITE	9,912	9,912
NEW ORLEANS		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/ UNHEATED STORAGE	10,375	---

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NAVY RESERVE		
NEW ORLEANS NAVAL SUPPORT ACTIVITY		
PHYSICAL FITNESS/RECREATION AREA	---	1,670
NEW ORLEANS NAVAL AIR STATION		
AIR PASSENGER TERMINAL	590	590
JOINT RESERVE CENTER (PHASE I)	---	7,000
WAREHOUSE ADDITION	800	800
TOTAL, LOUISIANA	28,067	40,436
MAINE		
NAVY		
BRUNSWICK NAVAL AIR STATION		
AIRCRAFT DE-ICING/RINSE FACILITY	2,450	2,450
PORTSMOUTH NAVAL SHIPYARD		
WATERFRONT CRANE RAIL SYSTEM	---	4,960
TOTAL, MAINE	2,450	7,410
MARYLAND		
ARMY		
ABERDEEN PROVING GROUND		
AMMUNITION DEMILITARIZATION FACILITY (PHASE II)	45,700	---
MUNITIONS ASSESSMENT/PROCESSING SYSTEMS FACILITY	3,100	---
FORT MEADE		
BARRACKS	---	19,000
NAVY		
INDIAN HEAD NAVAL EXPLOSIVE ORDNANCE CENTER		
JOINT SERVICE EOD EQUIPMENT SUPPORT FACILITY	6,430	6,430
PATUXENT RIVER NAVAL AIR STATION		
ENVIRONMENTAL NOISE REDUCTION WALL	---	1,670
RESEARCH AND TEST EVALUATION SUPPORT FACILITY	---	6,570
DEFENSE-WIDE		
ABERDEEN PROVING GROUND		
AMMUNITION DEMILITARIZATION FACILITY (PHASE II)	---	45,700
MUNITIONS ASSESSMENT/PROCESSING SYSTEMS FACILITY	---	3,100
PATUXENT RIVER NAVAL AIR STATION		
REPLACE OPERATING FUEL TANKS	8,300	8,300
FORT MEADE		
CRITICAL UTILITY CONTROL (PHASE II)	769	769
ROUTE 32	3,459	3,459
TOTAL, MARYLAND	67,758	94,998
MASSACHUSETTS		
AIR FORCE		
HANSCOM AFB		
RENOVATE ACQUISITION MGMT FACILITY (PHASE II)	---	12,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR NATIONAL GUARD		
BARNES MUNICIPAL AIRPORT		
RELOCATE TAXIWAY	---	4,000
OTIS ANGB		
UPGRADE AIRFIELD STORM WATER SYSTEM	---	2,000
NAVY RESERVE		
WESTOVER AFRB		
MARINE RESERVE TRAINING FACILITY	---	9,100
RESCISSION, FISCAL YEAR 1998	---	-2,400
AIR FORCE RESERVE		
WESTOVER AFRB		
REPAIR/ALTER AIRMEN QUARTERS	---	7,450
TOTAL, MASSACHUSETTS	---	32,150
MICHIGAN		
ARMY NATIONAL GUARD		
LANSING		
COMBINED MAINTENANCE SHOP (PHASE I)	---	17,000
AUGUSTA		
ORGANIZATIONAL MAINTENANCE SHOP	---	3,600
MIDLAND		
ORGANIZATIONAL MAINTENANCE SHOP	3,600	---
AIR NATIONAL GUARD		
ALPENA COUNTY REGIONAL AIRPORT		
REPLACE OPERATIONS AND TRAINING COMPLEX	4,500	4,500
SELFRIDGE ANGB		
UPGRADE RUNWAY	---	18,000
TOTAL, MICHIGAN	8,100	43,100
MINNESOTA		
ARMY NATIONAL GUARD		
CAMP RIPLEY		
COMBINED SUPPORT MAINTENANCE SHOP (PHASE II)	---	10,368
MANKATO		
READINESS CENTER	4,681	4,681
TOTAL, MINNESOTA	4,681	15,049
MISSISSIPPI		
NAVY		
MERIDIAN NAVAL AIR STATION		
T-45 AIRCRAFT SUPPORT FACILITIES	4,700	4,700
STENNIS SPACE CENTER		
WARFIGHTING CENTER	---	6,950

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
COLUMBUS AFB		
CORROSION CONTROL FACILITY	---	4,828
KEESLER AFB		
TECHNICAL TRAINING FACILITY	15,040	15,040
ARMY NATIONAL GUARD		
CAMP MCCAIN		
MODIFIED RECORD FIRE RANGE	---	2,000
OXFORD		
READINESS CENTER	---	3,348
AIR NATIONAL GUARD		
JACKSON INTERNATIONAL AIRPORT		
C-17 CORROSION CONTROL/MAINTENANCE HANGAR	10,500	12,200
TOTAL, MISSISSIPPI	30,240	49,066
MISSOURI		
ARMY		
FORT LEONARD WOOD		
AIRFIELD IMPROVEMENTS	---	4,200
BASIC TRAINING COMPLEX (PHASE I-A)	38,600	38,600
AIR FORCE		
WHITEMAN AFB		
B-2 CONVENTIONAL MUNITIONS IGLOOS	4,150	4,150
B-2 MUNITIONS ASSEMBLY AREA	7,900	7,900
ARMY NATIONAL GUARD		
MARYVILLE		
READINESS CENTER	---	4,225
NAVY RESERVE		
WHITEMAN AFB		
LITTORAL SURVEILLANCE SYSTEM	---	3,570
TOTAL, MISSOURI	50,650	62,645
MONTANA		
AIR FORCE		
MALMSTROM AFB		
CONVERT COMMERCIAL GATE	---	3,517
HELICOPTER OPERATIONS FACILITY	---	2,362
MINUTEMAN III MISSILE SERVICE FACILITY	5,300	5,300
ARMY NATIONAL GUARD		
BOZEMAN		
READINESS CENTER	---	4,916
HAVRE		
ORGANIZATIONAL MAINTENANCE SHOP	461	461

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
KALISPELL		
ORGANIZATIONAL MAINTENANCE SHOP	493	493
LIBBY		
ORGANIZATIONAL MAINTENANCE SHOP	463	463
TOTAL, MONTANA	6,717	17,512
NEBRASKA		
ARMY NATIONAL GUARD		
GERING		
ORGANIZATIONAL MAINTENANCE SHOP	657	657
MEAD		
ORGANIZATIONAL MAINTENANCE SHOP	714	714
NORTH PLATTE		
ORGANIZATIONAL MAINTENANCE SHOP	508	508
TOTAL, NEBRASKA	1,879	1,879
NEVADA		
NAVY		
FALLON NAVAL AIR STATION		
CORROSION CONTROL HANGAR	---	6,280
ARMY NATIONAL GUARD		
CARSON CITY USP&FO		
ADMINISTRATION BUILDING	---	4,472
AIR NATIONAL GUARD		
RENO-TAHOE INTERNATIONAL AIRPORT		
FUEL STORAGE COMPLEX	---	5,000
DEFENSE-WIDE		
FALLON NAVAL AIR STATION		
REPLACE OPERATING FUEL TANKS	5,000	5,000
TOTAL, NEVADA	5,000	20,752
NEW HAMPSHIRE		
AIR NATIONAL GUARD		
PEASE INTERNATIONAL TRADE PORT		
MEDICAL TRAINING FACILITY	---	4,000
ARMY RESERVE		
ROCHESTER		
LAND ACQUISITION	980	980
TOTAL, NEW HAMPSHIRE	980	4,980
NEW JERSEY		
ARMY		
PICATINNY ARSENAL		
ARMAMENT SOFTWARE ENGINEERING CENTER (PHASE II)	---	5,600

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NAVY		
EARLE NAVAL WEAPONS STATION		
RECREATION CENTER	2,420	2,420
AIR FORCE		
MCGUIRE AFB		
AIR FREIGHT TERMINAL/BASE SUPPLY COMPLEX (PHASE I)	---	10,600
FITNESS CENTER	9,772	9,772
TOTAL, NEW JERSEY	12,192	28,392
NEW MEXICO		
AIR FORCE		
CANNON AFB		
CONTROL TOWER	---	4,934
HOLLOMAN AFB		
REPAIR BONITO PIPELINE	---	18,380
KIRTLAND AFB		
FIRE/CRASH RESCUE STATION	---	7,350
TOTAL, NEW MEXICO	---	30,664
NEW YORK		
ARMY		
FORT DRUM		
BATTLE SIMULATION CENTER (PHASE I)	---	12,000
CONSOLIDATED SOLDIER SUPPORT CENTER (PHASE II)	10,300	10,300
U S MILITARY ACADEMY		
CADET PHYSICAL DEVELOPMENT CENTER (PHASE II-A)	13,600	13,600
DEFENSE-WIDE		
FORT DRUM		
VETERINARY TREATMENT FACILITY	1,400	1,400
ARMY NATIONAL GUARD		
HANCOCK FIELD		
READINESS CENTER	5,376	5,376
AIR NATIONAL GUARD		
HANCOCK FIELD		
SMALL ARMS RANGE TRAINING FACILITY	---	1,250
UPGRADE AIRCRAFT MAINTENANCE SHOPS	---	9,100
NIAGRA FALLS INTERNATIONAL AIRPORT		
UPGRADE OVERRUN AND RUNWAY	---	4,100
TOTAL, NEW YORK	30,676	57,126
NORTH CAROLINA		
ARMY		
FORT BRAGG		
AMMUNITION HOLDING AREA	12,600	12,600

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
BARRACKS COMPLEX (BUTNER ROAD) (PHASE I).....	26,000	26,000
BARRACKS COMPLEX (LONGSTREET ROAD) (PHASE I).....	45,600	45,600
BARRACKS COMPLEX (TAGAYTAY STREET) (PHASE II-B)...	38,600	38,600
SUNNY POINT MILITARY OCEAN TERMINAL		
RAILROAD EQUIPMENT MAINTENANCE FACILITY.....	2,300	2,300
NAVY		
CAMP LEJEUNE MARINE CORPS BASE		
AMPHIB OPERATION/MAINTENANCE STORAGE COMPLEX.....	9,500	9,500
ARMORIES.....	10,000	14,000
BACHELOR ENLISTED QUARTERS.....	14,300	14,300
CHILD DEVELOPMENT CENTER.....	4,420	4,420
OPERATIONS/MAINTENANCE/STORAGE FACILITY.....	3,650	3,650
CHERRY POINT MARINE CORPS AIR STATION		
AIRCRAFT HANGAR IMPROVEMENTS.....	8,480	8,480
CHERRY POINT NAVAL AVIATION DEPOT		
AIRCRAFT STRIPPING FACILITY ADDITION.....	7,540	7,540
NEW RIVER MARINE CORPS AIR STATION		
AIRCRAFT RINSE FACILITY.....	800	800
AIR TRAFFIC CONTROL TOWER.....	2,600	2,600
AIR FORCE		
POPE AFB		
DANGEROUS CARGO PADS.....	24,570	24,570
SEYMOUR JOHNSON AFB		
REPAIR AIRFIELD PAVEMENTS.....	---	7,141
DEFENSE-WIDE		
CAMP LEJEUNE MARINE CORPS BASE		
RUSSELL ELEMENTARY SCHOOL.....	5,914	5,914
CHERRY POINT MARINE CORPS AIR STATION		
REPLACE FUEL STORAGE TANKS.....	5,700	5,700
FORT BRAGG		
MEDIA OPERATIONS COMPLEX.....	8,600	8,600
ARMY NATIONAL GUARD		
FORT BRAGG		
MILITARY EDUCATION FACILITY (PHASE I).....	8,709	8,709
AIR NATIONAL GUARD		
CHARLOTTE/DOUGLAS INTERNATIONAL AIRPORT		
REPLACE SUPPLY WAREHOUSE.....	---	6,300
TOTAL, NORTH CAROLINA.....	239,883	257,324
NORTH DAKOTA		
ARMY NATIONAL GUARD		
WAHPETON		
ARMED FORCES READINESS CENTER.....	---	10,960
OHIO		
ARMY		
COLUMBUS DEFENSE SUPPLY CENTER		
MILITARY ENTRANCE PROCESSING STATION.....	1,832	1,832

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
AIR FORCE		
WRIGHT-PATTERSON AFB		
CONSOLIDATED TOXICS HAZARDS LAB	---	14,908
REPLACE WEST RAMP (PHASE I)	22,600	22,600
AIR NATIONAL GUARD		
MANSFIELD-LAHM AIRPORT		
REPLACE SQUADRON OPERATIONS AND COMMUNICATIONS	---	7,700
SPRINGFIELD-BUCKLEY MUNICIPAL AIRPORT		
RELOCATE POWER CHK PAD AND ARM/DEARM PAD (PHASE I)	---	4,000
NAVY RESERVE		
COLUMBUS NAVAL AND MARINE CORPS RESERVE CENTER		
CONSOLIDATED NAVY AND MARINE CORPS AIR RESERVE CTR	---	7,080
TOTAL, OHIO	24,432	58,120
OKLAHOMA		
ARMY		
FORT SILL		
TACTICAL EQUIPMENT SHOP (PHASE II)	---	10,100
AIR FORCE		
ALTUS AFB		
C-17 CARGO COMPARTMENT TRAINER	---	2,939
TINKER AFB		
DEPOT CORROSION CONTROL STRIP FACILITY	12,380	12,380
DORMITORY	---	8,715
DORMITORY	5,800	5,800
VANCE AFB		
MAINTENANCE HANGAR	---	10,504
ARMY NATIONAL GUARD		
SAND SPRINGS		
ARMED FORCES RESERVE CENTER	---	13,530
TOTAL, OKLAHOMA	18,180	63,968
OREGON		
ARMY		
UMATILLA DEPOT ACTIVITY		
AMMUNITION DEMILITARIZATION FACILITY (PHASE VI)	9,400	---
DEFENSE-WIDE		
UMATILLA DEPOT ACTIVITY		
AMMUNITION DEMILITARIZATION FACILITY (PHASE VI)	---	9,400
ARMY NATIONAL GUARD		
BAKER CITY		
READINESS CENTER	3,122	3,122
CAMP RILEA		
TRAINING SIMULATION CENTER	---	1,470

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
NAVY RESERVE		
PORTLAND INTERNATIONAL AIRPORT		
ALTER RESERVE CENTER/VEHICLE MAINTENANCE FACILITY.	1,420	1,420
TOTAL, OREGON	13,942	15,412
PENNSYLVANIA		
ARMY		
CARLISLE BARRACKS		
ACADEMIC RESEARCH FACILITY	10,500	10,500
NEW CUMBERLAND DEFENSE DISTRIBUTION CENTER		
MILITARY ENTRANCE PROCESSING STATION	3,700	3,700
NAVY		
PHILADEPHIA NAVAL SURFACE WARFARE CENTER		
GAS TURBINE TEST FACILITY	---	10,680
DEFENSE-WIDE		
SUSQUEHANNA DEFENSE DISTRIBUTION DEPOT		
REPLACE CHILD DEVELOPMENT CENTER	4,700	4,700
REPLACE CONTROLLED HUMIDITY WAREHOUSE	13,000	13,000
ARMY NATIONAL GUARD		
FORT INDIANTOWN GAP		
REPAIR WASTE TREATMENT PLANT/SEWAGE LINE REPLACEMENT (PHASE I)	---	8,518
JOHNSTOWN		
REGIONAL MAINTENANCE SHOP	---	4,500
MANSFIELD		
READINESS CENTER	---	3,100
NEW MILFORD		
READINESS CENTER	---	2,675
AIR FORCE RESERVE		
WILLOW GROVE ARS		
ALTER HANGAR AND FIRE SUPPRESSION	2,400	2,400
TOTAL, PENNSYLVANIA	34,300	63,773
RHODE ISLAND		
NAVY		
NEWPORT NAVAL UNDERSEA WARFARE CENTER		
SHORE BASED LAUNCH FACILITY	4,150	4,150
AIR NATIONAL GUARD		
QUONSET STATE AIRPORT		
MAINTENANCE HANGAR AND SHOPS (PHASE I)	---	8,900
TOTAL, RHODE ISLAND	4,150	13,050
SOUTH CAROLINA		
NAVY		
BEAUFORT MARINE CORPS AIR STATION		
FLIGHTLINE FIRE SAFETY IMPROVEMENTS	3,140	3,140

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
PARRIS ISLAND MARINE CORPS RECRUIT DEPOT		
FIELD TRAINING COMPLEX	2,660	2,660
AIR FORCE		
CHARLESTON AFB		
BASE MOBILITY WAREHOUSE	---	9,449
C-17 ADD TO FLIGHT SIMULATOR FACILITY	2,500	2,500
RUNWAY REPAIR	---	10,289
SHAW AFB		
DINING FACILITY	---	5,252
USCENTAF OPERATIONS WEATHER SQUADRON FACILITY	2,850	2,850
DEFENSE-WIDE		
BEAUFORT MARINE CORPS AIR STATION		
LAUREL BAY PRIMARY SCHOOL CLASSROOM ADDITION	804	804
ARMY NATIONAL GUARD		
BEAUFORT MARINE CORPS AIR STATION		
READINESS CENTER	---	4,870
LEESBURG TRAINING CENTER		
INFRASTRUCTURE UPGRADES	---	5,682
NAVY RESERVE		
FORT JACKSON		
NAVAL RESERVE ARMORY	---	5,200
TOTAL, SOUTH CAROLINA	11,954	52,696
SOUTH DAKOTA		
AIR FORCE		
ELLSWORTH AFB		
BASE CIVIL ENGINEER COMPLEX (PHASE I)	---	10,290
ARMY NATIONAL GUARD		
SIOUX FALLS		
CONSOLIDATED BARRACKS/EDUCATION FACILITY	---	4,955
TOTAL, SOUTH DAKOTA	---	15,245
TENNESSEE		
ARMY NATIONAL GUARD		
HENDERSON		
READINESS CENTER	---	5,165
NEW TAZWELL		
READINESS CENTER	---	3,510
TOTAL, TENNESSEE	---	8,675
TEXAS		
ARMY		
FORT BLISS		
RAILYARD INFRASTRUCTURE	26,000	26,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FORT HOOD		
COMMAND AND CONTROL FACILITIES (PHASE I)	---	4,000
FIRE STATION/TRANSPORTATION MOTOR POOL	---	6,492
MULTI-PURPOSE DIGITAL TRAINING RANGE (PHASE I)	16,000	16,000
RAILHEAD FACILITY (PHASE III)	9,800	9,800
RED RIVER ARMY DEPOT		
AMMUNITION CONTAINER COMPLEX	800	800
NAVY		
CORPUS CHRISTI NAVAL AIR STATION		
PARKING APRON EXPANSION	---	4,850
INGLESIDE NAVAL STATION		
MOBILE MINE ASSEMBLY UNIT FACILITY	---	2,420
KINGSVILLE NAVAL AIR STATION		
AIRCRAFT PARKING APRON	---	2,670
AIR FORCE		
DYESS AFB		
FITNESS CENTER	---	12,813
REALISTIC BOMBER TRAINING INITIATIVE	12,175	12,175
LACKLAND AFB		
CHILD DEVELOPMENT CENTER	---	4,830
DORMITORY	5,500	5,500
SHEPPARD AFB		
DINING FACILITY	---	6,450
LAUGHLIN AFB		
VISITORS QUARTERS	---	11,973
DEFENSE-WIDE		
FORT BLISS		
LABORATORY RENOVATION	---	4,200
ARMY RESERVE		
CAMP BULLIS		
RESERVE CENTER/UNHEATED STORAGE	1,464	1,464
FORT SAM HOUSTON		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/ EQUIPMENT CONCENTRATION SITE	13,678	13,678
AIR NATIONAL GUARD		
ELLINGTON FIELD		
REPLACE BASE SUPPLY AND CIVIL ENGINEER COMPLEX	---	10,000
NAVY RESERVE		
FORT WORTH NAVAL AIR STATION		
INDOOR RIFLE RANGE	---	3,490
RELIGIOUS MINISTRY FACILITY	---	1,830
TOTAL, TEXAS	85,417	164,945
UTAH		
AIR FORCE		
HILL AFB		
C-130 CORROSION CONTROL FACILITY	16,500	16,500

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
DORMITORY	---	11,550
AIR NATIONAL GUARD		
SALT LAKE CITY INTERNATIONAL AIRPORT		
UPGRADE AIRCRAFT MAINTENANCE COMPLEX	10,300	10,300
TOTAL, UTAH	26,800	38,350
VERMONT		
AIR NATIONAL GUARD		
BURLINGTON INTERNATIONAL AIRPORT		
AIRCRAFT MAINTENANCE COMPLEX	---	9,300
VIRGINIA		
ARMY		
FORT EUSTIS		
AIRCRAFT MAINTENANCE INSTRUCTION BUILDING	---	4,450
NAVY		
DAHLGREN NAVAL SURFACE WARFARE CENTER		
INNOVATIVE TECHNOLOGY AND INFRASTRUCTURE	11,300	11,300
JOINT WARFARE ANALYSIS CENTER	---	19,400
LITTLE CREEK NAVAL AMPHIBIOUS BASE		
WATERFRONT OPERATIONS BUILDING	2,830	2,830
NORFOLK NAVAL AIR STATION		
AIRCRAFT MAINTENANCE HANGAR	13,300	13,300
AIRCRAFT MAINTENANCE HANGAR	11,800	11,800
TAXIWAY EXTENSION AND LIGHTS	6,350	6,350
NORFOLK NAVAL STATION		
PIER ENHANCEMENTS	4,700	4,700
NORFOLK NAVAL SHIPYARD		
BACHELOR ENLISTED QUARTERS	16,100	16,100
OCEANA NAVAL AIR STATION		
AIRFIELD IMPROVEMENTS	5,250	5,250
QUANTICO MARINE CORPS COMBAT DEV COMMAND		
PHYSICAL TRAINING FACILITY	8,590	8,590
WALLOPS ISLAND AEGIS COMBAT SYSTEMS CENTER		
SPY-1D TEST AND EVALUATION FACILITY ADDITION	3,300	3,300
AIR FORCE		
LANGLEY AFB		
DORMITORY	7,470	7,470
FITNESS CENTER	---	12,180
DEFENSE-WIDE		
DAM NECK FLEET COMBAT TRAINING CENTER		
OPERATIONAL SUPPORT FACILITY	5,500	5,500
RICHMOND DEFENSE SUPPLY CENTER		
EMERGENCY SERVICES FACILITY	4,500	4,500

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
LITTLE CREEK NAVAL AMPHIBIOUS BASE		
AIR OPERATIONS FACILITY	5,400	5,400
OCEANA NAVAL AIR STATION		
OPERATIONS SUPPORT FACILITY	3,400	3,400
REPLACE FUEL STORAGE TANK	2,000	2,000
ARMY RESERVE		
FORT A P HILL		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/ AREA MAINTENANCE SUPPORT ACTIVITY	4,275	4,275
ARMY NATIONAL GUARD		
RICHLANDS		
ORGANIZATIONAL MAINTENANCE SHOP	---	1,175
TOTAL, VIRGINIA	116,065	153,270
WASHINGTON		
NAVY		
BANGOR NAVAL SUBMARINE BASE		
EXPLOSIVE HANDLING WHARF MODIFICATIONS	1,400	1,400
STRATEGIC SECURITY SUPPORT FACILITY	---	4,600
BREMERTON NAVAL STATION		
FLEET RECREATION FACILITY	---	1,930
PIER REPLACEMENT (PHASE I)	38,000	38,000
EVERETT NAVAL STATION		
AQUATIC COMBAT TRAINING FACILITY	---	5,500
PUGET SOUND NAVAL SHIPYARD		
CHEMICAL METALLURGICAL LABORATORY	9,400	9,400
INDUSTRIAL SKILLS CENTER (PHASE I)	---	10,000
OILY WASTEWATER COLLECTION	6,600	6,600
AIR FORCE		
FAIRCHILD AFB		
JOINT PERSONNEL RECOVERY TRAINING FACILITY	---	5,880
RUNWAY CENTERLINE LIGHTING	---	2,046
MCCHORD AFB		
C-17 ADD/ALTER NOSE DOCKS	3,750	3,750
C-17 SQUADRON OPERATIONS/AIRCRAFT MAINTENANCE UNIT	6,500	6,500
ARMY NATIONAL GUARD		
BREMERTON		
READINESS CENTER	2,639	4,341
YAKIMA		
READINESS CENTER	5,104	6,713
ARMY RESERVE		
FORT LAWTON		
SITE IMPROVEMENTS	---	3,400
TACOMA		
RESERVE CENTER/ORGANIZATIONAL MAINTENANCE SHOP/ AREA MAINTENANCE SUPPORT ACTIVITY MARINE	14,759	14,759

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TOTAL, WASHINGTON	88,152	124,819
WEST VIRGINIA		
AIR NATIONAL GUARD		
YEAGER ANGB		
UPGRADE PARKING APRON/TAXIWAY	---	6,000
NAVY RESERVE		
ELEANOR		
RESERVE CENTER	---	2,500
TOTAL, WEST VIRGINIA	---	8,500
WYOMING		
AIR FORCE		
FE WARREN AFB		
COMMAND AND CONTROL SUPPORT FACILITY	10,200	10,200
MINUTEMAN III MISSILE SERVICE COMPLEX	15,520	15,520
AIR NATIONAL GUARD		
CHEYENNE INTERNATIONAL AIRPORT		
CONTROL TOWER	---	1,450
TOTAL, WYOMING	25,720	27,170
CONUS CLASSIFIED		
AIR FORCE		
CLASSIFIED LOCATION		
SPECIAL TACTICAL UNIT DETACHMENT FACILITY	1,810	1,810
CONUS VARIOUS		
NAVY		
CONUS VARIOUS		
BACHELOR ENLISTED QUARTERS/DINING FACILITY	11,500	11,500
BAHRAIN ISLAND		
NAVY		
SOUTHWEST NAVAL ADMINISTRATIVE SUPPORT UNIT		
OPERATIONS CENTER	19,400	19,400
CURACAO/ARUBA		
DEFENSE-WIDE		
REINA BEATRIX INTERNATIONAL AIRPORT (ARUBA)		
AIRFIELD PAVEMENT/RINSE FACILITY	8,800	---
SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT/STORAGE	860	---
SMALL AIRCRAFT MAINTENANCE HANGAR/APRON	590	---

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
HATO INTERNATIONAL AIRPORT (CURACAO)		
AIRCRAFT MAINTENANCE HANGAR/NOSE/DOCK/APRON	9,200	---
AIRFIELD PAVEMENT/RINSE FACILITY	29,500	---
MAINTENANCE FACILITIES	3,000	---
SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT/STORAGE	2,200	---
TOTAL, CURACAO/ARUBA	54,150	---
DIEGO GARCIA		
AIR FORCE		
DIEGO GARCIA		
MUNITIONS STORAGE IGLOOS	5,475	5,475
ECUADOR		
DEFENSE-WIDE		
MANTA AIR BASE		
AIRCRAFT MAINTENANCE HANGAR/NOSE/DOCK/APRON	6,723	---
MAINTENANCE FACILITIES	4,900	---
RESCUE STATION	2,200	---
SQUADRON OPERATIONS/AIRCRAFT MAINT UNIT/STORAGE	2,600	---
VISITING AIRMEN QUARTERS/DINING FACILITY	4,650	---
VISITING OFFICER QUARTERS	1,600	---
TOTAL, ECUADOR	22,673	---
GERMANY		
ARMY		
BAMBERG		
BARRACKS COMPLEX	7,800	7,800
BARRACKS COMPLEX	3,850	3,850
DARMSTADT		
BARRACKS COMPLEX	5,700	5,700
BARRACKS COMPLEX	5,600	5,600
KAISERSLAUTERN		
CHILD DEVELOPMENT CENTER	3,400	3,400
MANNHEIM		
BARRACKS COMPLEX	4,050	4,050
DEFENSE-WIDE		
DARMSTADT		
RENOVATE ADMINISTRATIVE FACILITY	2,450	2,450
HANAU		
ELEMENTARY SCHOOL CLASSROOM ADDITION	1,026	2,030
HOHENFELS		
CONSTRUCT MIDDLE SCHOOL/HIGH SCHOOL	13,774	13,774
KITZINGEN		
HEALTH/DENTAL CLINIC LIFE SAFETY UPGRADE	1,400	1,400

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
KLEBER KASERNE		
REGIONAL FINANCE CENTER	7,500	7,500
SCHWEINFURT		
ELEMENTARY SCHOOL CLASSROOM ADDITION	1,444	1,750
WIESBADEN		
ADD/ALTER HEALTH/DENTAL CLINIC	7,187	7,187
WUERZBURG		
ELEMENTARY SCHOOL CLASSROOM ADDITION	1,798	2,635
TOTAL, GERMANY	66,979	69,126
GUAM		
DEFENSE-WIDE		
ANDERSEN AFB		
REPLACE FUEL STORAGE TANKS	16,000	16,000
REPLACE HYDRANT FUEL SYSTEM	20,000	20,000
TOTAL, GUAM	36,000	36,000
ITALY		
NAVY		
NAPLES NAVAL SUPPORT ACTIVITY		
BACHELOR ENLISTED QUARTERS	15,000	15,000
SIGONELLA NAVAL AIR STATION		
COMMUNITY FACILITIES	32,029	32,969
AIR FORCE		
AVIANO AIR BASE		
DORMITORY	8,000	8,000
DEFENSE-WIDE		
SIGONELLA NAVAL AIR STATION		
REPLACE BULK FUEL STORAGE FACILITY	16,300	16,300
NAPLES NAVAL SUPPORT ACTIVITY		
MEDICAL/DENTAL FACILITY REPLACEMENT	43,850	---
SIGONELLA		
ELEMENTARY/HIGH SCHOOL CLASSROOM ADDITION	971	3,450
TOTAL, ITALY	116,150	75,719
JAPAN		
DEFENSE-WIDE		
IWAKUNI MARINE CORPS AIR STATION		
BULK FUEL STORAGE TANKS	22,400	22,400
MISAWA AIR BASE		
BULK FUEL STORAGE TANKS	26,400	26,400
TOTAL, JAPAN	48,800	48,800
KOREA		
ARMY		
CAMP CARROLL		
WHOLE BARRACKS RENEWAL	---	10,000

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
CAMP HOVEY		
DINING FACILITY	---	4,200
WHOLE BARRACKS RENEWAL	---	26,000
CAMP HUMPHREYS		
BARRACKS COMPLEX	14,200	14,200
CAMP PAGE		
BARRACKS COMPLEX	19,500	19,500
YONGPYONG		
MOUT COLLECTIVE TRAINING FACILITY	---	11,850
AIR FORCE		
KUNSAN AIR BASE		
UPGRADE WATER DISTRIBUTION SYSTEM	6,400	6,400
OSAN AIR BASE		
DORMITORY	11,348	11,348
UPGRADE WATER DISTRIBUTION SYSTEM	10,600	10,600
DEFENSE-WIDE		
OSAN		
ELEMENTARY SCHOOL CLASSROOM ADDITION	---	892
SEOUL		
ELEMENTARY SCHOOL CLASSROOM ADDITION	---	2,451
TAEGU AB		
ELEMENTARY SCHOOL/HIGH SCHOOL CLASSROOM ADDITION	---	806
TACTICAL EQUIPMENT MAINTENANCE COMPLEX	1,450	1,450
TOTAL, KOREA	63,498	119,697
KWAJALEIN		
ARMY		
KWAJALEIN ATOLL		
UNACCOMPANIED PERSONNEL HOUSING RENOVATION	18,000	---
PUERTO RICO		
ARMY		
FORT BUCHANAN		
CHILD DEVELOPMENT CENTER	---	3,700
DEFENSE-WIDE		
ROOSEVELT ROADS NAVAL STATION		
BOAT MAINTENANCE FACILITY	1,241	1,241
TOTAL, PUERTO RICO	1,241	4,941
SPAIN		
AIR FORCE		
ROTA		
ENHANCE ROTA, VARIOUS FACILITIES	5,052	5,052

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
TURKEY		
AIR FORCE		
INCIRLIK AIR BASE		
FIRE TRAINING FACILITY	1,000	1,000
UNITED KINGDOM		
DEFENSE-WIDE		
ROYAL AIR FORCE MILDENHALL		
REPLACE HYDRANT FUEL SYSTEM	10,000	10,000
ROYAL AIR FORCE FELTWELL		
ELEMENTARY SCHOOL CLASSROOM ADDITION	1,287	1,800
ROYAL AIR FORCE LAKENHEATH		
ELEMENTARY SCHOOL CLASSROOM ADDITION	3,086	5,650
TOTAL, UNITED KINGDOM	14,373	17,450
NATO		
NATO SECURITY INVESTMENT PROGRAM	190,000	172,000
WORLDWIDE UNSPECIFIED		
ARMY		
UNSPECIFIED WORLDWIDE LOCATIONS		
HOST NATION	22,600	22,600
UNSPECIFIED MINOR CONSTRUCTION	15,000	20,700
PLANNING AND DESIGN	72,106	86,706
CLASSIFIED PROJECT	11,500	11,000
FOREIGN CURRENCY FLUCTUATION ADJUSTMENT	---	-635
NAVY		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	63,335	73,335
UNSPECIFIED MINOR CONSTRUCTION	7,659	11,659
GENERAL REDUCTION	---	-20,000
FOREIGN CURRENCY FLUCTUATION ADJUSTMENT	---	-2,889
AIR FORCE		
UNSPECIFIED WORLDWIDE LOCATIONS		
UNSPECIFIED MINOR CONSTRUCTION	9,850	11,350
PLANNING AND DESIGN	54,237	74,628
DEFENSE-WIDE		
UNSPECIFIED WORLDWIDE LOCATIONS		
ENERGY CONSERVATION IMPROVEMENT PROGRAM	33,570	15,000
CONTINGENCY CONSTRUCTION	10,000	6,000
GENERAL REDUCTION (CHEMICAL DEMILITARIZATION)	---	-20,000
NMD INITIAL DEPLOYMENT FACILITIES (PHASE I)	85,095	85,095

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FOREIGN CURRENCY FLUCTUATION ADJUSTMENT	---	-7,115
PLANNING AND DESIGN		
TRI-CARE MANAGEMENT ACTIVITY	22,000	22,000
DEFENSE INTELLIGENCE AGENCY	6,786	6,786
DEFENSE LEVEL ACTIVITIES	24,000	24,000
OFFICE OF SECRETARY OF DEFENSE	2,900	1,800
SPECIAL OPERATIONS COMMAND	3,790	3,790
BALLISTIC MISSILE DEFENSE ORGANIZATION	14,729	14,729
DEFENSE THREAT REDUCTION AGENCY	2,600	2,600
DEFENSE LOGISTICS AGENCY	1,800	1,800
SUBTOTAL, PLANNING AND DESIGN	78,605	77,505
UNSPECIFIED MINOR CONSTRUCTION		
TRI-CARE MANAGEMENT ACTIVITY	3,000	3,000
BALLISTIC MISSILE DEFENSE ORGANIZATION	3,694	3,694
DEFENSE FINANCE AND ACCOUNTING SERVICE	1,500	1,500
JOINT CHIEFS OF STAFF	6,196	6,196
DEFENSE LEVEL ACTIVITIES	3,000	3,000
SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION	17,390	17,390
ARMY NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	4,232	24,779
UNSPECIFIED MINOR CONSTRUCTION	2,295	12,775
UNSPECIFIED MINOR-WMDCST	---	25,000
AIR NATIONAL GUARD		
UNSPECIFIED WORLDWIDE LOCATIONS		
UNSPECIFIED MINOR CONSTRUCTION	4,000	8,000
PLANNING AND DESIGN	9,119	20,419
ARMY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	6,400	11,900
UNSPECIFIED MINOR CONSTRUCTION	1,917	2,617
NAVY RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	1,521	3,721
AIR FORCE RESERVE		
UNSPECIFIED WORLDWIDE LOCATIONS		
PLANNING AND DESIGN	2,304	3,304
UNSPECIFIED MINOR CONSTRUCTION	4,115	4,115
TOTAL, WORLDWIDE UNSPECIFIED	516,850	578,959
WORLDWIDE VARIOUS		
NAVY		
VARIOUS LOCATIONS		
HOST NATION INFRASTRUCTURE SUPPORT	142	142

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, ARMY		
ALASKA		
FORT WAINWRIGHT (75 UNITS)	---	24,000
ARIZONA		
FORT HUACHUCA (110 UNITS)	16,224	16,224
CALIFORNIA		
FORT IRWIN (24 UNITS)	---	4,700
HAWAII		
SCHOFIELD BARRACKS (72 UNITS)	15,500	15,500
KENTUCKY		
FORT CAMPBELL (56 UNITS)	7,800	7,800
FORT CAMPBELL (128 UNITS)	---	20,000
MARYLAND		
FORT DETRICK (48 UNITS)	5,600	5,600
MISSOURI		
FORT LEONARD WOOD (24 UNITS)	---	4,150
NORTH CAROLINA		
FORT BRAGG (112 UNITS)	14,600	14,600
FORT BRAGG (48 UNITS)	---	7,400
SOUTH CAROLINA		
FORT JACKSON (1 UNIT)	250	250
TEXAS		
FORT BLISS (64 UNITS)	10,200	10,200
VIRGINIA		
FORT LEE (52 UNITS)	---	8,600
KOREA		
CAMP HUMPHREYS (60 UNITS)	21,800	21,800
PUERTO RICO		
FORT BUCHANAN (31 UNITS)	---	5,000
CONSTRUCTION IMPROVEMENTS	63,590	63,590
PLANNING AND DESIGN	6,542	6,542
SUBTOTAL, CONSTRUCTION	162,106	235,956
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	44,374	44,374
MANAGEMENT ACCOUNT	90,286	83,715
SERVICES ACCOUNT	44,855	44,855
UTILITIES	198,101	198,101
MISCELLANEOUS	855	855
LEASING	202,011	202,011
MAINTENANCE	397,792	397,792
INTEREST PAYMENT	1	1
FOREIGN CURRENCY FLUCTUATION ADJUSTMENT	---	-19,911
SUBTOTAL, OPERATION AND MAINTENANCE	978,275	951,793
TOTAL, FAMILY HOUSING, ARMY	1,140,381	1,187,749

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, NAVY AND MARINE CORPS		
CALIFORNIA		
LEMOORE NAVAL AIR STATION (160 UNITS)	27,768	27,768
LEMOORE NAVAL AIR STATION (100 UNITS)	---	20,103
TWENTYNINE PALMS (79 UNITS)	13,923	13,923
HAWAII		
PEARL HARBOR NAVAL COMPLEX (98 UNITS)	22,230	22,230
PEARL HARBOR NAVAL COMPLEX (62 UNITS)	14,237	14,237
PEARL HARBOR NAVAL COMPLEX (112 UNITS)	23,654	23,654
KANEOHE BAY MARINE CORPS BASE (84 UNITS)	21,910	21,910
LOUISIANA		
NEW ORLEANS NAVAL COMPLEX (100 UNITS)	---	5,000
MAINE		
BRUNSWICK NAVAL AIR STATION (168 UNITS)	18,722	18,722
MISSISSIPPI		
GULFPORT NAVAL CONSTR BATTALION CENTER (157 UNITS)	---	20,700
WASHINGTON		
WHIDBEY ISLAND NAVAL AIR STATION (98 UNITS)	16,873	16,873
CONSTRUCTION IMPROVEMENTS	183,547	193,077
PLANNING AND DESIGN	19,958	19,958
SUBTOTAL, CONSTRUCTION	362,822	418,155
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	30,884	30,884
MANAGEMENT ACCOUNT	84,914	84,914
SERVICES ACCOUNT	63,953	63,953
UTILITIES	165,057	165,057
MISCELLANEOUS	1,239	1,239
LEASING	142,690	142,690
MAINTENANCE	393,830	393,830
MORTGAGE INSURANCE PREMIUMS	71	71
FOREIGN CURRENCY FLUCTUATION ADJUSTMENT	---	-1,071
SUBTOTAL, OPERATION AND MAINTENANCE	882,638	881,567
TOTAL, FAMILY HOUSING, NAVY AND MARINE CORPS	1,245,460	1,299,722

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, AIR FORCE		
CALIFORNIA		
EDWARDS AFB (57 UNITS)	---	9,870
TRAVIS AFB (64 UNITS)	---	9,870
DISTRICT OF COLUMBIA		
BOLLING AFB (136 UNITS)	17,137	17,137
IDAHO		
MOUNTAIN HOME AFB (46 UNITS)	---	10,598
NEVADA		
NELLIS AFB (26 UNITS)	---	5,000
NORTH DAKOTA		
CAVALIER (2 UNITS)	443	443
MINOT AFB (134 UNITS)	19,097	19,097
CONSTRUCTION IMPROVEMENTS	174,046	174,046
FOREIGN CURRENCY FLUCTUATION ADJUSTMENT	---	-6,839
PLANNING AND DESIGN	12,760	12,760
SUBTOTAL, CONSTRUCTION	223,483	251,982
OPERATION AND MAINTENANCE		
FURNISHINGS ACCOUNT	38,180	38,180
MANAGEMENT ACCOUNT	55,685	55,685
SERVICES ACCOUNT	27,997	27,997
UTILITIES	158,959	158,959
MISCELLANEOUS	2,332	2,332
LEASING	114,628	114,628
MAINTENANCE	428,456	428,456
MORTGAGE INSURANCE PREMIUMS	34	34
FOREIGN CURRENCY FLUCTUATION ADJUSTMENT	---	-5,392
SUBTOTAL, OPERATION AND MAINTENANCE	826,271	820,879
TOTAL, FAMILY HOUSING, AIR FORCE	1,049,754	1,072,861

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

INSTALLATION & PROJECT	BUDGET REQUEST	CONFERENCE AGREEMENT
FAMILY HOUSING, DEFENSE-WIDE		
OPERATION AND MAINTENANCE		
SERVICES ACCOUNT (NSA)	415	415
SERVICES ACCOUNT (DLA)	77	77
LEASING (NSA)	12,554	12,554
LEASING (DIA)	25,924	25,924
MAINTENANCE OF REAL PROPERTY (NSA)	653	653
MAINTENANCE OF REAL PROPERTY (DLA)	316	316
FURNISHINGS ACCOUNT (NSA)	146	146
FURNISHINGS ACCOUNT (DIA)	3,564	3,564
FURNISHINGS ACCOUNT (DLA)	22	22
UTILITIES ACCOUNT (NSA)	444	444
UTILITIES ACCOUNT (DLA)	421	421
MANAGEMENT ACCOUNT (NSA)	15	15
MANAGEMENT ACCOUNT (DLA)	271	271
MISCELLANEOUS (NSA)	64	64
TOTAL, FAMILY HOUSING, DEFENSE-WIDE	44,886	44,886
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV		
BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV	1,174,369	1,024,369
GENERAL PROVISIONS		
GENERAL PROVISION (SEC. 125)	---	-100,000
GENERAL PROVISION (SEC. 132)	---	-83,000
GRAND TOTAL	8,033,908	8,833,908

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2000	$8,374,000
Budget estimates of new (obligational) authority, fiscal year 2001	8,033,908
House bill, fiscal year 2001	8,634,000
Senate bill, fiscal year 2001	8,634,000
Conference agreement, fiscal year 2001	8,833,908
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	+459,908
Budget estimates of new (obligational) authority, fiscal year 2001	+800,000
House bill, fiscal year 2001	+199,908
Senate bill, fiscal year 2001	+199,908

DIVISION B—FISCAL YEAR 2000 SUPPLEMENTAL APPROPRIATIONS

Report language included by the House in the report accompanying H.R. 3908 (H. Rept. 106–521) which is not changed by the Senate in the report accompanying S. 2522 (S. Rept. 106–291), and the report accompanying S. 2536 (S. Rept. 106–288), and Senate report language which is not changed by the conference are approved by the committee of conference. The statement of managers while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

TITLE I—KOSOVO AND OTHER NATIONAL SECURITY MATTERS

CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY

CONTINGENCY OPERATIONS AND OTHER REQUESTED FUNDING

The President requested $2,190,800,000 in emergency supplemental appropriations for the unfunded fiscal year 2000 costs of overseas contingency operations, damages sustained at Department of Defense facilities resulting from natural disasters, and other requirements. The conferees recommend $2,291,626,000 in emergency supplemental appropriations to meet these needs, as detailed by category and the applicable appropriations accounts in the following table.

[In thousands of dollars]

	Request	House	Senate	Conference
Natural Disaster Damage:				
Operation and Maintenance, Army	0	19,532	23,883	23,883
Operation and Maintenance, Navy	0	20,565	20,565	20,565
Operation and Maintenance, Marine Corps	0	37,155	37,155	37,155
Operation and Maintenance, Air Force	0	30,065	38,065	38,065
Operation and Maintenance, Defense-Wide	27,400	0	0	0
Operation and Maintenance, Army Reserve	0	2,174	2,174	2,174
Operation and Maintenance, Army National Guard	0	2,851	2,851	2,851

[In thousands of dollars]

	Request	House	Senate	Conference
Defense Health Program	0	3,533	3,533	3,533
Total	27,400	115,875	128,226	128,226
Overseas Contingency Operations and other requirements:				
Operation and Maintenance, Defense-Wide	40,000	40,000	40,000	40,000
Overseas Contingency Operations Transfer Fund	2,050,400	2,050,400	1,850,400	2,050,400
Aircraft Procurement, Air Force	73,000	73,000	73,000	73,000
Total	2,163,400	2,163,400	1,963,400	2,163,400
Grand Total	2,190,800	2,279,275	2,091,626	2,291,626

CLASSIFIED PROGRAMS

In conjunction with the submission of the fiscal year 2001 budget request, the President requested fiscal year 2000 emergency supplemental appropriations for a number of classified activities. In addition, on May 18, 2000, the Director of the Office of Management and Budget forwarded to the Congress a classified request regarding proposed fiscal year 2000 funding adjustments in support of counter-terrorism activities. The conferees' recommendations regarding these requests are summarized in a classified annex to this statement of managers.

SHARED RECONNAISSANCE POD (SHARP)

The conferees agree with the House language concerning the synthetic aperture radar (SAR) project within the SHARP program. The conferees do not agree to the House language regarding enhancements to the TARPS–CD system to meet future fleet operational requirements.

GENERAL PROVISIONS, THIS CHAPTER

The conferees agree to retain section 101, as proposed by the House, which provides the Department of Defense authority to pay service members Basic Allowance for Housing at the rates in effect on December 31, 1999 during fiscal year 2000.

The conferees agree to retain section 102, as proposed by the House, which provides $1,556,200,000 in emergency appropriations for the "Defense-Wide Working Capital Fund" due to increases in the price of bulk fuel.

The conferees agree to retain and amend section 103, as proposed by the House, and provide $90,000,000 in new appropriations for tactical aviation shortfalls identified by the Air Force during execution of the fiscal year 2000 budget. These funds are fully offset by rescissions in section 123 of this chapter.

The conferees agree to retain and amend section 104, as proposed by the House, and provide $163,700,000 in new appropriations for procurement of M1A2 tank upgrades. This amount includes $125,000,000 as recommended in the House-passed bill and an additional $38,700,000 as proposed in DoD reprogramming request FY 00–21PA. The reprogramming request is hereby denied

as it has been obviated by this Act. These funds are fully offset by rescissions in section 123 of this chapter.

The conferees agree to retain and amend section 105 and 106, as proposed by the House, and recommend $615,600,000 in emergency appropriations and requisite legal authority to cover unfunded requirements of the Defense Health Program, including TRICARE claims for fiscal years 1998, 1999, and 2000. The conferees also agree to retain section 107, as proposed by the Senate, which provides $695,900,000 in emergency appropriations for additional unfunded requirements of the Defense Health Program.

[In thousands of dollars]

DHP funding	House	Senate	Conference
TRICARE:			
Claims	854.5	.....	615.6
FY 98	(34.6)	.....	(34.6)
FY 99	(55.7)	.....	(55.7)
FY 00	(297.3)	.....	(297.3)
FY 01	(238.9)	.....	.....
Other Requirements	(228.0)	.....	(228.0)
Additional DHP Requirements	750.0	695.9	695.9
Total, Defense Health Program	1,604.5	695.9	1,311.5

The conferees continue to be concerned about violations of the Department's financial regulations and potential violations of the Anti-Deficiency Act in the administration and execution of the TRICARE program. Therefore, the conferees direct the DoD Inspector General, in coordination with the General Accounting Office (GAO), to conduct an investigation into the execution and administration of DHP funds. The investigation should examine: possible violations of the Anti-Deficiency Act; evasion of DoD financial regulations; and the overall management of the TRICARE program. The conferees further direct the Department to provide a report to the congressional defense committees within sixty days after the enactment of this Act regarding the extent and scope of any violations of fiscal law or departmental regulations.

The conferees agree to retain and amend section 108, as proposed by the House, which provides $27,000,000 in emergency appropriations for the Basic Allowance for Housing program.

The conferees agree to retain and amend section 109, as proposed by the House, which provides $357,288,000 in emergency appropriations to address shortfalls in military personnel, recruiting, advertising, and retention programs. The conferees direct that of the amount provided in this section, $73,826,000 in the military personnel accounts and $80,062,000 in the operation and maintenance accounts shall be immediately available for obligation to meet requirements identified by the Under Secretary of Defense (Comptroller) in his June 12, 2000 submission of DD Form 1415–1 to the congressional defense committees. The remaining funds, shown below by appropriations account, shall be withheld from obligation until 30 days following written notification to the Committees on Appropriations regarding the proposed specific distribution of funds by the Department:

Military Personnel, Army	$71,000,000
Military Personnel, Navy	23,500,000

Military Personnel, Marine Corps	4,000,000
Military Personnel, Air Force	7,500,000
Reserve Personnel, Army	12,400,000
National Guard Personnel, Army	12,000,000
Operation and Maintenance, Army	15,000,000
Operation and Maintenance, Marine Corps	8,100,000
Operation and Maintenance, Air Force	8,200,000
Operation and Maintenance, Army Reserve	12,000,000
Operation and Maintenance, Navy Reserve	6,700,000
Operation and Maintenance, Marine Corps Reserve	2,000,000
Operation and Maintenance, Air Force Reserve	4,000,000
Operation and Maintenance, Army National Guard	12,000,000
Operation and Maintenance, Air National Guard	5,000,000

The conferees agree to retain and amend section 110, as proposed by the House (and by the Senate in an appropriations paragraph), which provides $220,000,000 in emergency appropriations for "Operation and Maintenance, Navy", only for the unfunded backlog of ship depot maintenance that has emerged in execution of the fiscal year 2000 ship depot maintenance program.

The conferees agree to retain and amend section 111, as proposed by the House, which provides $503,900,000 in emergency appropriations to meet urgent, unfunded requirements in support of deployed forces, as follows:

[In thousands of dollars]

Operation and Maintenance, Navy (emergent costs in aircraft operations and maintenance	20,000
Operation and Maintenance, Air Force (emergent logistics support shortfalls)	41,900
Operation and Maintenance, Defense-Wide (classified)	10,000
Operation and Maintenance, Air National Guard (emergent DLR shortage-Model Fly)	24,100
Aircraft Procurement, Army (Apache safety modifications)	25,000
Aircraft Procurement, Navy	52,800
(CH–46 engine safety modifications: $27,000)	
(EP–3 sensor improvements and modifications: 25,800)	
Aircraft Procurement, Air Force	212,700
(U–2 aircraft sensor improvements and modifications: $111,600)	
(U–2 trainer: 14,000)	
(RC–135 Rivet Joint flight aircrew and mission trainers: 37,500)	
(Compass Call mission crew trainer: 23,700)	
(C–17 weapon system trainer: 14,900)	
(C–17 maintenance system trainer: 11,000)	
Other Procurement, Air Force (classified)	41,400
Procurement, Defense-Wide (classified)	13,000
Research, Development, Test and Evaluation, Army (WARSIMS)	5,000
Research, Development, Test and Evaluation, Defense-Wide (classified)	58,000

The conferees agree to retain and amend section 112, as proposed by the Senate, which provides $7,000,000 in new appropriations for biometrics information assurance programs. These funds are fully offset by rescissions in section 123 of this chapter.

The conferees agree to retain and amend section 113, as proposed by the Senate, which provides $125,000,000 in emergency appropriations to meet unfunded requirements for the Patriot missile program. Of this amount, not less than $50,000,000 shall be available for the Patriot Reliability Enhancement Program and $75,000,000 shall be made available only for the Patriot Advanced Capability—3 (PAC–3) program. The conferees believe that completing the full qualification of the PAC–3 missile against air breathing targets is essential. The conferees direct that the

$75,000,000 provided for the PAC–3 program may be transferred to the appropriate account to complete testing against aircraft and cruise missile targets, to maintain a robust countermeasure capability, to improve the producibility of the missile, and to purchase additional missiles.

The conferees agree to retain and amend section 114, as proposed by the Senate, which appropriates $300,000 only for the Walking Shield program. These funds are fully offset by rescissions in section 123 of this chapter.

The conferees agree to retain and amend section 115, as proposed by the Senate, which provides $61,500,000 in emergency appropriations for operations in East Timor and Mozambique.

The conferees agree to retain section 116, as proposed by the Senate, which transfers previously-appropriated "Operation and Maintenance, Defense-Wide" funds for environmental response actions.

The conferees agree to retain and amend section 117, as proposed by the Senate, which provides $8,000,000 in new appropriations in support of the 2002 Olympic and Paralympic Winter Games. These funds are fully offset by rescissions in section 123 of this chapter.

The conferees agree to retain and amend section 118, as proposed by the Senate, which directs the Ballistic Missile Defense Organization to notify the congressional defense committees prior to issuing certain types of information or proposal solicitation under the National Missile Defense program.

The conferees agree to retain section 119, as proposed by the Senate, regarding the disposition of a Navy drydock.

The conferees agree to retain section 120, as proposed by the Senate, which amends United States Code concerning the Challenge Youth Program.

The conferees to retain section 121, as proposed by the Senate, regarding the use of DoD facilities as official polling places.

The conferees agree to retain and amend section 122, as proposed by the Senate, which amends Section 8114 of the Department of Defense Appropriations Act, 1999 concerning the Marine Corps aircraft accident near Cavalese, Italy, and makes funding provided in that Act applicable to SOFA claims.

The conferees agree to a new general provision, section 123, which rescinds $286,611,000 of prior year appropriations, comprised of programs whose obligational authority will lapse at the end of the current fiscal year. The specific programs and the amounts rescinded are as follows:

Fiscal year and account	Program	Amount
1989—Shipbuilding and Conversion, Navy	DDG–51 destroyer	$9,100,000
1989—Shipbuilding and Conversion, Navy	T–AO fleet oiler	6,645,000
1989—Shipbuilding and Conversion, Navy	T–AGOS surveillance ship	3,420,000
1989—Shipbuilding and Conversion, Navy	Outfitting and Post Delivery	1,293,000
1999—Research, Development, Test and Evaluation, Air Force.	Darkstar UAV	7,000,000
2000—Military Personnel, Army	Pay and Allowances of Enlisted	98,700,000
2000—Military Personnel, Navy	Pay and Allowances of Officers	23,527,000
2000—Military Personnel, Navy	Pay and Allowances of Enlisted	25,600,000
2000—Military Personnel, Air Force	Pay and Allowances of Officers	12,000,000
2000—Military Personnel, Air Force	Pay and Allowances of Enlisted	44,000,000

Fiscal year and account	Program	Amount
2000—Military Personnel, Air Force	PCS Travel	26,000,000
2000—Reserve Personnel, Air Force	Unit and Individual Training	4,500,000
2000—National Guard Personnel, Army	Unit and Individual Training	24,826,000
Total		286,611,000

The conferees agree to retain section 124, as proposed by the House and the Senate, which provides authorization for certain intelligence related activities.

The conferees agree to retain section 125, as proposed by the House and the Senate, which repeals sections 8175 and 8176 of the Fiscal Year 2000 Department of Defense Appropriations Act (as amended by Public Law 106–113) concerning prompt payments and progress payments.

The conferees agree to a new general provision, section 126, concerning the designation of emergency appropriations in this chapter by the Congress and the President.

CHAPTER 2

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

The conference agreement includes $1,500,000 for the Corps of Engineers to conduct a study of the need for additional flood protection in Princeville, North Carolina, and $2,000,000 for the Corps of Engineers to resume engineering and design of an outlet at Devils Lake, North Dakota.

The entire amount has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION, GENERAL

The conferees have provided $3,000,000 to initiate construction of the Johnson Creek, Arlington, Texas, project substantially in accordance with the Interim Feasibility Report dated March 1999. The entire amount has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

The conferees have included $200,000 to carry out dredging of Saxon Harbor, Wisconsin, necessitated by low water levels in the Great Lakes. The entire amount has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

The conference agreement includes $600,000 for the Lewis and Clark Rural Water System project in South Dakota. The entire amount has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

The conference agreement appropriates $96,500,000 for Weapons Activities instead of $55,000,000 as proposed by the House and $221,000,000 as proposed by the Senate. The entire amount has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Production plants.—The conference agreement includes $25,000,000 for the Y–12 Plant in Oak Ridge, Tennessee; $11,000,000 for the Kansas City Plant in Missouri; and $7,500,000 for the Pantex Plant in Amarillo, Texas. This funding will be used to address critical workforce and required infrastructure improvements at the three production facilities.

Weapons laboratories.—The conference agreement includes $5,000,000 for the Los Alamos National Laboratory and $14,000,000 for the Sandia National Laboratory to address workforce issues and infrastructure improvements.

Transportation Safeguards Division.—The conference agreement includes $10,000,000 for the Transportation Safeguards Division for fleet upgrades.

Other weapons sites.—The conference agreement includes $1,500,000 for the Savannah River Site for infrastructure improvements and $2,500,000 for construction of the U1h shaft to enhance worker safety at the Nevada Test Site.

Cyber Security.—The conference agreement includes $20,000,000 for cyber security upgrades at the nuclear weapons complex. The conferees direct the National Nuclear Security Administration (NNSA) to perform planning, analysis, testing and evaluation necessary to develop the highest value alternatives for improving cyber security throughout the nuclear weapons complex. The NNSA should submit to Congress by January 15, 2001, a detailed plan with estimated costs and schedules for a reasonable program that defends the highest value targets.

OTHER DEFENSE ACTIVITIES

The conference agreement appropriates $38,000,000 for Other Defense Activities instead of $63,000,000 as proposed by the House and $12,000,000 as proposed by the Senate. The entire amount has been designated by the Congress as an emergency requirement

pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Highly Enriched Unranium Blend Down Project.—The conference agreement includes statutory language proposed by the House authorizing the Department to initiate design of the Highly Enriched Uranium Blend Down Project at the Savannah River Site.

Office of Security and Emergency Operations.—The conference agreement provides $3,000,000 to support critical staffing needs in the office of security and emergency operations.

Cyber Security.—The conference agreement provides $25,000,000 for cyber security needs under the direction of the Chief Information Officer. Funding of $20,000,000 is to address unclassified cyber security systems and security needs in the corporate management information systems. Funding of $5,000,000 has been provided for the Office of Intelligence/Special Technologies Program to develop and enhance unique capabilities and technologies within the Department's laboratory complex for the protection and exploitation of information and related infrastructure systems for the Department and other critical, national-level missions.

Environment, Safety and Health.—The conference agreement includes $10,000,000 to accelerate projects which have been initiated to address worker health and safety concerns at the Paducah, Kentucky, and Portsmouth, Ohio, gaseous diffusion plants.

ENERGY PROGRAMS

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement appropriates $58,000,000 for the Uranium Enrichment Decontamination and Decommissioning Fund as proposed by the Senate instead of $16,000,000 as proposed by the House. The entire amount has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The conference agreement includes $16,000,000 as proposed by the Administration to accelerate environmental cleanup at the Paducah, Kentucky, and Portsmouth, Ohio, gaseous diffusion plants.

The conference agreement includes $42,000,000 as proposed by the Senate for reimbursements to uranium and thorium licensees under Title X of the Energy Policy Act of 1992.

SCIENCE

The conference agreement includes report language proposed by the House directing the Department to develop a plan outlining the cost, scope, and schedule for decontaminating and decommissioning the High Flux Beam Reactor at the Brookhaven National Laboratory in New York.

GENERAL PROVISIONS—THIS CHAPTER

Corps of Engineers Reorganization.—The conference agreement does not include language proposed by the Senate regarding management reforms of the U.S. Army Corps of Engineers. However, the conferees are extremely concerned about the management re-

forms initially imposed upon the Corps of Engineers in March of this year by the Secretary of the Army and subsequently suspended due to lack of adequate and appropriate coordination and consultation with the Congress. It is the conferees' strong conviction and expectation that any such management reforms, if yet contemplated by the Administration, will have full benefit of consultation with the Congress in developmental stages and prior to implementation.

In recent months, actions by Administration officials, as manifested by the proposed management reforms and other public pronouncements, suggest premature conclusions and findings may have been reached regarding as yet unsubstantiated allegations of wrong-doing by Corps of Engineers officials related to studies and initiatives for maintaining and providing the Nation's water resources infrastructure. Results of on-going investigations related to these charges must be made available and considered before any reforms are contemplated. Any actions carried out by the Administration to change the existing management and oversight structure and existing delegations and functions involving the Corps of Engineers without prior and satisfactory coordination with the Congress will not be received favorably and may cause the Congress to revisit this issue and undertake an appropriate response.

Waste Isolation Pilot Plan.—The conference agreement includes statutory language proposed by the Senate providing that funds in this or any other Act and hereafter may not be used to pay on behalf of the United States or a contractor or subcontractor of the United States for posting a bond or fulfilling any other financial responsibility requirement relating to the closure or post-closure care and monitoring of the Waste Isolation Pilot Plant in New Mexico.

Central Arizona Project.—The conference agreement includes a provision proposed by the Senate which states none of the funds provided in this or any other Act may be used to further reallocate Central Arizona Project water or to prepare an Environmental Assessment, Environmental Impact Statement, or Record of Decision providing for a reallocation of Central Arizona Project water until Congress enacts legislation authorizing and directing the Secretary of the Interior to make allocations and enter into contracts for delivery of Central Arizona Project water.

Congressional Direction.—The conference agreement includes statutory language directing that funds provided in Public Law 106–60 and prior Energy and Water Development Appropriations Acts be made available for the specified institutions and purposes.

Nuclear Regulatory Commission.—The conference agreement includes statutory language proposed by the House providing that no funds appropriated in fiscal year 2000 to the Nuclear Regulatory Commission (NRC) may be used to relocate, or to plan or prepare for the relocation of, the functions or personnel of the Technical Training Center from its location in Chattanooga, Tennessee. The conference agreement extends the language to fiscal year 2001.

CHAPTER 3

MILITARY CONSTRUCTION

GENERAL PROVISIONS, THIS CHAPTER

Section 301. Recommends $19,048,000 as a contingent emergency for military construction and family housing due to storm related damage.

Section 302. Recommends $1,000,000 as a contingent emergency for Military Construction, Defense-wide, to augment the Corps of Engineers' planning and design work associated with the National Missile Defense system.

Section 303. Provides $35,000,000 for the acquisition of land at Blount Island, Florida and rescinds $35,000,000 of funds provided in the Military Construction Appropriations Act, 1996 (Public Law 104–32).

CHAPTER 4

DEPARTMENT OF TRANSPORTATION

COAST GUARD

The conference agreement provides $700,000,000 in supplemental appropriations for the U.S. Coast Guard, including $655,000,000 designated as contingent emergency funding. The conference agreement requires a Presidential declaration before any of the emergency funding is available for obligation.

OPERATING EXPENSES

The conference agreement includes an emergency appropriation of $77,000,000 for Coast Guard "Operating expenses", instead of $262,446,000 as proposed by the Senate and $37,000,000 as proposed by the House. The funds are made available until September 30, 2001, and are only available upon designation by the President of an emergency requirement. The conference agreement allocates these funds in the manner recommended by the Secretary of Transportation and the Commandant of the Coast Guard, as shown below:

Activity	*Amount*
Health care	$18,000,000
Basic allowance for housing	15,000,000
Military pay	5,000,000
Cost of living increases in high cost areas	2,000,000
Recruiting/retention bonuses	15,000,000
Hurricane-damaged facilities	8,000,000
Operational fuel/unit level readiness	13,000,000
Fixed wing aviator retention bonuses	1,000,000
Total	77,000,000

The conferees note that some of these funding requirements relate to changed military personnel entitlements enacted in the fiscal year 2000 National Defense Authorization Act. The Coast Guard had adequate time to advise the Appropriations Committees of these costs prior to conference on the fiscal year 2000 Department of Transportation and Related Agencies Appropriations Bill, and to include them in the fiscal year 2001 budget estimate. In the

future, the conferees expect the Coast Guard to ensure timely update of its budget estimates, to avoid the need for supplemental appropriations.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement includes an emergency appropriation of $578,000,000 for acquisition of Coast Guard capital assets. The funding is to remain available until expended and is to be distributed as follows:

Project	*Amount*
C–130J long range maritime patrol aircraft	$468,000,000
Great Lakes icebreaker replacement	110,000,000
Total	578,000,000

C–130J aircraft.—The conference agreement includes $468,000,000, as proposed by the Senate, for acquisition of six C–130J long-range maritime patrol aircraft as authorized under section 812(b) of the Western Hemisphere Drug Elimination Act (P.L. 105–277). These aircraft are capable of defense requirements and other Coast Guard missions. The conference agreement specifies that this acquisition shall not influence the procurement strategy, program requirements, or downselect decision pertaining to the Deepwater Capability Replacement Project, as proposed by the Senate.

Great Lakes icebreaker replacement.—The conference agreement includes $110,000,000 for the Great Lakes icebreaker replacement. These funds will support the costs of design, construction, inspection, validation, testing and project administration associated with acquisition of a new multi-purpose icebreaker to replace the USCGC *Mackinaw*. After 55 years of service, the *Mackinaw* has escalating operating and maintenance costs and declining reliability, and is scheduled to be decommissioned in 2006. New construction of a vessel designed to perform heavy icebreaking and maintain floating aids-to-navigation will expand the efficiency and reliability of Coast Guard operations in the Great Lakes.

CHAPTER 5

GENERAL PROVISIONS—THIS TITLE

Section 501. The conference agreement appropriates $25,000,000 for the Agency for International Development, "International Disaster Assistance" for rehabilitation and reconstruction assistance for Mozambique, Madagascar, and southern Africa, to remain available until expended. The entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only to the extent an official budget request that includes designation of the entire amount as an emergency requirement is transmitted by the President to the Congress.

Section 502. The conference agreement appropriates $50,000,000 for "Assistance for Eastern Europe and the Baltic States" to remain available until September 30, 2001. These funds shall only be available for assistance for Montenegro and Croatia,

and not to exceed $12,400,000 for assistance for Kosovo for police activities. The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and is subject to the regular notification procedures of the Committees on Appropriations.

TITLE II—NATURAL DISASTER ASSISTANCE AND OTHER SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

The conference agreement includes an additional $1,350,000 for implementation of the Livestock Mandatory Price Reporting Act of 1999. This amount will offset additional costs to USDA agencies to implement this Act. Unfunded agency requirements include: $550,000 for the Economic Research Service; $200,000 for the Foreign Agricultural Service; $400,000 for the National Agricultural Statistics Service; and $200,000 for the Grain Inspection, Packers and Stockyards Administration. Although the $4,700,000 in implementation funding sought by the Administration for fiscal year 2000 was provided by Public Law 106–113, these funds have not been distributed among all agencies responsible for administration of this Act.

The conferees note that language contained in Public Law 106–78 requires that the Department of Agriculture obtain Congressional approval before funds for the common computing environment can be spent. The conferees hereby approve those funds for obligation.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement includes an additional $77,560,000, to remain available until expended, as proposed by the House, instead of $39,000,000 as proposed by the Senate. Of this amount, $26,237,000 is to support temporary staff; $12,865,000 is for Pigford consent decree expenses; and $38,458,000 is for information technology expenses requirements.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUNDS PROGRAM ACCOUNT

The conference agreement includes an additional $15,872,000 in budget authority for an estimated loan level of $40,000,000 for Section 515 rental housing, as proposed by the House and Senate.

RENTAL ASSISTANCE PROGRAM

The conference agreement includes an additional $13,600,000 for the Rental Assistance Program, as proposed by the House and Senate.

GENERAL PROVISIONS—THIS CHAPTER

Section 2101. The conference agreement includes language that makes up to $81,000,000 of Commodity Credit Corporation funds available to be used to forgive loans to producer-owned associations or producers that suffered losses from natural disasters, as proposed by the House and Senate.

Section 2102. The conference agreement provides authority for the Secretary of Agriculture to use Commodity Credit Corporation funds to offset the assessment on peanut producers for losses from 1999, as proposed by the Senate.

CHAPTER 2

DEPARTMENT OF JUSTICE

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement includes $12,000,000, to remain available until expended, as a contingent emergency appropriation, to be divided equally between the States of Texas, New Mexico, Arizona, and California to reimburse county and municipal governments only for Federal costs associated with the handling and processing of illegal immigration and drug and alien smuggling cases. The use of these funds is limited to court costs, courtroom technology, the building of holding spaces, administrative expenses, and indigent defense costs.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $181,000,000, to remain available until expended, as a contingent emergency appropriation, to be deposited into the Telecommunications Carrier Compliance Fund for implementation of the Communications Assistance for Law Enforcement Act (CALEA). The conferees note that narcotics trafficking investigations are increasingly dependent on the use of intercepted communications, accounting for 72% of all court-authorized electronic surveillance actions. As criminal organizations utilize advanced technologies to elude law enforcement, U.S. law enforcement's current drug intelligence and investigative capabilities have been eroded. Therefore, the conference agreement includes funding to implement CALEA to correct this problem to ensure these capabilities are maintained in accordance with current statutory requirements and deadlines.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

The conference agreement includes $2,000,000, as a contingent emergency appropriation, for grants to Indian reservations and counties with populations under 150,000 that are located in Arizona and are adjacent to the United States-Mexico border. Funds are to be allocated in proportion to the population of each eligible county and Indian reservation.

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes $55,800,000, as an emergency appropriation, to remain available until expended. This amount provides for planning assistance, public works grants, and capitalization of revolving loan funds to assist in the recovery efforts of communities impacted by Hurricane Floyd and other recent disasters. Of this amount, $30,000,000 is provided as a contingent emergency to be provided to assist communities in New Jersey impacted by Hurricane Floyd. The conferees direct EDA to submit a spending plan for the amounts provided prior to the release of these funds.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

The conference agreement includes $30,700,000, as an emergency appropriation, to remain available until expended, of which $13,300,000 is provided as a contingent emergency appropriation. Of this amount, $10,800,000 is provided as an emergency appropriation to assist fishermen impacted by Hurricanes Floyd, Dennis, George, and Mitch. In addition, a total of $13,900,000 is included to provide relief from the recent disaster in the Long Island Sound lobster fishery, of which $7,300,000 is provided as a contingent emergency to be divided equally between the States of New York and Connecticut, not less than $3,650,000 for each State, for the following purposes: (1) to pay compensation to individuals for reductions in the number of lobsters caught in the Long Island lobster fishery in the 1999 fishing season, as compared to such catch in the 1998 fishing season as a result of the lobster fishery disaster; (2) to provide direct sustaining aid to fishermen; and (3) to provide assistance to communities that are dependent on such fishery and have suffered losses from such disaster. The remaining funds provided for the Long Island Sound lobster fishery disaster are available for research into the causes of the disaster. The conferees expect NOAA to submit a spending plan prior to release of these funds.

The conference agreement also includes $5,000,000 as a contingent emergency to provide relief from disaster in the West Coast groundfish fishery. The conferees expect that this amount shall be divided between the States of California, Oregon, and Washington in proportion to the impact of the disaster in each State. The amounts provided to these States shall be available for the following purposes: (1) to pay compensation to individuals who have suffered a direct negative impact from the West Coast groundfish fisheries disaster, (2) to provide direct sustaining aid to such fishermen, and (3) to provide assistance to communities that are dependent on the West Coast groundfish fisheries and have suffered losses from such disaster. The conferees direct NOAA to submit a spending plan prior to the release of these funds. The conference agree-

ment also includes $1,000,000 as a contingent emergency appropriation for repairs to the NOAA hurricane reconnaissance aircraft.

DEPARTMENT OF STATE

INTERNATIONAL COMMISSIONS

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes $2,150,000, to remain available until expended, as a contingent emergency appropriation under this account for International Joint Commission activities related to levels and flows of Lake Ontario and the St. Lawrence River.

OTHER

United States Commission on International Religious Freedom

The conference agreement includes $2,000,000, to remain available until expended, as a contingent emergency appropriation for the activities of the Commission.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes an additional $15,500,000 in emergency fiscal year 2000 subsidy appropriations for disaster loans for recovery efforts related to Hurricane Floyd, and other natural disasters.

The conference agreement also includes an additional $25,400,000 in emergency fiscal year 2000 appropriations for direct administrative expenses associated with disaster loan making and servicing activities necessary to carry out the disaster loan program related to Hurricane Floyd and other natural disasters. The conference agreement includes language prohibiting the use of funds for indirect administrative expenses. The conferees note that this additional amount results in a total appropriation of $141,400,000 for the direct administrative costs of the fiscal year 2000 disaster loan program.

Language is included designating the amounts provided as an emergency requirement, and making these amounts available only to the extent that an official budget request is submitted requesting that these specific amounts be designated as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

Section 2201. The conference agreement includes emergency assistance for the Pribilof Island and East Aleutian area of the Bering Sea crab fishery for payment of direct assistance to Oregon, Washington, and Alaska fishermen. The conference agreement includes $10,000,000 as a contingent emergency for the following: (1) $7,000,000 to allow disaster assistance payments to affected states; (2) $2,000,000 to determine the cause of the fisheries disaster

through a cooperative research effort between the National Marine Fisheries Service and the State of Alaska; and (3) $1,000,000 for the State of Alaska to develop a plan to restore the crab population.

Section 2202. The conference agreement includes $10,000,000 as a contingent emergency appropriation for assistance for the Northeast multispecies fishery failure to support a voluntary fishing capacity reduction program.

Section 2203. The conference agreement includes $7,000,000 as a contingent emergency appropriation to study the long-line interactions with sea turtles in the North Pacific and commercial fishing activities in the Northwest Hawaiian Islands, and provide observer coverage for the Hawaiian long-line fishery.

Section 2204. The conference agreement amends Public Law 101–380, as amended, and inserts a new section 5007 to provide $5,000,000 as a contingent emergency appropriation to create a new North Pacific Marine Research Institute at the Alaska SeaLife Center to be administered by the North Pacific Research Board.

CHAPTER 3

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

The conference agreement provides $200,000,000 in emergency funding for wildland fire management instead of $100,000,000 as proposed by the House and by the Senate. Of the amount provided, $100,000,000 is contingent on receipt of a budget request that includes a Presidential designation of the amount requested as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

LAND ACQUISITION

The conference agreement provides $2,000,000 in emergency funding for land acquisition for the Douglas Tract along the Potomac River in Southern Maryland. Approximately 1,000 acres of undeveloped riverfront land is available from a willing seller. This land is of significant historic value with Native American and Civil War sites. Preservation of the land will also help preserve wildlife habitat and unique wetland areas. The President's budget request for fiscal year 2001 included $3,000,000 for this purchase. The entire amount is contingent on receipt of a budget request that includes a Presidential designation of the entire amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The conference agreement provides $9,821,000 in emergency funding for regulation and technology as proposed by the Senate instead of no funding as proposed by the House. The funds are for

the surface mining regulatory program of the State of West Virginia. The entire amount is contingent on receipt of a budget request that includes a Presidential designation of the entire amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The managers are concerned that the State of West Virginia lacks sufficient funding and staffing resources to regulate the effects of surface coal mining operations within the State pursuant to the Surface Mining Control and Reclamation Act (SMCRA). Recent litigation and the commencement of a formal review by the office of Surface Mining related to the State's regulatory program demonstrate that unless additional funds are provided immediately, a Federal takeover of these responsibilities may be imminent. If a takeover occurs it will increase the costs to the Federal Government for regulating coal mining in West Virginia and cause major disruptions on the ground. With the additional resources provided in this Act, the State will have the capability to administer an adequate regulatory program to enforce environmental laws and have the necessary tools to perform technical reviews of permit applications effectively and efficiently.

Accordingly, the managers are providing a total of $9,821,000 to the Office of Surface Mining Reclamation and Enforcement to ensure that the State has adequate funds to carry out its regulatory responsibilities under SMCRA. Of this amount, $6,222,000 is for the Office of Surface Mining to enter into a cooperative agreement with the West Virginia Division of Environmental Protection to enhance program capabilities, including developing a geospatial database to ensure appropriate geologic and hydrologic sampling, performing watershed modeling, and other programmatic improvements to ensure the State is able to meet its regulatory requirements under SMCRA.

A total of $3,599,000 is provided to address the West Virginia Office's staffing deficiencies. These funds are subject to the 50 percent matching requirement of section 705(a) of SMCRA. The managers note that West Virginia operates its program with fewer staff and a smaller budget than surrounding States with similar workloads. The controversy over mountaintop removal mining has been a catalyst for demonstrating weaknesses in the West Virginia regulatory program.

The managers appreciate that the Office of Surface Mining and the State of West Virginia have worked together closely to characterize the deficiencies in the State's regulatory program. The managers expect this close cooperation to continue as the parties address and resolve program deficiencies. The managers direct the Office of Surface Mining, in conjunction with the State, to keep the House and Senate Committees on Appropriations apprised of the efforts made to correct these problems in the State's regulatory program.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

The conference agreement provides $2,000,000 in emergency funding for the national forest system instead of $5,759,000 as proposed by the Senate and no funding as proposed by the House. The funds are for storm damage repairs in National Forests in Minnesota and Wisconsin. The entire amount is contingent on receipt of a budget request that includes a Presidential designation of the entire amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

WILDLAND FIRE MANAGEMENT

The conference agreement provides $150,000,000 in emergency funding for wildland fire management as proposed by the House instead of $1,620,000 as proposed by the Senate. The entire amount is contingent on receipt of a budget request that includes a Presidential designation of the entire amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

Section 2301 provides authority for the Indian Health Service to release funds appropriated in fiscal year 1999 for construction of a clinic in King Cove, Alaska as proposed by the Senate. Land owned by the city has been designated for the facility and this language is needed to permit IHS to use that site.

Section 2302 requires the Secretary of Energy to fund a particulate monitoring program as directed by the Congress in a report accompanying a previous appropriations Act. Funds were made available for this purpose in Public Law 105–277 under the Fossil Energy Research and Development account. The Secretary of Energy has instituted a policy wherein he has to approve any Congressionally identified project prior to the release of funds. This policy has resulted in a bureaucratic morass and prevented the timely initiation of important research. The Secretary of Energy is urged to reexamine this policy.

The conference agreement does not include language proposed by the Senate addressing the designation of land for a jetty and sand transfer system for the Oregon Inlet in North Carolina. The managers will continue to examine this issue and consider it within the context of the fiscal year 2001 appropriations bill for the Department of the Interior and Related Agencies.

Section 2303 modifies language proposed by the Senate to provide interim compensation for fishermen, crew members, and processors affected by restrictions on Dungeness crab fishing in Glacier Bay National Park, AK. The modification limits these payments to losses incurred in 2000 except for Buy N Pack Seafoods which is eligible for compensation for 1999 and 2000.

CHAPTER 4

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The conference agreement does not include $40,000,000 earmarked for Summer Youth Employment as proposed by the Senate and requested by the President.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes a technical change proposed by both the House and Senate to clarify that funds collected by the National Mine Health and Safety Academy for tuition, room, board, and other authorized activities are in addition to the annual appropriation amount.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement provides $20,000,000 for abstinence education within "Special projects of regional and national significance;" part of the maternal and child health block grant as proposed by the House. The Senate bill contains no similar provision. The conference agreement also includes a rescission of $20,000,000 for abstinence education in the Adolescent Family Life program in the Office of the Secretary as proposed by the House. The Senate bill contains no similar provision.

The conference agreement does not include $100,000,000 in supplemental funding for the Ricky Ray Hemophilia Relief Fund as requested by the Administration.

The conference agreement includes $3,000,000 within Health Care Facilities and Construction for Little Flower Children's Services in Wading River, New York, for renovation and construction of a children's psychiatric services facility. The agreement designates the entire amount as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement transfers $460,000 provided under Health Resources and Services Administration health care facilities construction to the CDC chronic and environmental disease prevention program for a comprehensive cancer control program at the MD Anderson Cancer Center in Houston, TX to address minority and medically underserved populations.

The conference agreement includes $12,000,000 for international HIV/AIDS funding, available until September 30, 2001, and designated as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985. The same amount is rescinded under the Public Health and Social Services Emergency Fund, which was originally made available for one year in the Departments of Labor, Health and Human Services and Education and Related Agencies Appropriations Act, 2000.

ADMINISTRATION ON CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

The conference agreement provides $35,000,000 for payments to States for foster care and adoption assistance as proposed by both the House and Senate.

LOW INCOME HOME ENERGY ASSISTANCE

The conference agreement includes $600,000,000 for the Low Income Home Energy Assistance Program (LIHEAP) emergency fund as proposed by both the House and Senate. The conference agreement also makes these funds available until expended as proposed by the Senate. The House bill makes these funds available for obligation through September 30, 2000. The conference agreement also designates the entire amount as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement includes a provision extending the availability of Refugee and Entrant Assistance funding from two years to three years as proposed by the House. The Senate bill contains no similar provision.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement includes a provision to extend the availability of funds for the Anchorage, Alaska Senior Citizen's Center as proposed by both the House and Senate.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

(RESCISSION)

The conference agreement includes a rescission of $20,000,000 for abstinence education in the Adolescent Family Life program in the Office of the Secretary. $20,000,000 in additional Abstinence Education Funding is provided in the Health Resources and Services Administration.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(RESCISSION)

The conference agreement does not include a rescission of $163,752,000 as proposed by the President.

The conference agreement rescinds $31,200,000 in bioterrorism funding made available for one year in the Departments of Labor, Health and Human Services and Education and Related Agencies Appropriations Act, 2000 and reappropriates the same amount, making it available until expended. Both the amount rescinded and the reappropriation are designated as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

The conference agreement rescinds $12,000,000 in Centers for Disease Control and Prevention funding made available for one year in the Departments of Labor, Health and Human Services and Education and Related Agencies Appropriations Act, 2000 and reappropriates the same amount, making it available until September 30, 2001. Both the amount rescinded and the reappropriation are designated as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Section 2401. The conference agreement includes a provision to remove the authority to transfer funds among accounts from the Centers for Disease Control and Prevention as proposed by both the House and Senate.

DEPARTMENT OF EDUCATION

SPECIAL EDUCATION

The agreement includes a provision that allows funds presently appropriated in FY00 for the Paralympic Winter Games to be awarded to a designee of the Salt Lake Organizing Committee for expenditure on their behalf.

VOCATIONAL AND ADULT EDUCATION

The conference agreement includes a provision to place the Youth Offender Grants program on a forward-funded basis. This provision was not included in either the House or the Senate bills.

The conference agreement includes a technical correction to the Departments of Labor, Health and Human Services and Education and Related Agencies Appropriations Act, 2000 which changes the forward funded portion of the appropriation from $858,150,000 to $882,650,000.

HIGHER EDUCATION

The conference agreement includes a provision to extend the availability of State Grants for Incarcerated Youth appropriated in

fiscal years 1998 and 1999 for an additional year as proposed by the Senate. The House bill contains no similar provision.

The conference agreement includes an additional $750,000 for the Fund for the Improvement of Postsecondary Education for creation of a center for inquiry and design-based learning in mathematics, science and technology education at the College of New Jersey, in Ewing, New Jersey. The agreement designates the entire amount as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes a provision to make several technical corrections as proposed by both the House and the Senate. The conference agreement also includes technical corrections that were not included in either the House or the Senate bills.

The conference agreement also transfers $368,000 provided under Health Resources and Services Administration, health care facilities construction and renovation to Education Research, Statistics, and Improvement for the George Mason University Center for Services to Families and Schools to expand a program for schools and families of children suffering from attentional, cognitive, and behavioral disorders.

RELATED AGENCIES

SOCIAL SECURITY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes $35,000,000, available through September 30, 2001, for the Social Security Administration for additional workload generated by the Senior Citizens' Freedom to Work Act of 2000 (P.L. 106–182) as proposed by the Senate. This level is the same amount as requested by the President and $15,000,000 below the amount in the Senate bill. The House bill contains no similar provision. The conference agreement also designates the entire amount as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

Section 2402. The conference agreement includes a provision as proposed by the House to remove from the Department of Education and the Centers for Disease Control and Prevention the ability to carry over salary and expense funds for an additional quarter. The Senate bill contains no similar provision.

Section 2403. The conference agreement includes technical corrections in the conforming amendments on the set-asides in the Welfare-to-Work Amendments of 1999 as proposed by both the House and Senate.

Section 2404. The conference agreement includes technical corrections to the Workforce Investment Act of 1998 and the Carl D.

Perkins Vocational and Technical Assistance Act of 1998 as proposed by the Senate. The House bill contains no similar provision.

Section 2405. The conference agreement includes a provision not proposed by either the House or Senate to make funds for certain technical assistance activities related to school reform available at an earlier date.

Section 2406. The conference agreement includes a provision, as proposed by the Senate in the Military Construction Appropriations Act, 2001, amending section 508(f)(1) of the Rehabilitation Act of 1973 to extend the date that the Federal government must provide equal access to disabled federal employees and disabled members of the public seeking information or services. The House bill contains no similar provision.

Section 2407. The conference agreement provides $3,500,000 for the improvement and modernization of Saint John's Lutheran Hospital, Libby, Montana. It also includes $8,000,000 for an Economic Development Administration grant to the city of Libby, Montana. The conference agreement also designates the entire amount as an emergency pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 5

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

FIRE SAFETY

The conference agreement appropriates $17,480,000 to the Architect of the Capitol for fire safety projects as proposed by the Senate instead of $15,166,000 as proposed by the House. The funds are designated as emergency requirements as proposed by the Senate.

GENERAL PROVISIONS—THIS CHAPTER

Section 2501. The conferees have amended language proposed by the Senate regarding the Trade Deficit Review Commission. The 3-month extension in the due date of the final report has been agreed to; the new subparagraph contained in subsection (a) of the provision in the Senate bill has been dropped without prejudice.

CHAPTER 6

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

COAST GUARD

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING RESCISSION OF FUNDS)

The conference agreement includes $45,000,000, to remain available until expended, for acquisition of one C–37A command and control aircraft for use by the U.S. Coast Guard, as authorized under section 812(b) of the Western Hemisphere Drug Elimination Act (P.L. 105–277). The existing command and control aircraft is sixteen years old and experiencing significant reliability and maintenance problems. In addition, with an average flight cost of $1,500 per hour (40 percent higher than current models), this aged aircraft unnecessarily diverts needed funds from other Coast Guard operating missions. The conference agreement fully offsets this appropriation through sale of the current aircraft (estimated by the Coast Guard at $7,000,000) and rescission of other funds totaling $38,000,000. The conferees assume that sale of the VC–11A will first be offered to the vendor of the replacement aircraft. Rescinded funds include $26,600,000 in unobligated balances appropriated to the Office of Management and Budget to resolve Year 2000 computer problems, as proposed by the House, and $11,400,000 from unobligated balances of Coast Guard "Acquisition, construction, and improvements".

The conference agreement includes a rescission of $11,400,000 in available balances from previous appropriations Acts under "Acquisition, construction, and improvements". As of May 31, 2000, the Coast Guard had an unobligated balance of $327,404,000 in this appropriation, including regular funds, leftover disaster relief funds, and no-year emergency supplemental appropriations. The conferees believe a fraction of these unused funds can be used to offset higher priority requirements in the conference agreement without adversely impacting the service's missions. The conferees direct that none of these funds be taken from the Great Lakes icebreaker replacement project, and that the Coast Guard submit information on proposed rescissions to the House and Senate Committees on Appropriations prior to implementation.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes a contingent emergency appropriation of $75,000,000 for additional operating and maintenance costs of the Federal Aviation Administration, available until September 30, 2001, instead of $77,000,000 as proposed by the Senate. The first priority for these additional funds should be the hir-

ing of aviation safety inspectors and medical certification personnel.

RELATED AGENCY

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement provides $19,739,000 for the National Transportation Safety Board for emergency expenses associated with the investigation of Egypt Air Flight 990 and Alaska Air Flight 261 accidents. These funds will compensate wreckage location and recovery facilities, technical support, testing, and wreckage mock-up. Both the House and the Senate bills provided $24,739,000 for investigative costs. Since enactment of each bill, the Arab Republic of Egypt has agreed to reimburse the National Transportation Safety Board $5,000,000 for Egypt Air Flight 990 wreckage location and recovery, decreasing the supplemental needs of the NTSB. The conference agreement requires the Secretary of the Treasury to reduce this appropriation by an amount equal to any subsequent reimbursement by the Arab Republic of Egypt for wreckage location and recovery, family assistance, and interagency agreements for up to $3,983,000. The Egyptian government currently is reviewing the additional expenses.

Within the funds provided, up to $10,000 shall be made available for the location and recovery of wreckage of N41078, as proposed in the Senate report.

GENERAL PROVISIONS—THIS CHAPTER

Section 2601. The conferees have included a provision that makes available a total of $35,200,000 for seven bridge projects from funds previously made available to the department under section 104(a) of title 23, U.S.C. These projects were earlier identified in the conference agreement accompanying H.R. 2084, the fiscal year 2000 Department of Transportation and Related Agencies Appropriations bill, which directed the Federal Highway Administration (FHWA) to distribute discretionary bridge program funds for certain specified projects and activities. The office of the secretary and the FHWA, without consulting or notifying the House and Senate Committees on Appropriations, released all discretionary bridge funding for fiscal year 2000 and did not consider fully the projects specified in the accompanying report. These actions were unconscionable and remain unacceptable. The conferees assert that the department, particularly the office of the secretary, must comply with both the letter and the spirit of the law, which requires the department to notify the House and Senate Committees on Appropriations not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit

Administration other than the formula grants and fixed guideway modernization programs.

Section 2602. The conference agreement rescinds $26,600,000 in unobligated balances of funds appropriated to the Office of Management and Budget pursuant to Pubic Law 105–277 and subsequently transferred to the Department of Transportation for Year 2000 conversion of Federal information technology systems and related expenses, as proposed by the House. These funds are no longer needed for their original purpose and are available to offset higher priority Coast Guard capital needs.

Section 2603. The conference agreement includes an emergency appropriation of $2,000,000 to the Office of the Assistant Secretary for Policy, U.S. Department of Transportation, to be transferred to the Environmental Protection Agency to carry out a telecommuting pilot program.

Section 2604. The conference agreement includes a provision that amends the allowable federal share requirement for projects for the elimination of hazards of railway-highway crossings funded under the surface transportation program.

Section 2605. The conference agreement includes $2,000,000 for planning, preliminary engineering and design of the Metro-North Danbury to Norwalk commuter rail line re-electrification project in Connecticut.

Section 2606. The conference agreement includes $3,000,000 for the Second Avenue Subway in New York City, New York

Section 2607. The conference agreement includes $500,000 for a study of improvements to Highway 8, from the Minnesota border to Highway 51, in the State of Wisconsin.

Section 2608. The conference agreement includes $1,000,000 for reconstruction of, and improvements to, Halls Mill Road in Monmouth County, New Jersey.

GENERAL PROVISION—THIS TITLE

Section 2101 allows members of the Pueblo of San Ildefonso and the Pueblo of Santa Clara to collect plants and minerals in the Bandelier National Monument. The extensive areas burned by the Cerro Grande fire have severely reduced the availability of local plants, clays and soils traditionally used by these Pueblos. To allow their traditional ceremonies to continue uninterrupted, it is necessary to allow enrolled members of both Pueblos access to plant and mineral resources that are available in the Bandelier National Monument at quantities greater than allowed by current regulations of the National Park Service. These activities would be consistent with applicable laws governing the Monument.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conferees agree to include $24,900,000 as a contingent emergency appropriation for the establishment of an in-service firearms training facility.

FIREARMS TRAINING FACILITY

The conferees direct that the Secretary of the Treasury undertake the establishment of an in-service firearms training facility in West Virginia for use by U.S. Customs Service and other law enforcement agencies. The conferees note with grave concern the serious threats that have arisen at U.S. borders with respect to attempted terrorist infiltrations and the increasing complexity of the interdiction of illegal drugs into this country. The Treasury Department has approximately 20,000 armed officers engaged in a wide variety of dangerous law enforcement activities. Because of the need to provide in-service firearms training for armed Treasury personnel, the conferees have included $24,900,000 to accelerate the design and construction of a firearms complex on land currently owned by the Fish and Wildlife Service. The Secretary of the Treasury is authorized to designate a lead agency to oversee the development, implementation and operation of the facility and the conduct of training. The complex would also be available for use by the Fish and Wildlife Service, the National Park Service, certain other law enforcement personnel and selected State and local enforcement personnel. The conferees have also included language to designate the National Park Service to manage the entire tract of land and to make available a suitable portion of the land for use for the training facility, and language to assure that the training to be conducted at the new training firearms facility will be configured in such a way as to not duplicate or displace any federal law enforcement programs of the Federal Law Enforcement Training Center (FLETC). Likewise, no training currently being conducted at a FLETC facility will be moved to the West Virginia site. The entire amount is contingent upon receipt of a budget request that includes a Presidential designation of the amount requested as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The conferees agree to include $10,000,000 as a contingent emergency appropriation for the United States Secret Service's costs related to planning, coordination and implementation of security for national special security and major protective events.

NATIONAL SECURITY SPECIAL EVENTS

The conferees are extremely concerned that the Administration has failed to request funding for the Secret Service to provide protective services for PDD 62, National Security Special Events (NSSE), causing significant budget shortfalls for the Secret Service. For example, the conferees are aware that the 2002 Winter Olympics in Salt Lake City has long been officially designated as a NSSE but the Administration provided no funding for the Secret Service to carry out its mission as the lead agency responsible for planning and implementing overall security. The conferees note however, that the Administration did fund the FBI and FEMA for their role in the Winter Olympics. In order to address fiscal year 2000 shortfalls, the conferees provide $10,000,000 for costs associated with planning, coordination and implementation of security at the following major protective events: The World Trade Organization Meeting, the International Monetary Fund meeting, Operation Sail 2000, the Republican and Democratic National Conventions, the UN General Assembly 55-Millennium Assembly, and fiscal year 2000 costs related to the 2002 Winter Olympics. The conferees direct the Department of the Treasury to submit to the Committees on Appropriations, a budgeting plan for the Secret Service in regard to anticipated and unanticipated National Special Security Events for fiscal year 2001 no later than September 1, 2000.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

OFFICE OF ADMINISTRATION

INFORMATION TECHNOLOGY

The conferees agree to establish a new account within the Office of Administration and include $8,400,000 as a contingent emergency appropriation for the costs associated with the restoration and reconstruction of certain electronic mail messages and for inclusion of such messages in the Automated Records Management System. These funds were proposed by the President to be funded within the Office of Administration's Salaries and Expenses appropriation. Neither the House nor the Senate bills included these funds as the President's request was received after House and Senate consideration of the supplemental appropriations bills.

TAPE RESTORATION PROJECT

The conferees have established a new account for the necessary expenses of ongoing activities associated with the restoration and reconstruction of certain electronic mail messages and for inclusion in the Automated Records Management System, providing $8,400,000, to remain available until September 30, 2002. The conferees prohibit the obligation of these funds until the Office of Administration submits an independent verification and validation of the estimated costs of this project.

The conferees are concerned by the escalation in estimated costs of this project, which have ranged from $3,000,000 to levels well in excess of that amount. To date, $4,800,000 has been pro-

vided to support ongoing work; combined with this supplemental appropriation, the total federal appropriation is $13,200,000. The conferees are concerned that, to date, estimates of total project costs have not been finalized and that an independent verification and validation of both the costs of specific phases of the reconstruction effort and the total project are not available. The conferees have included bill language prohibiting the obligation of funds until the Office of Administration submits to the Committees on Appropriations an independent verification and validation of the costs of the restoration project, including the final report prepared by the independent verification and validation contractor for both initial and projected cost estimates.

It is not the intent of the conferees to delay or impede the ongoing restoration work; nonetheless, the conferees believe it is critical that all costs related to this project undergo an independent verification and validation process and that the findings of this process be reported to the Committees on Appropriations as expeditiously as possible. The conferees note the current monthly reporting requirements imposed by the House Committee on Appropriations in regards to the obligation of funds as well as other project activities. Should it be necessary, and in order to satisfy the requirements of the bill language without impeding ongoing work, the conferees are willing to consider releasing a portion of the funds upon receipt of interim verification and validation documents until the final report is prepared. These interim reports would be in addition to the monthly reports required by the House Committee on Appropriations. Should these interim reports become necessary, the Office of Administration is directed to establish, in consultation with the Committees on Appropriations, a schedule of milestones for the completion of the final report and the total release of funds.

AUTOMATED RECORDS MANAGEMENT SYSTEM

The conferees are concerned that contractor error may be a causal factor in the White House e-mails not being properly archived into the Automated Records Management System (ARMS), resulting in the present supplemental appropriation for reconstruction and restoration costs. The conferees fully expect the Executive Office of the President (EOP) to diligently pursue reimbursement from contractors if it is determined that their errors and/or negligence led to the present additional funding requirement. The conferees believe that the EOP should review contractor performance beginning with the ARMS project of 1994 and including all contractors responsible for operating and maintaining the information technology systems for the EOP. The conferees direct the Office of Administration to report back within 6 months of the date of enactment of this Act to the Committees on Appropriations on the performance of the contractors responsible for operating and maintaining the information technology systems. The performance report should include an evaluation of whether or not the contractor has legally defaulted and on any actions to be taken by the EOP to recoup the costs associated with the reconstruction and restoration effort currently underway.

INDEPENDENT AGENCIES

GENERAL SERVICES ADMINISTRATION

POLICY AND OPERATIONS

The conferees agree to include $3,300,000 as a contingent emergency appropriation for the Salt Lake 2002 Winter Olympic and Paralympic Game doping control program.

GENERAL PROVISIONS—THIS CHAPTER

Section 2701. The conferees agree to include a provision waiving anti-pooling provisions for the fiscal year 2000 administrative costs of the Counterdrug Intelligence Executive Secretariat.

Section 2702. The conferees agree to include a provision to rescind and reappropriate certain unobligated balances with the Internal Revenue Service's Information Technology Investments account.

Section 2703. The conferees agree to include a provision authorizing the Secretary of the Treasury to address clerical errors in fiscal year 1999 which resulted in the Hospital Insurance (HI) Trust Fund being over-invested while the Supplementary Medical Insurance (SMI) Trust Fund was under-invested. The conferees understand that the principal amount of the bookkeeping errors has been corrected, but that the over-investment resulted in the HI Trust Fund being credited with excess interest earnings, while the under-investment resulted in the SMI Trust Fund being deprived of interest earnings. The conferees further understand that these bookkeeping errors have not affected Medicare payments in any way, nor did the errors result in any moneys being erroneously paid out by the Government. Nevertheless, the conferees believe that the errors should be corrected in full to ensure the correct allocation of funds among the HI Trust Funds, the SMI Trust Fund, and the Treasury General Fund.

Section 2704. The conferees agree to include a technical modification to Public Law 106–113 to make a direct payment to the United States Olympic Committee through the United States Anti-Doping Agency from funds appropriated for fiscal year 2000.

Section 2705. The conferees agree to include a provision to rescind and reappropriate certain unobligated balances within the Salaries and Expenses account of the U.S. Secret Service.

Section 2706. The conferees agree to include a technical modification to Public Law 106–58 clarifying language in Senate Report 106–87 on the Treasury and General Government Appropriations Act, 2000, to authorize the General Services Administration to provide funds appropriated in fiscal year 2000 for the Nebraska State Patrol Digital Distance Learning project.

CHAPTER 8

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS

Inserts language as proposed by the House making a technical correction on a specific economic development initiative grant provided under title II of Public Law 106–74.

Inserts language proposed by the Senate and modified by the conferees making a technical correction on a specific neighborhood initiative grant provided under title II of Public Law 106–74.

Inserts new language providing $27,500,000 for five targeted economic development initiatives.

HOME INVESTMENT PARTNERSHIPS PROGRAM

Inserts language proposed by the House which provides $11,000,000 to the New Jersey Department of Community Affairs and $25,000,000 to the North Carolina Housing Finance Agency. This funding is for temporary rental assistance to very low-income families displaced by the floods spawned by Hurricane Floyd. The conferees direct HUD to provide these funds to the aforementioned State agencies within two weeks of enactment of this Act.

HOMELESS ASSISTANCE GRANTS

Inserts language proposed by the Senate and modified by the House authorizing HUD to spend funds from this account to renew for one year those expiring Shelter Plus Care and Supportive Housing grants covered by the 1999 Notice of Funding Availability (NOFA).

The conferees note their increasing concern about how priorities for this program are set. It is the understanding of the conferees that the McKinney program leaves the decision to renew expiring grants with local authorities. Thus, there is a fundamental mismatch between a results-oriented program that creates a supply of permanent housing that ends homelessness among chronically ill persons, and HUD's commitment to operating the program through local decision-making. In addition, the conferees are concerned about the long-term implications of automatically renewing all permanent housing commitments. By including this compromise, the conferees are merely resolving the immediate issue and deferring a more comprehensive decision to a more appropriate vehicle or to a later date. Any comprehensive approach should include data and management systems that can measure progress toward the goal of ending chronic homelessness.

Inserts language proposed by the House authorizing HUD to make technical assistance funds available for management and information systems.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

Inserts new language limiting HUD from spending funds to employ more than 9,100 full time equivalent (FTE) employees during fiscal year 2000. Additionally, HUD is directed to develop an employee resource management plan that: (1) bases estimates and allocations on the level of work and where it is to be performed; (2) includes all departmental responsibilities in the work definition and resource estimation system; (3) identifies what work can be done with current human resource levels, and what tasks must be done less often, not done, or contracted out if they are to be accomplished; and (4) includes a resource validation component that accurately measures what staff do. The Department is directed to brief the Committees on Appropriations every six months on the progress made in developing this plan until it is implemented.

HUD's lack of an adequate staff plan begs the question of why HUD is apparently racing to hire more than 764 employees by the end of July, 2000. Though the limitation agreed to by the conferees does not preclude HUD from continuing down this course, it should be considered a warning that HUD cannot assume that funds to cover more than 9,100 FTEs in fiscal year 2001 will be forthcoming.

This assumption, in addition to being reckless, is further jeopardized because HUD's 2001 budget estimates about salary requirements are simply incorrect. The newest information from HUD shows that rather than needing $78,800 per FTE for salaries, HUD actually needs $82,000. This increase is due to HUD's insistence to hire community builder fellows at grade and salary levels that far out-strip career civil servants. In order to stave off employee complaints about the community builder program and to boost the morale of the civil servants, HUD recently promoted 200 career civil servants and provided more than 3,000 quality step increases to career civil servants. These increases, though likely well-deserved, were not built into the fiscal year 2001 budget estimate. The conferees believe that this decision, coupled with HUD's insistence on hiring 764 new staff, constitutes serious mismanagement and could create a crisis that may not be averted unless prompt responsible action is taken.

Thus, the conferees direct HUD to reconsider hiring to this staff level until the Committees, along with the Office of Management and Budget (OMB), can undertake a review of HUD's staffing needs and relate them to a realistic budget proposal.

OFFICE OF INSPECTOR GENERAL

(INCLUDING RESCISSION OF FUNDS)

Inserts technical language proposed by the Senate and modified by the House rescinding and re-appropriating $6,000,000 for the "Office of Inspector General" for the Housing Fraud Initiative.

INDEPENDENT AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS

OPERATING EXPENSES

(RESCISSION OF FUNDS)

Inserts new language rescinding $1,000,000 from the National Service Trust instead of transferring such amount as proposed by the House. The conferees have included this rescission as part of the appropriation of additional funds for the Office of Inspector General.

OFFICE OF INSPECTOR GENERAL

Inserts $1,000,000 for the Office of Inspector General, as proposed by the House. The amount provided shall be for the purpose of expanding the number of audits of State Commissions on National and Community Service. The conferees, recognizing the lateness of the additional funds, have agreed to make these funds available until September 30, 2001.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

Inserts language as proposed by the House clarifying Congressional intent with respect to a specific grant made available in Public Law 106–74 and in prior Acts; and which transfers funds provided for a specific grant in Public Law 105–276 to the "State and tribal assistance grant" account for specific water and wastewater infrastructure projects.

New language has also been included which prohibits the Environmental Protection Agency from spending any funds available for expenditure in fiscal years 2000 and 2001 to make a final determination on or implement any new rule relative to the Proposed Revisions to the National Pollutant Discharge Elimination System Program and Federal Antidegradation Policy and the Proposed Revisions to the Water Quality Planning and Management Regulations Concerning Total Maximum Daily Load, published in the Federal Register on August 23, 1999.

STATE AND TRIBAL ASSISTANCE GRANTS

Inserts language as proposed by the House making a technical correction to a specific grant identified in project number 102 provided in Public Law 106–74; and inserts new language making further technical corrections with respect to specific grants identified in project numbers 135 and 50 provided in Public Law 106–74.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

The conferees have agreed to provide $50,000,000, in addition to other amounts made available, to be derived from unobligated balances made available under "Disaster Relief" in Public Law 106–74, as proposed by the Senate. The House has proposed an additional $77,400,000 for buyout of properties made uninhabitable by Hurricane Floyd and surrounding events, under regulations promulgated in response to passage of Public Law 106–113. Both the House and Senate bills had designated the funding as emergency funding.

The conferees have agreed to include up to $50,000,000 within available disaster relief funds for buyouts and elevations of properties in the 100-year floodplain in areas which have had Presidential disaster declarations in fiscal years 1999 or 2000. FEMA is to give priority consideration to grant proposals for buyouts or elevations of repetitive loss properties. The fact the conferees have provided additional funds for buyouts reflects a recognition of significant demand for these funds in numerous states throughout the country and the need for actions to reduce potential losses for future flood events. The action of the conferees is not a positive reflection, however, on how FEMA has executed this program to date. The conferees are deeply troubled with FEMA's implementation of the buyout program as the agency has failed to meet statutory requirements to issue interim regulations by December 31, 1999, failed to provide States with clearly defined guidance to apply eligibility criteria, failed to develop a standard method for assessing fair market value and estimated costs per structure, and made an interim allocation based on inaccurate State submissions resulting in inequitable distribution of funds to the States. The conferees expect FEMA will address these major shortcomings, and those expected to be identified by the Inspector General shortly, and issue a final rule in a timely manner. Without stronger oversight and accountability for these funds than has been exhibited to date, additional funds will not be provided.

The conferees are aware of a disaster declaration request submitted June 26, 2000 by the Governor of North Dakota for areas in the eastern portion of the state affected by severe, unexpected rainfall, and understand there likely will be a formal Presidential declaration made shortly. The conferees recognize and applaud the professional and dedicated response to this disaster, as well as the initial damage assessments already performed by State and local disaster officials and representatives of the Federal Emergency Management Agency (FEMA). The conferees urge FEMA and other Federal agencies involved in responding to these floods to act expeditiously in processing claims submitted by State and local officials and affected residents upon the formal emergency declaration.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND TECHNOLOGY

The conferees have provided an additional $1,000,000 for the Independent Verification and Validation Facility to perform soft-

ware IV&V work for future Mars missions, and an additional $500,000 for the expansion of the Self Adaptive Vehicular Equipment (SAVE) project's "Online Learning Flight Control for Intelligent Flight Controls Systems" initiative at the Dryden Flight Research Center.

GENERAL PROVISIONS—THIS CHAPTER

Section 2801. Inserts language as proposed by the House and the Senate clarifying the intent of title V, subtitle C, section 538 of Public Law 106–74.

Section 2802. Inserts language as proposed by the Senate clarifying the intent of a specific grant provided in Public Law 106–113.

Sections 2803 and 2804. Inserts language as proposed by the Senate making several technical corrections in title II of Public Law 106–74.

CHAPTER 9

GENERAL PROVISION—THIS TITLE

DISTRICT OF COLUMBIA

Section 2901 appropriates $4,485,000 in Federal funds as proposed by the Senate to reimburse the District of Columbia for certain costs incurred in connection with the International Monetary Fund and World Bank Organization Spring Conference held in the District in April 2000. The conference agreement includes language proposed by the Senate that designates this appropriation as an emergency requirement available only to the extent that an official budget request is received by the Congress.

TITLE III—COUNTER NARCOTICS

CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY

Chapter 1 of the conference agreement provides a total of $184,059,000 in emergency supplemental appropriations for the Department of Defense, instead of $185,800,000 as proposed by the House and $115,700,000 as proposed by the Senate, to support Plan Colombia goals and for the procurement of one Airborne Reconnaissance Low aircraft.

The following table provides details of the emergency supplemental appropriations in this chapter.

[In thousands of dollars]

Program	FY2000 request	FY 2001 request	House	Senate	Conference
Counter-narcotics battalion support	18,200	3,000	21,200	18,200	21,200
Counter-narcotics brigade headquarters	1,000	0	1,000	1,000	1,000
Army aviation infrastructure support	8,200	5,000	13,200	8,200	13,200
Military reform	3,000	3,000	6,000	3,000	6,000
Organic intelligence capability	0	5,000	5,000	0	5,000
Senior Scout	0	5,000	5,000	0	5,000
Tracker aircraft modifications	7,000	3,000	10,000	7,000	10,000
AC–47 aircraft modifications	1,000	6,400	7,400	1,000	7,400
Ground based radar	13,000	7,000	20,000	0	13,000

[In thousands of dollars]

Program	FY2000 request	FY 2001 request	House	Senate	Conference
Radar command and control	5,000	0	5,000	5,000	5,000
Andean ridge intelligence collection	3,000	4,000	7,000	3,000	7,000
Colombian ground interdiction	5,000	0	5,000	5,000	5,000
Classified	34,000	21,000	80,000	34,300	55,259
Airborne Reconnaissance Low aircraft	0	0	0	30,000	30,000

AIRCRAFT PROCUREMENT, ARMY

The conferees agree to provide $30,000,000 for the procurement of one Airborne Reconnaissance Low (ARL) aircraft, as proposed by the Senate. This aircraft will replace the ARL aircraft lost in the tragic crash during a counter-narcotics mission in Colombia last year. The conferees are concerned that more ARL aircraft have not been available on a regular basis to U.S. Southern Command, and strongly urge the Department of Defense and the Army to provide more ARL mission aircraft for missions in the U.S. Southern Command area of responsibility.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conferees agree to provide $154,059,000 in support of Plan Colombia. The conferees direct the Secretary of Defense to provide to the Committees on Appropriations, not later than 30 days following enactment of this Act, a report on the proposed uses of all funds under this heading. This report shall describe steps taken to ensure the maximum force protection of U.S. personnel while deployed in Colombia, including their rules of engagement. The conferees have provided funding for specific activities, as described in the budget request, and direct the Under Secretary of Defense (Comptroller) to notify the Committees on Appropriations 15 session days prior to any obligation or transfer of funds which is not consistent with the specific purposes contained in the request and delineated in this statement of managers.

Additionally, the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict is directed to provide a monthly report to the congressional defense committees, which shall include the following information for the preceding month: Identification of private sector firms providing support to Plan Colombia in any capacity, the number of American citizens located overseas in execution of supporting contracts, and the number of military personnel and U.S. government employees operating in Colombia and the surrounding region in support of Plan Colombia.

CLASSIFIED PROGRAMS

The conference agreement regarding classified programs is summarized in a classified annex accompanying this statement of managers.

GENERAL PROVISIONS—THIS CHAPTER

The conferees agree to retain and amend section 3101, as proposed by the House and amended by the Senate, which places limits on the funds made available in this Act to the Department of

Defense for the provision of support for counter-drug activities of the Government of Colombia.

CHAPTER 2

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEPARTMENT OF STATE

ASSISTANCE FOR COUNTERNARCOTICS ACTIVITIES

The conference agreement recommends $1,018,500,000 in emergency supplemental appropriations to reduce the supply of narcotics to the United States from Colombia and Southern and Central America and the Caribbean. The House bill recommended $1,099,000,000 and the Senate amendment recommended $934,100,000.

The President requested that $818,000,000 be designated as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. In addition, the President requested $256,000,000 in fiscal year 2001 to support Plan Colombia. These funds shall only be available to the extent that an official budget request that designates the entire amount as an emergency requirement is transmitted to the Congress. The conference agreement provides that these funds be available until expended, as requested by the Administration.

The conference agreement provides a waiver of section 482(b) of the Foreign Assistance Act of 1961, regarding the procurement of weapons and ammunition, for funds under this heading. Also the conference agreement requires that funds under this title shall be subject to all limitations and restrictions contained in section 599D of section 1000(a)(2) of Public Law 106–113, regarding funds for population planning.

The conference agreement directs the Secretary of State, in consultation with the Secretary of Defense and the Administrator of the Agency for International Development, to provide to the Speaker of the House of Representatives and to the Committees on Appropriations not later than 30 days after enactment of this Act, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project or activity. The conferees direct the Administration's report to reflect the priorities as provided in the following funding columns. The conferees note that the report by the Secretary of State must be received prior to the initial obligation of any of these emergency supplemental funds. The conferees expect this report to serve as the basis for any future reprogramming of funds by the Executive Branch. Further, at least 20 days prior to the obligation of funds under this title, the Secretary of State shall inform the Committees on Appropriations.

ASSISTANCE FOR PLAN COLOMBIA

The assistance for Plan Colombia is designed to support the five objectives of the Colombian government's effort to gain control

of the drug producing regions in southern Colombia; to increase drug interdiction efforts; to provide additional assistance to the Colombian National Police; to increase alternative economic development programs, and to strengthen human rights and justice and anti-crime programs.

SUPPORT FOR THE PUSH INTO SOUTHERN COLOMBIA

The conference agreement recommends $390,500,000 to support the Government of Colombia's objective to gain control of the drug producing regions of southern Colombia. These funds will support certain aspects of training and equipping the second and third Colombian Army counternarcotics battalions. Central to this entire effort is providing reliable airlift for these counternarcotics battalions. The conference agreement directs that funds will be utilized to: procure and support 16 UH–60 Black Hawk helicopters; procure, refurbish, and support 30 UH–1H Huey II helicopters; and support 15 UH–1N helicopters for use by the Colombian Army. The conference agreement directs that UH–60 Black Hawk procurement be managed by the U.S. Defense Security Cooperation Agency. The conference agreement includes language, as contained in the House bill, requiring that if any helicopter procured with funds under this heading is used to aid or abet the operations of an illegal self-defense group or security cooperative, then such helicopter shall be immediately returned to the United States. The conferees recognize that significant resources under this title are dedicated to procurement and sustainment of various aircraft for use by the Colombia government and, therefore, support funds for defensive systems to provide protection for these aircraft. As requested by the Administration, the conference agreement recommends $9,000,000 to procure Schweizer SA 2–37A organize intelligence aircraft with forward looking infrared (FLIR) to support the counternarcotics battalions' counter-drug surveillance. The conference agreement directs funds for the following programs:

SUPPORT FOR THE PUSH INTO SOUTHERN COLOMBIA

	House	Senate	Conference
Train and equip Colombian Army counternarcotics battalions	$7,000,000	$7,000,000	$7,000,000
Army Counternarcotics battalion UH–1N program	64,000,000	64,000,000	60,000,000
Army Counternarcotics battalion UH–60 Black Hawk program	362,000,000	.....	208,000,000
Army Counternarcotics battalion UH–1H Huey II program	.....	118,500,000	60,000,000
Sustain Army counternarcotics battalion	6,000,000	6,000,000	6,000,000
Forward infrastructure development	3,000,000	5,000,000	3,000,000
Force protection enhancements	4,000,000	7,000,000	4,000,000
Logistical Support	4,400,000	8,000,000	4,400,000
Army Counternarcotics battalion organic intelligence	9,000,000	9,000,000	9,000,000
Training for senior commanders	1,100,000	1,100,000	1,100,000
Army Counternarcotics battalion communications	3,000,000	.....	3,000,000
Other infrastructure and sustainment	6,500,000	.....	.....
Alternative development in southern Colombia	16,000,000	10,000,000	10,000,000
Temporary emergency resettlement and employment	15,000,000	15,000,000	15,000,000
Total	501,000,000	250,600,000	390,500,000

SUPPORT FOR INTERDICTION EFFORTS

The conference agreement recommends $129,400,000 to enhance United States and Colombian narcotics interdiction efforts. The majority of these funds are dedicated to upgrading the radar systems in four U.S. Customs Service P–3 airborne early warning interdiction aircraft. The U.S. Customs Service aircraft are dedicated to missions to detect and monitor suspect targets destined for the United States from cocaine source zones, primarily Colombia. Additionally, the Committee directs funds U.S. and Colombian air, land, and sea interdiction programs as follows:

SUPPORT FOR INTERDICTION EFFORTS

	House	Senate	Conference
Upgrade Colombian Air Force OV–10 aircraft	$15,000,000	$15,000,000	$15,000,000
Upgrade aircraft for night operations	1,900,000	1,500,000	1,900,000
Airfield upgrades	8,000,000	8,000,000	8,000,000
Upgrade U.S. Customs Service P–3 aircraft radar systems	68,000,000	68,000,000	68,000,000
Support for Colombian air interdiction program	19,500,000	19,500,000	19,500,000
Support for Colombian riverine interdiction program	12,000,000	12,000,000	12,000,000
Ammunition for Colombian riverine interdiction program	2,000,000	2,000,000	2,000,000
Colombian Navy operations infrastructure support	1,000,000	1,000,000	1,000,000
U.S. ONDCP Counternarcotics intelligence architecture	1,000,000	500,000	.....
U.S. Treasury/OFAC sanctions support	2,100,000	2,000,000	2,000,000
Civil beacons	.....	2,000,000	.....
Go Fast Boat	.....	1,000,000	.....
Total	130,500,000	132,500,000	129,400,000

SUPPORT FOR THE COLOMBIAN NATIONAL POLICE

The conference agreement recommends $115,600,000 to support the Colombian National Police (CNP). The conferees note that the CNP has for years been at the forefront of the Colombian government's counter-narcotics efforts and has received significant United States support in recent years. The conference agreement recommends three significant programs to enhance the CNP's eradication efforts. These include: $26,000,000 for procurement, training and support for two UH–60 Black Hawk helicopters; $20,600,000 for twelve UH–1H Huey II helicopters; and $20,000,000 for the purchase of Ayers S2R T–65 agricultural spray aircraft and OV–10 aircraft. The conference agreement recommends additional funds be provided for communications, ammunition, spare parts, training and logistical support. The conference agreement directs funds for the following programs:

SUPPORT FOR THE COLOMBIAN NATIONAL POLICE

	House	Senate	Conference
Secure communications	$3,000,000	$3,000,000	$3,000,000
Weapons and ammunition	3,000,000	3,000,000	3,000,000
UH–60 Black Hawk procurement and support	26,000,000	.....	26,000,000
Enhanced Logistical Support	2,000,000	2,000,000	2,000,000
CNP forward operating capability and force protection	5,000,000	5,000,000	5,000,000
CNP border bases construction	5,000,000	5,000,000	5,000,000
Additional CNP airmobile units	2,000,000	2,000,000	2,000,000
Upgrade CNP aviation facilities	8,000,000	8,000,000	8,000,000
Additional spray aircraft	20,000,000	20,000,000	20,000,000
Upgrade existing CNP airplanes (including FLIR)	5,000,000	5,000,000	5,000,000

SUPPORT FOR THE COLOMBIAN NATIONAL POLICE—Continued

	House	Senate	Conference
Upgrade 12 UH–1H helicopters to Huey II configuration	20,600,000	24,000,000	20,600,000
Sustainment and operations	5,000,000	5,000,000	5,000,000
Training for pilots and mechanics	1,900,000	2,500,000	2,000,000
Airfield security	2,000,000	2,000,000	2,000,000
Enhanced eradication	4,000,000	4,000,000	4,000,000
Spare parts	3,000,000	3,000,000	3,000,000
Total	115,500,000	93,500,000	115,600,000

SUPPORT FOR ALTERNATIVE AND ECONOMIC DEVELOPMENT IN COLOMBIA

The conference agreement recommends $81,000,000 to support alternative and economic development programs in Colombia. These funds are in addition to funds provided for alternative development associated with the Colombian government's objective to "Push into Southern Colombia". The conferees recommend funding levels for these programs at levels below the House and Senate bills since these supplemental funds are not expected to reach Colombia until the last quarter of fiscal year 2000. The conferees believe that additional funding for these programs can be made available during the regular fiscal year 2001 appropriations process. The conference agreement recommends $4,000,000 for operating expenses for the Agency for International Development to effectively manage this program. The conferees direct funds for the following programs:

SUPPORT FOR ALTERNATIVE AND ECONOMIC DEVELOPMENT IN COLOMBIA

	House	Senate	Conference
Environmental programs	$5,000,000	$2,500,000	$2,500,000
Voluntary eradication programs	46,000,000	46,000,000	30,000,000
Assistance to local governments	15,000,000	12,000,000	12,000,000
Assistance for internally displaced persons	24,500,000	24,500,000	22,500,000
AID Operating Expenses in Colombia	6,000,000	4,500,000	4,000,000
Community-level alternative development	20,000,000	20,000,000	10,000,000
Total	116,500,000	109,500,000	81,000,000

SUPPORT FOR HUMAN RIGHTS AND JUDICIAL REFORM IN COLOMBIA

The conference agreement recommends $122,000,000 for a broad range of human rights, judicial reform, and other programs designed to support the peace process and to strengthen democracy and rule of law in Colombia. The conferees strongly support funding for these programs and recognize that protecting human rights and rule of law are central to the overall goals of Plan Colombia. The conferees note that the recommended level for these important programs is $29,000,000 more than requested by the Administration. The conference agreement includes $2,500,000 to support the rehabilitation of child soldiers instead of $5,000,000 as proposed by the Senate. The House bill did not address this matters. The conference agreement directs funds for the following programs:

SUPPORT FOR HUMAN RIGHTS AND JUDICIAL REFORM IN COLOMBIA

	House	Senate	Conference
Protection of human rights workers	$4,500,000	$4,000,000	$4,000,000
Strengthen human rights institutions	8,500,000	7,000,000	7,000,000
Establish CNP/Fiscalia human rights units	4,000,000	25,000,000	25,000,000
Judicial system policy reform	2,500,000	1,500,000	1,000,000
Criminial code reform	3,500,000	3,500,000	1,500,000
Prosecutor training	4,500,000	4,000,000	4,000,000
Judges training	4,000,000	4,000,000	3,500,000
Casa de Justicia judicial program	6,500,000	3,000,000	1,000,000
Public defender program	2,500,000	2,000,000	2,000,000
Asset forfeiture-money laundering task force	4,000,000	[1] 15,000,000	15,000,000
Counternarcotics investigative units	4,000,000	.....	.....
Anti-corruption program	6,000,000	([1])	.....
Asset management program	1,000,000	([1])	.....
Anti-kidnapping program	2,000,000	2,000,000	1,000,000
Financial crime program	3,000,000	([1])	.....
Judicial Police training program	4,000,000	4,000,000	3,000,000
Witness and judicial security	5,000,000	5,000,000	5,000,000
Armed Forces human rights and legal reform	1,500,000	.....	1,500,000
Army JAG School	1,000,000	.....	1,000,000
Training for Customs police	6,000,000	6,000,000	2,000,000
Maritime enforcement and port security	4,000,000	4,000,000	2,500,000
Multilateral case initiative	4,500,000	4,500,000	3,000,000
Prison security program	8,000,000	8,000,000	4,500,000
Banking supervision assistance	1,000,000	1,000,000	1,000,000
Revenue enhancement assistance	1,000,000	1,000,000	500,000
Customs training assistance	1,000,000	1,000,000	1,000,000
Conflict management and peace process	1,000,000	5,000,000	3,000,000
U.N. Office of Human Rights	.....	1,000,000	1,000,000
U.S. Government monitoring	.....	1,500,000	1,500,000
Organized financial crime	.....	[1] 15,000,000	14,000,000
Rehabilitationn of Child Soldiers	.....	5,000,000	2,500,000
Witness/Judicial Security Human Rights Cases	.....	10,000,000	10,000,000
Total	98,500,000	143,000,000	122,000,000

[1] Designates a combination of accounts.

REGIONAL ASSISTANCE

The conferees recognize the unique narcotics crisis affecting Colombia and the United States and has, therefore, responded to the President's request that the overwhelming majority of these emergency funds be provided in direct support of Plan Colombia. However, this effort requires a greater regional emphasis so that the problems associated with the cultivation, processing and trafficking of illegal narcotics are not simply relocated elsewhere in the region. Therefore, the conference agreement recommends $180,000,000 for assistance for other countries in the region. Of these funds, the conferees recommend that up to $32,000,000 be made available to procure American-made KMAX helicopters and to provide initial training, logistics, and technical support for four years. The conference agreement recommends not less than $18,000,000 for interdiction programs in other countries in South and Central America and the Caribbean. The conferees are aware of the significant interdiction requirements in Panama, Costa Rica, Brazil, The Bahamas, and Venezuela. The conferees direct that the Secretary of State, when reporting to the Committees on Appropriations as required by this Act, provide recommendations and justifications for the use of these funds on a country-by-country basis.

The conference agreement provides that not less than $110,000,000 be made available for assistance for Bolivia, including $85,000,000 which may be made available for alternative development and other economic activities. The conferees strongly support the efforts of the Bolivian government, through its "Dignity Plan", to terminate coca production in Bolivia.

The conference agreement recommends that not less than $20,000,000 may be made available for assistance for Ecuador, including $8,000,000 which may be made available for alternative development and other economic activities.

The conference agreement includes bill language regarding conditions on assistance for Colombia which is similar to language contained in the House bill and the Senate bill. This bill language requires the Secretary of State to certify that a number of conditions have been met by the Government of Colombia prior to the initial obligation of funds under this heading.

The conference agreement includes language regarding limitations on the use of appropriated funds in support of Plan Colombia and the assignment of United States military personnel in Colombia which is similar to language contained in the Senate bill. The House bill contained a similar provision. The conferees note that this provision places a limitation on the assignment of any United States military personnel in Colombia in connection with support of Plan Colombia and does not apply to other United States military personnel in Colombia not directly supporting of Plan Colombia.

The conference agreement does not include bill language requiring certain reporting requirements regarding conditions on assistance to Colombia as proposed by the Senate. However, the conferees expect that beginning 60 days after the date of enactment of this Act, and every 180 days thereafter for the duration of the provision of resources administered under this Act, the Secretary of State shall submit a report to the Appropriations Committees and other congressional committees as appropriate which contains:

A description of the extent to which the Colombian Armed Forces have suspended from duty Colombian Armed Forces personnel who are credibly alleged to have committed gross violations of human rights, and the extent to which such personnel have been brought to justice in Colombia's civilian courts, including a description of the charges brought and the disposition of such cases.

An assessment of efforts made by the Colombian Armed Forces, National Police, and Attorney General to disband paramilitary groups, including the names of Colombian Armed Forces personnel brought to justice for aiding or abetting paramilitary groups and the names of paramilitary leaders and members who were indicted, arrested and prosecuted.

A description of the extent to which the Colombian Armed Forces cooperate with civilian authorities in investigating and prosecuting gross violations of human rights allegedly committed by its personnel, including the number of such personnel being investigated for gross violations of human rights who are suspended from duty.

A description of the extent to which attacks against human rights defenders, government prosecutors and investigators, and of-

ficials of the civilian judicial system in Colombia, are being investigated and the alleged perpetrators brought to justice.

An estimate of the number of Colombian civilians displaced as a result of the "push into southern Colombia", and actions taken to address the social and economic needs of these people.

A description of actions taken by the United States and the Government of Colombia to promote and support a negotiated settlement of the conflict in Colombia.

The conference agreement includes bill language, identical to the House bill, regarding the denial of visas for persons credibly alleged to have aided or abetted Colombian insurgent and paramilitary groups. Further, the conference agreement includes bill language, as proposed by the Senate, requiring a report by the President on the current United States policy and strategy regarding United States counternarcotics assistance for Colombia and neighboring countries.

The conferees direct that not later than 60 days after the enactment of this Act, the Secretary of State, in consultation with the heads of other relevant United States federal agencies, report to the Committees on Appropriations regarding the effects on human health and the safety of herbicides utilized under this title. The House bill did not address this matter.

The conference agreement does not include bill language regarding certain counternarcotics measures, as proposed by the Senate. The conferees believe that the Government of Colombia should commit itself immediately to the urgent development and application of naturally occurring and ecologically sound methods for eradicating illicit crops, which could reduce significantly the loss of life in Colombia and the United States.

Further, the conferees believe that the effectiveness of United States counternarcotics assistance to Colombia depends on law enforcement officials in Colombia having full access to all areas of Colombian national territory. Also, the conferees believe that the governments of the countries receiving assistance under this title should take steps to bring to justice narcotics traffickers and, if requested, extradite these traffickers to the United States.

The conference agreement includes bill language, as proposed by the Senate, requiring a detailed report by the Secretary of State regarding the extradition of narcotics traffickers to the United States. The House bill did not address this matter.

The conference agreement includes bill language, as proposed by the Senate, requiring the Secretary of State to make a certification regarding the United States Government's public support for the military and political efforts of the Government of Colombia. The House bill did not address this matter.

The conference agreement does not include bill language, as proposed by the Senate amendment, regarding United States citizens held hostage in Colombia. The House bill did not address this matter. The conferees are deeply concerned that three American citizens, David Mankins, Mark Rich, and Rick Tenenoff, have been held hostage by Revolutionary Armed Forces of Colombia (FARC) guerrillas since January 31, 1993. These men were engaged in humanitarian and religious work when they were taken hostage. The conferees condemn these kidnappings and urge the Administration

and the United Nations to work to gain the prompt release of these Americans.

CHAPTER 3

MILITARY CONSTRUCTION, DEFENSE-WIDE

The conferees recommend $116,523,000 for Military Construction, Defense-wide, as proposed by the House and Senate. These amounts are provided as a contingent emergency appropriation for the construction of three Forward Operating Locations to support the Colombia Anti-Drug Program, as follows:

Location/Facility	*Cost*
Ecuador:	
Airfield Pavement/Rinse Facility	$38,600,000
Aircraft Maintenance Hangar/Nose/Dock Apron	6,723,000
Expeditionary Maintenance Facilities	4,900,000
Expeditionary Rescue Station	2,200,000
Expeditionary Squadron Ops/AMU/Storage	2,600,000
Expeditionary Visiting Airmen Quarters/Dining Facility	4,650,000
Expeditionary Visiting Officer Quarters	1,600,000
Subtotal, Ecuador	61,273,000
Aruba:	
Airfield Pavement/Rinse Facility	8,800,000
Expeditionary Maintenance Facilities	860,000
Small Exped. Aircraft Maintenance Hangar/Apron	590,000
Subtotal, Aruba	10,250,000
Curacao:	
Airfield Pavement/Rinse Facility	29,500,000
Aircraft Maintenance Hangar/Nose/Dock Apron	9,200,000
Expeditionary Maintenance Facilities	3,000,000
Expeditionary Squadron Ops/AMU/Storage	2,200,000
Subtotal, Curacao	43,900,000
Various: Planning and Design	1,100,000
Subtotal, Various	1,100,000
Total	116,523,000

TITLE IV—LEWIS AND CLARK RURAL WATER SYSTEM

Lewis and Clark Rural Water System Project.—The conference agreement includes language authorizing the Lewis and Clark Rural Water System project in South Dakota. Both the House and Senate versions of the Lewis and Clark Rural Water System legislation contained provisions to make Pick-Sloan power that had been reserved for future irrigation and drainage pumping for the Pick-Sloan Missouri Basin Program available at the firm power rate during the irrigation season, May 1 through October 31 each year, so long as the system is operated on a not-for-profit basis. Pick-Sloan capacity and energy will be provided by the Western Area Power Administration to the rural water system at the firm power rate schedule of the Pick-Sloan Eastern Division of the Western Area Power Administration in effect when the power is delivered by Western to the qualified preference power supplier, which will be responsible for delivery of Pick-Sloan power. The conferees understand that the qualified preference entity is entitled to include in its charges to the rural water system its other usual and

customary charges. Additional power supply for the water supply project shall be provided in accordance with state law.

TITLE V—GENERAL PROVISIONS THIS DIVISION

Section 5102. The conference agreement includes a provision that repeals certain pay date shifts that were included in the Fiscal Year 2000 Consolidated Appropriations Act. That Act provided that when military members were to be paid on September 30, 2000, or when civilian employees were to be paid on September 29, 2000, or on September 30, 2000, these groups were to be paid on October 1, 2000.

Section 5103. The conference agreement includes a new provision that nullifies the final proviso of title VI of the fiscal year 2000 Foreign Operations, Export Financing, and Related Programs Appropriations Act.

Section 5104. The conference agreement includes a House provision that repeals Section 216 of the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Act, 2000. This section provides for the delayed obligation of funds within a number of accounts. As a result of this action, the department and agencies funded by this Act will be able to obligate funds in the normal pattern.

Section 5105. The conference agreement includes a new provision, which was requested in the fiscal year 2001 budget submission, that restores Supplemental Security Income payments to the appropriate year, so that all payments are made consistent with the normal rules for making SSI payments which come due on a weekend or non-banking day.

Section 5106. The conference agreement includes a new provision, which was requested in the fiscal year 2001 budget submission, that moves the pay date for veterans' compensation and pensions from fiscal year 2001 to fiscal year 2000.

Section 5107. The conference agreement includes a provision waiving sequestration for fiscal year 2000 for any of the supplemental funding included.

Section 5108. The conference agreement includes a provision that permits the Senate to consider fiscal year 2001 appropriations bills at the level of the fiscal year 2001 budget resolution.

Section 5109. The conference agreement includes a provision that shifts $2,000,000,000 in outlays only from the defense category to the non-defense category without changing the aggregate totals. The provision affects the defense/non-defense firewall applicable to the Senate only under the terms of the fiscal year 2001 budget resolution.

DIVISION C

CERRO GRANDE FIRE

TITLE I—CERRO GRANDE FIRE ASSISTANCE ACT

COMPENSATION FOR VICTIMS OF CERRO GRANDE FIRE

FEDERAL EMERGENCY MANAGEMENT AGENCY

CERRO GRANDE FIRE ASSISTANCE FUND AND CLAIMS OFFICE

The conferees have agreed to provide an appropriation of $500,000,000 for the Federal Emergency Management Agency to carry out the provisions of the Cerro Grande Fire Assistance Act.

The Cerro Grande Fire Assistance Act ("the Act") provides a comprehensive and expeditious process for the settlement of claims resulting from the Cerro Grande Fire, which was caused by the prescribed burn initiated by the National Park Service on Federal land at Bandelier National Monument in New Mexico. The claims process will be administered through a new Office of Cerro Grande Fire Claims at the Federal Emergency Management Agency (FEMA).

On May 4, 2000, the National Park Service initiated a prescribed burn on Federal land at Bandelier National Monument in New Mexico during the peak of the southwest fire season. One day later, the prescribed burn exceeded the containment capabilities of the National Park Service, was reclassified as a wildland burn, and quickly spread to other Federal and non-Federal lands. By May 7, 2000, the fire had grown in size, spreading to residential areas and causing the evacuation of several communities in northern New Mexico, including Los Alamos.

The Cerro Grande Fire was the largest forest fire in the state of New Mexico's history. The fire damaged or destroyed more than 48,000 acres of forest, 37 million trees, 439 homes, caused injuries, property damages and personal injuries to more than 1,000 families, countless businesses, the County of Los Alamos, the State of New Mexico, two Indian tribes and several other Federal and non-Federal entities. The Secretary of Interior and the National Park Service have assumed responsibility for the fire and the subsequent injuries which resulted from it.

The Act provides full compensation for injuries resulting from the Cerro Grande Fire. The term "injury" is given the same meaning as in the Federal Tort Claims Act. However, the Act contains an instructive list of allowable damages for injuries which constitute losses of property, business losses or financial losses. The conferees intend that FEMA compensate fully all injured parties for these enumerated damages if the damages resulted from the Cerro Grande Fire. The Act also gives FEMA the discretion to compensate fully injured parties for any other damages resulting from the fire which FEMA deems appropriate.

Those eligible for compensation through the claims process include all entities which suffered injuries resulting from the fire, including individuals, Indian tribes, corporations, tribal corporations, partnerships, companies, school districts, other state and local governmental entities and insurance companies. The conferees are

aware that certain members of the Los Alamos community injured by the fire are non-citizens lawfully present in the United States who are otherwise ineligible for certain assistance from FEMA and other governmental agencies. The Act intends that these individuals be compensated for their losses in the same manner as any other injured party.

The Act requires that FEMA also compensate insurance companies as subrogees for claims paid to insureds for damages resulting from the fire. However, the Act makes clear that, to the maximum extent practicable, insurance companies should receive payment for their claims only after those claims submitted by other injured parties are satisfied.

The Act requires FEMA within 45 days of enactment of the Act to promulgate interim final regulations for the processing and payment of claims. Injured parties must file their claims within 2 years from the date on which such regulations are promulgated. FEMA must determine and fix the amount of payment of each claim within 180 days of its filing.

The conferees are concerned that injured parties only be compensated once for injuries resulting from the fire. To prevent double recoveries and to maintain an orderly claims process, the Act requires that injured parties elect to pursue damages for their injuries either by submitting a claim to the Cerro Grande Fire Claims Office or by filing a claim in the courts under the Federal Tort Claims Act or any other provision of law. If a party elects to file a claim with the Cerro Grande Fire Claims Office, the party may not subsequently file a claim in court for the same damages. Conversely, parties who choose to pursue damages in a court of law may not file a claim under this Act.

The conferees recognize that disputes may arise over claims submitted under this Act. The Act preserves the rights of individuals to request judicial review of their final claims awards in the Federal District Court for the District of New Mexico. The Act also allows aggrieved claimants in lieu of Federal court to elect binding arbitration of their claims award by a neutral third party under a process to be determined by FEMA.

The conferees note that the responsibility given to FEMA under this Act is outside the scope of the work FEMA normally performs in managing disasters. The conferees have confidence that FEMA and its Director will manage the claims process in accordance with the intent of this Act, and that this new, temporary responsibility will not diminish FEMA's ability to manage other current and future disasters under the Stafford Act. The conferees also intend that no funds to administer this Act or pay claims will be derived from the Disaster Relief Fund.

TITLE II—CERRO GRANDE FIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

The conference agreement provides an additional $10,000,000 for the emergency conservation program (ECP), to remain available until expended. The conferees include language that allows ECP funds to be used to rehabilitate farmland damaged from fires that resulted from prescribed burning conducted by the Federal government, and exempts these funds from certain cost-share requirements.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement recommends an additional $4,000,000, to remain available until expended, to repair damages as a result of the Los Alamos, New Mexico fires.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

The conference agreement appropriates $138,000,000 for the Department of Energy for damage sustained by the Los Alamos National Laboratory in the Cerro Grande fire. The entire amounts has been designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The conference agreement provides $53,340,000 for physical damage, destruction repair and risk mitigation; $27,260,000 for restoring services; $39,400,000 for emergency response; and $18,000,000 for resuming laboratory operations.

The Department is directed to provide a monthly report showing the estimated costs for each activity, the actual costs incurred, and a brief description of the activities performed. The Department should work with the House and Senate Committees on Appropriations on the format for this report.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

The conference agreement provides $8,982,000 in emergency funding for operation of Indian programs for the Pueblo of Santa Clara and the Pueblo of San Ildefonso for restoration, rehabilitation and reforestation of tribal lands and facilities damaged by the Cerro Grande fire in New Mexico. The entire amount is contingent on receipt of a budget request that includes a Presidential designation of the entire amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISION—THIS TITLE

Section 2101 allows members of the Pueblo of San Ildefonso and the Pueblo of Santa Clara to collect plants and minerals in the Bandelier National Monument. The extensive areas burned by the Cerro Grande fire have severely reduced the availability of local plants, clays and soils traditionally used by these Pueblos. To allow their traditional ceremonies to continue uninterrupted, it is necessary to allow enrolled members of both Pueblos access to plant and mineral resources that are available in the Bandelier National Monument at quantities greater than allowed by current regulations of the National Park Service. These activities would be consistent with applicable laws governing the Monument.

For the consideration of the House bill and Division A of the Senate amendment and modifications committed to conference:

DAVID L. HOBSON,
JOHN EDWARD PORTER,
TODD TIAHRT,
JAMES T. WALSH,
DAN MILLER,
ROBERT B. ADERHOLT,
KAY GRANGER,
VIRGIL GOODE, Jr.,
C.W. BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN D. DICKS,
DAVID OBEY,

For the consideration of Division B of the Senate amendment and modifications committed to conference:

C.W. BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
HAROLD ROGERS,
JOE SKEEN,
SONNY CALLAHAN,
DAVID OBEY,
JOHN MURTHA,

Managers on the Part of the House.

CONRAD BURNS,
KAY BAILEY HUTCHISON,
LARRY CRAIG,
JON KYL,
TED STEVENS,
PATTY MURRAY,
HARRY REID,
DANIEL K. INOUYE,
ROBERT C. BYRD,

Managers on the Part of the Senate.

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