

106TH CONGRESS  
1ST SESSION

# H. R. 1401

To authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 1999

Mr. SPENCE (for himself and Mr. SKELTON) (both by request) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Defense Au-  
5       thorization Act for Fiscal Years 2000 and 2001”.

6       **SEC. 2. TABLE OF CONTENTS.**

7       The table of contents for this Act is as follows:

Sec. 1. Table of contents.

### TITLE I—PROCUREMENT

### **Subtitle A—Authorization of Appropriations**

- Sec. 101. Army.
- Sec. 102. Navy and Marine Corps.
- Sec. 103. Air Force.
- Sec. 104. Defense-wide activities.
- Sec. 105. Defense Inspector General.
- Sec. 106. Defense Health Program.
- Sec. 107. Chemical Demilitarization Program.

### **Subtitle B—Multi-Year Contract Authorizations**

- Sec. 111. Authorization of multi-year contracts for the Army and the Navy.

## **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

- Sec. 201. Authorization of appropriations.

## **TITLE III—OPERATION AND MAINTENANCE**

### **Authorization of Appropriations**

- Sec. 301. Operation and maintenance funding.
- Sec. 302. Working capital funds.
- Sec. 303. Armed Forces Retirement Home.
- Sec. 304. Transfer from the National Defense Stockpile Transaction Fund.
- Sec. 305. Authority to fund inspector expenses from the organization for the prohibition of chemical weapons.

## **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

### **Subtitle A—Active Forces**

- Sec. 401. End strengths for Active Forces.

### **Subtitle B—Reserve Forces**

- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the Reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. End strengths for military technicians (non-dual status).
- Sec. 415. Increase in number of members in certain grades authorized to serve on active duty in support of the Reserves.

### **Subtitle C—End and Grade Strength Management**

- Sec. 416. Permanent end strength levels to support two major regional contingencies.
- Sec. 417. Permanent selected Reserve end strength waiver authority.
- Sec. 418. Senior joint officer positions exempted from numerical limitation; permanent authorities.
- Sec. 419. Air Force officer authorizations; exemption for certain positions from grade strengths.

## **TITLE V—MILITARY PERSONNEL POLICY**

### **Subtitle A—Officer Personnel Policy**

- Sec. 501. Officers eligible to serve on boards of inquiry.
- Sec. 502. Clarification of selection procedures for the Judge Advocate General and the Assistant/Deputy Judge Advocate General of the military departments and the Staff Judge Advocate to the Commandant to the Marine Corps.
- Sec. 503. Tenure requirement for critical acquisition positions.
- Sec. 504. Recommendations for promotion by selection boards.

### **Subtitle B—Matters Relating to Reserve Components**

- Sec. 510. Continuation on Reserve active status list to complete disciplinary action.
- Sec. 511. Authority to order Reserve component members to active duty to complete a medical evaluation.
- Sec. 512. Eligibility for consideration for promotion; general rules.
- Sec. 513. Retention of certain Reserve component officers who twice failed selection for promotion.
- Sec. 514. Computation of years of service exclusion.
- Sec. 515. Authority to retain Reserve component chaplains until age 67.
- Sec. 516. Space required travel for Reserves; expansion and codification.
- Sec. 517. Conforming amendment to authorize Reserve officers and retired regular officers to hold a civil office while serving on active duty for not more than 270 days.
- Sec. 518. Clerical amendment regarding retired pay for nonregular service.

### **Subtitle C—Military Education and Training**

- Sec. 520. To make permanent the expansion of ROTC Program to include graduate students.
- Sec. 521. Correction of Reserve credit for participation in health professional scholarship and financial assistance program.
- Sec. 522. Payment of tuition for off-duty training or education.
- Sec. 523. Dean of the Academic Board of the United States Military Academy and Dean of the Faculty of the United States Air Force Academy.
- Sec. 524. United States Army War College Master of Strategic Studies Degree.
- Sec. 525. Air University; graduate-level degrees.
- Sec. 526. Financial assistance program for specially selected members: Marine Corps Reserve.

### **Subtitle D—Uniform Code of Military Justice**

- Sec. 530. Increase in jurisdiction of special courts-martial to authorize imposition of sentence to confinement and forfeitures of pay of not more than one year.
- Sec. 531. Revision to measurement of breath and blood alcohol for purposes of determining the offense of drunken operation of a vehicle, aircraft, or vessel.

## **TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

### **Subtitle A—Pay and Allowances**

- Sec. 601. Increase in basic pay for fiscal year 2000.

### **Subtitle B—Bonuses and Special and Incentive Pays**

- Sec. 610. Enlistment bonus installment.
- Sec. 611. Enlistment bonus amount.
- Sec. 612. Reenlistment bonus—months of continuous active duty.
- Sec. 613. Reenlistment bonus; increase in statutory maximum payable.
- Sec. 614. Reserve component prior service enlistment bonus eligibility for attaining a critical skill.
- Sec. 615. Aviation career incentive pay for air battle managers.
- Sec. 616. Diving duty special pay and hazardous duty incentive pay.
- Sec. 617. Career enlisted flyer incentive pay.
- Sec. 618. Increase to diving duty special pay.
- Sec. 619. Foreign language proficiency pay—increase in statutory maximum payable.
- Sec. 620. Surface warfare officer continuation pay.
- Sec. 621. Aviation career officers extending period of active duty.
- Sec. 622. Special warfare officer continuation pay.
- Sec. 623. Increase in special pay and bonuses for nuclear-qualified officers.

#### **Subtitle C—Extension of Certain Bonuses and Special Pays**

- Sec. 625. Extension of certain bonuses and special pay authorities for Reserve Forces through fiscal year 2001.
- Sec. 626. Extension of authorities relating to payment of reenlistment and enlistment bonuses and special pay for aviation career officers extending period of active duty.
- Sec. 627. Extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.
- Sec. 628. Extension of authority relating to payment of nuclear career field bonuses and special pay.

#### **Subtitle D—Military Retired Pay**

- Sec. 630. Repeal of reduction in retired pay applicable to post-August 1, 1986, members with less than 30 years of service.
- Sec. 631. Modify the “CPI-1” cost-of-living adjustment applicable to retired pay of post-August 1, 1986, members.
- Sec. 632. Conforming amendments.
- Sec. 633. Effective date.

#### **Subtitle E—Other Matters**

- Sec. 640. Lump sum leave with reenlistment.
- Sec. 641. Emergency leave travel cost limitations.
- Sec. 642. Authority to pay certain actual expenses of reservists.
- Sec. 643. Aviation career incentive pay; delegation of authority to waive operational flying duty requirements.
- Sec. 644. Tuition assistance for members deployed in a contingency operation.
- Sec. 645. Payment of temporary lodging expenses to members making their first permanent change of station.
- Sec. 646. Duty status; whereabouts unknown; pay administration.
- Sec. 647. Biennial reporting requirement for the Montgomery GI bill; Selected Reserve.

### **TITLE VII—HEALTH CARE PROVISIONS**

- Sec. 701. Administration of health care contracts and programs.
- Sec. 702. Continuation of previously provided custodial care benefits for certain CHAMPUS beneficiaries.

- Sec. 703. Modification of due date for evaluation and report on Tricare effectiveness.
- Sec. 704. Authority of Armed Forces medical examiner to conduct autopsies.
- Sec. 705. Emergency medical care for employees of the Department of Defense on duty in the former Soviet Union or former Warsaw Pact countries.
- Sec. 706. Third party collection program improvement.

### **TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS**

- Sec. 801. Protection of commercial sources.
- Sec. 802. Waiver of live-fire survivability testing MH-47E/MH 60K helicopter modification programs.
- Sec. 803. Sale, exchange, and waiver authority for coal and coke.
- Sec. 804. Repeal of certification funding for support costs in the five-year Defense program.
- Sec. 805. Repeal of the shipbuilding capability preservation agreement.
- Sec. 806. Elimination of subcontract notification requirements.
- Sec. 807. Annual report to Congress on nuclear attack submarine procurement and submarine technology.
- Sec. 808. Elimination of annual report on design responsibility of new attack submarine program.
- Sec. 809. Clerical amendment to the authority to carry out certain prototype projects.
- Sec. 810. Manufacturing technology cost-sharing.

### **TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**

#### **Subtitle A—Organization**

- Sec. 901. Abolishment of position of Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.
- Sec. 902. Modification of the titles of certain members of the strategic environmental research and development program council.
- Sec. 903. Establishment of position in the Office of the Secretary of Defense of Director of Defense Logistics.

#### **Subtitle B—Service Academy Management**

- Sec. 905. Eligibility for Presidential appointment to a service academy; to include children of Reserve personnel and certain active duty personnel.
- Sec. 906. Reimbursement of expenses for instruction at service academies of persons from foreign countries.
- Sec. 907. Service Academy Foreign Exchange Program.

#### **Subtitle C—Personnel Management**

- Sec. 910. Exemption of retiree council members from recalled retiree limits.

#### **Subtitle C—Other Matters**

- Sec. 915. Vessels stricken from naval register, captures.
- Sec. 916. Leases: Land for special operations activities; extension of authority.
- Sec. 917. To consolidate various Department of the Navy trust and gift funds.

- Sec. 918. Use of burden-sharing funds for construction in the event of war or national emergency.
- Sec. 919. Protection of operational files of the National Imagery and Mapping Agency.

## **TITLE X—GENERAL PROVISIONS**

### **Subtitle A—Financial Matters**

- Sec. 1001. Repeal of requirement for separate budget request for procurement of Reserve equipment.
- Sec. 1002. Repeal of requirement for two-year budget cycle for the Department of Defense.
- Sec. 1003. Date for submittal of joint report on scoring of budget outlays.

### **Subtitle B—Foreign Nations**

- Sec. 1010. Cooperative military airlift agreements: allied countries.

### **Subtitle C—Department of Defense Schools**

- Sec. 1015. Amendment of eligibility requirements for attendance at Department of Defense domestic dependent elementary and secondary schools, rising senior.
- Sec. 1016. Amendment of provision for school boards in Department of Defense domestic dependent elementary and secondary schools.
- Sec. 1017. Amendment of eligibility criteria for dependents of members of the Armed Forces or of Federal employees to attend DOD domestic dependent elementary and secondary schools.

### **Subtitle D—Other Matters**

- Sec. 1020. National Guard Challenge Program.

## **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

- Sec. 2001. Short title.

### **TITLE XXI—ARMY**

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.
- Sec. 2105. Modification of authority to carry out certain fiscal year 1997 projects.

### **TITLE XXII—NAVY**

- Sec. 2201. Authorized navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Authorization, drug interdiction and counter-drug activities.

### **TITLE XXIII—AIR FORCE**

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.

- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Authorization, drug interdiction and counter-drug activities.

#### **TITLE XXIV—DEFENSE AGENCIES**

- Sec. 2401. Authorized Defense agencies construction and land acquisition projects.
- Sec. 2402. Improvements to military family housing units.
- Sec. 2403. Military Housing Improvement Program.
- Sec. 2404. Energy conservation projects.
- Sec. 2405. Authorization of appropriations, Defense agencies.
- Sec. 2406. Modification of authority to carry out certain fiscal year 1990 projects.

#### **TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**

- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.

#### **TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

#### **TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS**

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2702. Extension of authorizations of certain fiscal year 1996 projects.
- Sec. 2703. Extension of authorizations of certain fiscal year 1995 projects.
- Sec. 2704. Effective date.

#### **TITLE XXVIII—GENERAL PROVISIONS**

##### **Subtitle A—Military Construction Program and Military Family Housing**

- Sec. 2801. Limitation on certain projects; authority to carry out small projects with operation and maintenance funds.
- Sec. 2802. Planning and design funds for military construction projects.

##### **Subtitle B—Real Property and Facilities Administration**

- Sec. 2803. Utility privatization.
- Sec. 2804. Authority to carry out former military housing privatization projects with funds transferred to family housing construction.

##### **Subtitle C—Defense Base Closure and Realignment**

- Sec. 2806. Establishment of environmental restoration accounts for base closure installations and formerly used defense sites.

1           **TITLE I—PROCUREMENT**  
2           **Subtitle A—Authorization of**  
3           **Appropriations**

4   **SEC. 101. ARMY.**

5           (a) AIRCRAFT.—Funds are hereby authorized to be  
6 appropriated for procurement of aircraft for the Army as  
7 follows:

8                   (1) \$1,229,888,000 for fiscal year 2000.

9                   (2) \$1,311,751,000 for fiscal year 2001.

10          (b) MISSILES.—Funds are hereby authorized to be  
11 appropriated for procurement of missiles for the Army as  
12 follows:

13                   (1) \$1,358,104,000 for fiscal year 2000.

14                   (2) \$1,413,287,000 for fiscal year 2001.

15          (c) WEAPONS AND TRACKED COMBAT VEHICLES.—  
16 Funds are hereby authorized to be appropriated for pro-  
17 curement of weapons and tracked combat vehicles for the  
18 Army as follows:

19                   (1) \$1,416,765,000 for fiscal year 2000.

20                   (2) \$1,499,762,000 for fiscal year 2001.

21          (d) AMMUNITION.—Funds are hereby authorized to  
22 be appropriated for procurement for ammunition for the  
23 Army as follows:

24                   (1) \$1,140,816,000 for fiscal year 2000.

25                   (2) \$1,256,928,000 for fiscal year 2001.



1 (e) OTHER PROCUREMENT.—Funds are hereby au-  
2 thorized to be appropriated for procurement for ammuni-  
3 tion for the Army as follows:

4 (1) \$3,423,870,000 for fiscal year 2000.

5 (2) \$4,050,455,000 for fiscal year 2001.

6 **SEC. 102. NAVY AND MARINE CORPS.**

7 (a) AIRCRAFT.—Funds are hereby authorized to be  
8 appropriated for procurement of aircraft for the Navy as  
9 follows:

10 (1) \$8,228,655,000 for fiscal year 2000.

11 (2) \$8,010,880,000 for fiscal year 2001.

12 (b) WEAPONS.—Funds are hereby authorized to be  
13 appropriated for procurement of weapons (including mis-  
14 siles and torpedoes) for the Navy as follows:

15 (1) \$1,357,400,000 for fiscal year 2000.

16 (2) \$1,559,200,000 for fiscal year 2001.

17 (c) NAVY AND MARINE CORPS AMMUNITION.—Funds  
18 are hereby authorized to be appropriated for ammunition  
19 for the Navy and Marine Corps as follows:

20 (1) \$484,900,000 for fiscal year 2000.

21 (2) \$479,800,000 for fiscal year 2001.

22 (d) SHIPBUILDING AND CONVERSION.—Funds are  
23 hereby authorized to be appropriated for shipbuilding and  
24 conversion for the Navy as follows:

25 (1) \$6,678,454,000 for fiscal year 2000.

1           (2) \$12,225,660,000 for fiscal year 2001.

2           (e) OTHER PROCUREMENT, NAVY.—Funds are here-  
3 by authorized to be appropriated for other procurement  
4 for the Navy as follows:

5           (1) \$4,100,091,000 for fiscal year 2000.

6           (2) \$3,640,153,000 for fiscal year 2001.

7           (f) MARINE CORPS.—Funds are hereby authorized to  
8 be appropriated for procurement for the Marine Corps as  
9 follows:

10          (1) \$1,137,220,000 for fiscal year 2000.

11          (2) \$1,129,880,000 for fiscal year 2001.

12 **SEC. 103. AIR FORCE.**

13          (a) AIRCRAFT.—Funds are hereby authorized to be  
14 appropriated for procurement of aircraft for the Air Force  
15 as follows:

16          (1) \$9,302,086,000 for fiscal year 2000.

17          (2) \$9,923,117,000 for fiscal year 2001.

18          (b) MISSILES.—Funds are hereby authorized to be  
19 appropriated for procurement of missiles for the Air Force  
20 as follows:

21          (1) \$2,359,608,000 for fiscal year 2000.

22          (2) \$3,337,205,000 for fiscal year 2001.

23          (c) AMMUNITION.—Funds are hereby authorized to  
24 be appropriated for ammunition for the Air Force as fol-  
25 lows:

1 (1) \$419,537,000 for fiscal year 2000.

2 (2) \$648,324,000 for fiscal year 2001.

3 (d) OTHER PROCUREMENT.—Funds are hereby au-  
4 thorized to be appropriated for other procurement for the  
5 Air Force as follows:

6 (1) \$7,085,177,000 for fiscal year 2000.

7 (2) \$7,399,048,000 for fiscal year 2001.

8 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

9 Funds are hereby authorized to be appropriated for  
10 Defense-wide procurement as follows:

11 (1) \$2,128,967,000 for fiscal year 2000.

12 (2) \$2,911,556,000 for fiscal year 2001.

13 **SEC. 105. DEFENSE INSPECTOR GENERAL.**

14 Funds are hereby authorized to be appropriated for  
15 procurement for the Inspector General of the Department  
16 of Defense as follows:

17 (1) \$2,100,000 for fiscal year 2000.

18 (2) \$2,100,000 for fiscal year 2001.

19 **SEC. 106. DEFENSE HEALTH PROGRAM.**

20 Funds are hereby authorized to be appropriated for  
21 procurement for carrying out health care programs,  
22 projects, and activities of the Department of Defense as  
23 follows:

24 (1) \$356,970,000 for fiscal year 2000.

25 (2) \$363,149,000 for fiscal year 2001.

1 **SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.**

2 Funds are hereby authorized to be appropriated for  
3 the destruction of lethal chemical weapons in accordance  
4 with section 1412 of the Department of Defense Author-  
5 ization Act, 1986 (50 U.S.C. 1521) and the destruction  
6 of chemical warfare material of the United States that is  
7 not covered by section 1412 of such Act as follows:

8 (1) \$1,169,000,000 for fiscal year 2000.

9 (2) \$986,000,000 for fiscal year 2001.

10 **Subtitle B—Multi-Year Contract**  
11 **Authorizations**

12 **SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

13 Multi-year contracts may be entered into in accord-  
14 ance with section 2306 of title 10, United States Code,  
15 as follows:

16 (1) For the Army:

17 (A) Longbow Apache Helicopter;

18 (B) Javelin Missile;

19 (C) MLRS Rocket Launcher;

20 (D) Abrams M1A2 Upgrade; and

21 (E) Bradley M2A3 Vehicle.

22 (2) For the Navy: F/A-18E/F Aircraft.

1 **TITLE II—RESEARCH, DEVELOP-**  
2 **MENT, TEST, AND EVALUA-**  
3 **TION**

4 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) FISCAL YEAR 2000.—Funds are hereby author-  
6 ized to be appropriated for fiscal year 2000 for the use  
7 of the Armed Forces for research, development, test, and  
8 evaluation, as follows:

9 (1) For the Army, \$4,426,194,000.

10 (2) For the Navy, \$7,984,016,000.

11 (3) For the Air Force, \$13,077,829,000.

12 (4) For Defense-wide activities,  
13 \$8,887,180,000, of which—

14 (A) \$253,457,000 is authorized for the ac-  
15 tivities of the Director, Test and Evaluation;  
16 and

17 (B) \$24,434,000 is authorized for the Di-  
18 rector of Operational Test and Evaluation.

19 (b) FISCAL YEAR 2001.—Funds are hereby author-  
20 ized to be appropriated for fiscal year 2001 for the use  
21 of the Armed Forces for research, development, test, and  
22 evaluation, as follows:

23 (1) For the Army, \$4,750,578,000.

24 (2) For the Navy, \$7,974,893,000.

25 (3) For the Air Force, \$12,756,201,000.

1           (4)       For       Defense-wide       activities,  
2       \$8,807,157,000, of which—

3           (A) \$253,523,000 is authorized for the ac-  
4       tivities of the Director, Test and Evaluation;  
5       and

6           (B) \$24,004,000 is authorized for the Di-  
7       rector of Operational Test and Evaluation.

8           **TITLE III—OPERATION AND**  
9           **MAINTENANCE**

10          **Authorization of Appropriations**

11          **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

12          (a) FISCAL YEAR 2000.—Funds are hereby author-  
13       ized to be appropriated for fiscal year 2000 for the use  
14       of the Armed Forces of the United States and other activi-  
15       ties and agencies of the Department of Defense, for ex-  
16       penses, not otherwise provided for, for operation and  
17       maintenance, in amounts as follows:

18           (1) For the Army, \$18,660,994,000.

19           (2) For the Navy, \$22,238,715,000.

20           (3) For the Marine Corps, \$2,558,929,000.

21           (4) For the Air Force, \$20,363,203,000.

22           (5)       For       Defense-wide       activities,  
23       \$11,419,233,000.

24           (6) For the Army Reserve, \$1,369,213,000.

25           (7) For the Naval Reserve, \$917,647,000.

1           (8) For the Marine Corps Reserve,  
2           \$123,266,000.

3           (9) For the Air Force Reserve, \$1,728,437,000.

4           (10) For the Army National Guard,  
5           \$2,903,549,000.

6           (11) For the Air National Guard,  
7           \$3,099,618,000.

8           (12) For the Defense Inspector General,  
9           \$138,744,000.

10          (13) For the United States Court of Appeals  
11          for the Armed Forces, \$7,621,000.

12          (14) For Environmental Restoration, Army,  
13          \$378,170,000.

14          (15) For Environmental Restoration, Navy,  
15          \$284,000,000.

16          (16) For Environmental Restoration, Air Force,  
17          \$376,800,000.

18          (17) For Environmental Restoration, Defense-  
19          wide, \$25,370,000.

20          (18) For Environmental Restoration, Formerly  
21          Used Defense Sites, \$199,214,000.

22          (19) For Overseas Humanitarian, Disaster, and  
23          Civic Aid, \$55,800,000.

24          (20) For Drug Interdiction and Counter-drug  
25          Activities, Defense-wide, \$788,100,000.

1           (21) For the Kaho'olawe Island Conveyance,  
2           Remediation, and Environmental Restoration Trust  
3           Fund, \$15,000,000.

4           (22) For the Defense Health Program,  
5           \$10,477,687,000.

6           (23) For Cooperative Threat Reduction Pro-  
7           grams, \$475,500,000.

8           (24) For the Overseas Contingency Operations  
9           Transfer Fund, \$2,387,600,000.

10           (25) For Quality of Life Enhancements, De-  
11           fense, \$1,845,370,000.

12           (b) FISCAL YEAR 2001.—Funds are hereby author-  
13           ized to be appropriated for fiscal year 2001 for the use  
14           of the Armed Forces of the United States and other activi-  
15           ties and agencies of the Department of Defense, for ex-  
16           penses, not otherwise provided for, for operation and  
17           maintenance, in amounts as follows:

18           (1) For the Army, \$19,198,842,000.

19           (2) For the Navy, \$22,392,156,000.

20           (3) For the Marine Corps, \$2,694,578,000.

21           (4) For the Air Force, \$21,917,426,000.

22           (5)     For     the     Defense     Agencies,  
23           \$11,421,023,000.

24           (6) For the Army Reserve, \$1,481,540,000.

25           (7) For the Naval Reserve, \$888,701,000.



1           (8) For the Marine Corps Reserve,  
2           \$129,890,000.

3           (9) For the Air Force Reserve, \$1,784,073,000.

4           (10) For the Army National Guard,  
5           \$3,042,568,000.

6           (11) For the Air National Guard,  
7           \$3,251,166,000.

8           (12) For the Defense Inspector General,  
9           \$144,375,000.

10          (13) For the United States Court of Appeals  
11          for the Armed Forces, \$7,894,000.

12          (14) For Environmental Restoration, Army,  
13          \$382,890,000.

14          (15) For Environmental Restoration, Navy,  
15          \$296,000,000.

16          (16) For Environmental Restoration, Air Force,  
17          \$379,300,000.

18          (17) For Environmental Restoration, Defense-  
19          wide, \$23,412,000.

20          (18) For Environmental Restoration, Formerly  
21          Used Defense Sites, \$187,499,000.

22          (19) For Overseas Humanitarian, Disaster, and  
23          Civic Aid, \$64,900,000.

24          (20) For Drug Interdiction and Counter-drug  
25          Activities, Defense-wide, \$769,600,000.

1           (21) For the Defense Health Program,  
2           \$10,908,030,000.

3           (22) For Cooperative Threat Reduction Pro-  
4           grams, \$501,000,000.

5           (23) For the Overseas Contingency Operations  
6           Transfer Fund, \$1,295,000,000.

7 **SEC. 302. WORKING CAPITAL FUNDS.**

8           (a) FISCAL YEAR 2000.—Funds are hereby author-  
9           ized to be appropriated for fiscal year 2000 for the use  
10          of the Armed Forces of the United States and other activi-  
11          ties and agencies of the Department of Defense for pro-  
12          viding capital for working capital and revolving funds in  
13          amounts as follows:

14           (1) For the Defense Working Capital Funds,  
15           \$90,344,000.

16           (2) For the National Defense Sealift Fund,  
17           \$354,700,000.

18          (b) FISCAL YEAR 2001.—Funds are hereby author-  
19          ized to be appropriated for fiscal year 2001 for the use  
20          of the Armed Forces of the United States and other activi-  
21          ties and agencies of the Department of Defense for pro-  
22          viding capital for working capital and revolving funds, in  
23          amounts as follows:

24           (1) For the Defense Working Capital Funds,  
25           \$390,408,000.

1           (2) For the National Defense Sealift Fund,  
2           \$377,600,000.

3 **SEC. 303. ARMED FORCES RETIREMENT HOME.**

4           There is hereby authorized to be appropriated from  
5 the Armed Forces Retirement Home Trust Fund for the  
6 operation of the Armed Forces Retirement Home, includ-  
7 ing the United States Soldiers' and Airmens' Home and  
8 the Naval Home, as follows:

9           (1) \$68,295,000 for fiscal year 2000.

10           (2) \$68,000,000 for fiscal year 2001.

11 **SEC. 304. TRANSFER FROM THE NATIONAL DEFENSE**  
12 **STOCKPILE TRANSACTION FUND.**

13           (a) TRANSFER AUTHORITY.—To the extent provided  
14 in appropriations Acts:

15           (1) Not more than \$150,000,000 is authorized  
16 to be transferred from the National Defense Stock-  
17 pile Transaction Fund to operation and maintenance  
18 accounts for fiscal year 2000 in amounts as follows:

19                   (A) For the Army, \$50,000,000.

20                   (B) For the Navy, \$50,000,000.

21                   (C) For the Air Force, \$50,000,000.

22           (2) Revenue over \$393,500,000 from Fiscal  
23 Year 2000 National Defense Stockpile Sales is au-  
24 thorized to be transferred from the National Defense  
25 Stockpile Transaction Fund to Defense Working

1 Capital Funds to finance the cost of operations of  
2 the Defense Reutilization and Marketing Service.

3 (b) TREATMENT OF TRANSFERS.—Amounts trans-  
4 ferred under this section—

5 (1) shall be merged with, and be available for  
6 the same purposes and the same period as, the  
7 amounts in the accounts to which transferred; and

8 (2) may not be expended for an item that has  
9 been denied authorization of appropriations by Con-  
10 gress.

11 **SEC. 305. AUTHORITY TO FUND INSPECTOR EXPENSES**  
12 **FROM THE ORGANIZATION FOR THE PROHI-**  
13 **BITION OF CHEMICAL WEAPONS.**

14 (a) IN GENERAL.—Subchapter II of Chapter 138,  
15 title 10, United States Code, is amended by adding at the  
16 end the following new section:

17 **“§ 23501. Expenses of inspectors from the Organiza-**  
18 **tion for the Prohibition of Chemical**  
19 **Weapons**

20 “(a) The Secretary of Defense, subject to subsection  
21 (b), may pay the expenses of international inspectors from  
22 the Technical Secretariat of the Organization for the Pro-  
23 hibition of Chemical Weapons.

24 “(b) For expenses to qualify under subsection (a),  
25 they must be related to the conduct of the inspection and

1 continuous monitoring of Department of Defense sites (in-  
2 cluding United States Government contractor and former  
3 contractor sites) performed under the Chemical Weapons  
4 Convention. Such expenses may include the following—

5           “(1) salary costs for performance of inspection  
6           and monitoring duties;

7           “(2) travel, to include travel to and from the  
8           point of entry into the United States and internal  
9           United States travel;

10           “(3) per diem, not to exceed United Nations  
11           rates and to be in compliance with United Nations  
12           conditions for per diem for that organization; and

13           “(4) expenses for operations and maintenance  
14           of inspection and monitoring equipment.

15           “(c) The Secretary of Defense may pay the expenses  
16 authorized under this section in advance and may pay  
17 such expenses on a calendar year basis.”.

18           (b) CLERICAL AMENDMENT.—The table of section  
19 for such Subchapter II is amended by adding at the end  
20 the following new item:

“23501. Expenses of inspectors from the Organization for the Prohibition of  
Chemical Weapons.”.

1           **TITLE IV—PERSONNEL**  
2                   **AUTHORIZATIONS**  
3           **Subtitle A—Active Forces**

4 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

5           (a) FISCAL YEAR 2000.—The Armed Forces are au-  
6 thORIZED strengths for active duty personnel as of Sep-  
7 tember 30, 2000, as follows:

- 8                   (1) The Army, 480,000.  
9                   (2) The Navy, 371,781.  
10                  (3) The Marine Corps, 172,148.  
11                  (4) The Air Force, 360,877.

12          (b) FISCAL YEAR 2001.—The Armed Forces are au-  
13 thORIZED strengths for active duty personnel as of Sep-  
14 tember 30, 2001, as follows:

- 15                  (1) The Army, 480,000.  
16                  (2) The Navy, 371,299.  
17                  (3) The Marine Corps, 171,989.  
18                  (4) The Air Force, 354,366.

19           **Subtitle B—Reserve Forces**

20 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

21          (a) FISCAL YEAR 2000.—The Armed Forces are au-  
22 thORIZED strengths for Selected Reserve personnel of the  
23 reserve components as of September 30, 2000, as follows:

- 24                  (1) The Army National Guard of the United  
25 States, 350,000.

1           (2) The Army Reserve, 205,000.

2           (3) The Naval Reserve, 90,288.

3           (4) The Marine Corps Reserve, 39,624.

4           (5) The Air National Guard of the United  
5 States, 106,678.

6           (6) The Air Force Reserve, 73,708.

7           (7) The Coast Guard Reserve, 7,600.

8           (b) FISCAL YEAR 2001.—The Armed Forces are au-  
9 thorized strengths for Selected Reserve personnel of the  
10 reserve components as of September 30, 2001, as follows:

11           (1) The Army National Guard of the United  
12 States, 350,000.

13           (2) The Army Reserve, 205,000.

14           (3) The Naval Reserve, 89,594.

15           (4) The Marine Corps Reserve 39,467.

16           (5) The Air National Guard of the United  
17 States, 106,663.

18           (6) The Air Force Reserve, 73, 932.

19           (7) The Coast Guard Reserve, 7,600.

20           (c) WAIVER AUTHORITY.—The Secretary of Defense  
21 may vary the end strength authorized by subsection (a)  
22 or subsection (b) by not more than 2 percent.

23           (d) ADJUSTMENTS.—The end strengths prescribed by sub-  
24 section (a) or (b) for the Selected Reserve of any reserve  
25 component shall be proportionately reduced by—

1           (1) the total authorized strength of units orga-  
2           nized to serve as units of the Selected Reserve of  
3           such component which are on active duty (other  
4           than for training) at the end of the fiscal year, and

5           (2) the total number of individual members not  
6           in units organized to serve as units of the Selected  
7           Reserve of such component who are on active duty  
8           (other than for training or for unsatisfactory partici-  
9           pation in training) without their consent at the end  
10          of the fiscal year.

11 Whenever such units or such individual members are re-  
12 leased from active duty during any fiscal year, the end  
13 strength prescribed for such fiscal year for the Selected  
14 Reserve of such reserve component shall be proportion-  
15 ately increased by the total authorized strengths of such  
16 units and by the total number of such individual members.

17 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**  
18 **DUTY IN SUPPORT OF THE RESERVES.**

19           (a) FISCAL YEAR 2000.—Within the end strengths  
20 prescribed in section 411(a), the reserve components of  
21 the Armed Forces are authorized, as of September 30,  
22 2000, the following number of Reserves to be serving on  
23 full-time active duty or full-time duty, in the case of mem-  
24 bers of the National Guard, for the purpose of organizing,



1 administering, recruiting, instructing, or training the re-  
2 serve components:

3 (1) The Army National Guard of the United  
4 States, 21,807.

5 (2) The Army Reserve, 12,804.

6 (3) The Naval Reserve, 15,010.

7 (4) The Marine Corps Reserve, 2,272.

8 (5) The Air National Guard of the United  
9 States, 11,091.

10 (6) The Air Force Reserve, 1,078.

11 (b) FISCAL YEAR 2001.—Within the end strengths  
12 prescribed in section 411(b), the reserve components of  
13 the Armed Forces are authorized, as of September 30,  
14 2001, the following number of Reserves to be serving on  
15 full-time active duty or full-time duty, in the case of mem-  
16 bers of the National Guard, for the purpose of organizing,  
17 administering, recruiting, instructing, or training the re-  
18 serve components:

19 (1) The Army National Guard of the United  
20 States, 21,807.

21 (2) The Army Reserve, 12,804.

22 (3) The Naval Reserve, 14,769.

23 (4) The Marine Corps Reserve, 2,203.

24 (5) The Air National Guard of the United  
25 States, 11,041.

1 (6) The Air Force Reserve, 1,078.

2 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**  
3 **(DUAL STATUS).**

4 (a) FISCAL YEAR 2000.—The minimum number of  
5 military technicians (dual status) as of the last day of fis-  
6 cal year 2000 for the reserve components of the Army and  
7 the Air Force (notwithstanding section 129 of title 10,  
8 United States Code) shall be the following:

9 (1) For the Army Reserve, 5,179.

10 (2) For the Army National Guard of the United  
11 States, 21,361.

12 (3) For the Air Force Reserve, 9,785.

13 (4) For the Air National Guard of the United  
14 States, 22,247.

15 (b) FISCAL YEAR 2001.—The minimum number of  
16 military technicians (dual status) as of the last day of fis-  
17 cal year 2001 for the reserve components of the Army and  
18 the Air Force (notwithstanding section 129 of title 10,  
19 United States Code) shall be the following:

20 (1) For the Army Reserve, 5,344.

21 (2) For the Army National Guard of the United  
22 States, 21,465.

23 (3) For the Air Force Reserve, 9,703.

24 (4) For the Air National Guard of the United  
25 States, 22,137.

1 **SEC. 414. END STRENGTHS FOR MILITARY TECHNICIANS**  
2 **(NON-DUAL STATUS).**

3 (a) FISCAL YEAR 2000.—The Reserve components of  
4 the Army and the Air Force are authorized a maximum  
5 strength for non-dual status technicians as of September  
6 30, 2000, as follows:

7 (1) For the Army Reserve, 1,295.

8 (2) For the Army National Guard of the United  
9 States, 1,800.

10 (3) For the Air Force Reserve, 342.

11 (4) For the Air National Guard of the United  
12 States, 342.

13 (b) FISCAL YEAR 2001.—The Reserve components of  
14 the Army and the Air Force are authorized a maximum  
15 strength for non-dual status technicians as of September  
16 30, 2001, as follows:

17 (1) For the Army Reserve, 1,100.

18 (2) For the Army National Guard of the United  
19 States, 1,636.

20 (3) For the Air Force Reserve, 342.

21 (4) For the Air National Guard of the United  
22 States, 342.

1 **SEC. 415. INCREASE IN NUMBER OF MEMBERS IN CERTAIN**  
 2 **GRADES AUTHORIZED TO SERVE ON ACTIVE**  
 3 **DUTY IN SUPPORT OF THE RESERVES.**

4 (a) OFFICERS.—The table in section 12011(a) of title  
 5 10, United States Code, is amended to read as follows:

| Grade                                 | Army  | Navy  | Air Force | Marine Corps |
|---------------------------------------|-------|-------|-----------|--------------|
| Major or Lieutenant Commander .....   | 3,219 | 1,071 | 843       | 140          |
| Lieutenant Colonel or Commander ..... | 1,595 | 520   | 746       | 90           |
| Colonel or Navy Captain .....         | 471   | 188   | 297       | 30           |

6 (b) SENIOR ENLISTED MEMBERS.—The table in sec-  
 7 tion 12012(a) of title 10, United States Code, is amended  
 8 to read as follows:

| Grade     | Army  | Navy | Air Force | Marine Corps |
|-----------|-------|------|-----------|--------------|
| E-9 ..... | 645   | 202  | 403       | 20           |
| E-8 ..... | 2,585 | 429  | 1,029     | 94           |

9 **Subtitle C—End and Grade**  
 10 **Strength Management**

11 **SEC. 416. PERMANENT END STRENGTH LEVELS TO SUP-**  
 12 **PORT TWO MAJOR REGIONAL CONTIN-**  
 13 **GENCIES.**

14 Section 691(c), title 10, United States Code, that re-  
 15 quires the Armed Forces to fund military end strength at

1 a minimum level as described in subsection 691(b), is  
2 amended to read as follows:

3 “(c) No funds appropriated to the Department of De-  
4 fense may be used to implement a reduction of the active  
5 duty end strength for any of the armed forces for any fis-  
6 cal year below the level specified in subsection (b) unless  
7 the Secretary of Defense submits to Congress notice of  
8 the proposed lower end strength levels and a justification  
9 for those levels. This justification can be submitted con-  
10 current with annual budget submissions.”.

11 **SEC. 417. PERMANENT SELECTED RESERVE END**  
12 **STRENGTH WAIVER AUTHORITY.**

13 Section 115(e) of title 10, United States Code, is  
14 amended—

15 (1) by striking the “and” at the end of para-  
16 graph (1);

17 (2) by striking the period at the end of para-  
18 graph (2) and inserting in lieu thereof “; and” and;

19 (3) by adding at the end the following new  
20 paragraph:

21 “(3) increase the end strength authorized pur-  
22 suant to section (a)(2) for a fiscal year for any of  
23 the armed forces by a number equal to not more  
24 than 2 percent of that end strength.”.

1 **SEC. 418. SENIOR JOINT OFFICER POSITIONS EXEMPTED**  
2 **FROM NUMERICAL LIMITATIONS; PERMA-**  
3 **NENT AUTHORITIES.**

4 (a) PERMANENT EXEMPTION AUTHORITY.—Para-  
5 graph (5) of section 525(b) of title 10, United States  
6 Code, is amended by striking subparagraph (C).

7 (b) PERMANENT REQUIREMENT FOR MILITARY DE-  
8 PARTMENT SUBMISSIONS FOR CERTAIN JOINT DUTY.—  
9 Section 604 of such title 10 is amended by striking sub-  
10 section (c).

11 **SEC. 419. AIR FORCE OFFICER AUTHORIZATIONS.**

12 Section 525 of title 10, United States Code, is  
13 amended by adding the following new subsection:

14 “(e)(1) At any time that an officer of an armed force  
15 other than the Air Force fills the position of Commander  
16 in Chief, United States Transportation Command, an offi-  
17 cer while filling the position of Commander, Air Mobility  
18 Command, if serving in the grade of general, is in addition  
19 to the number that would otherwise be permitted for the  
20 Air Force for officers serving on active duty in grades  
21 above major general under subsection (b)(1).

22 “(2) At any time that an officer of an armed force  
23 other than the Air Force fills the position of Commander  
24 in Chief, United States Space Command, an officer while  
25 filling the position of Commander, Air Force Space Com-  
26 mand, if serving in the grade of general, is in addition

1 to the number that would otherwise be permitted for the  
2 Air Force for officers serving on active duty in the grades  
3 above major general under subsection (b)(1).”.

4 **TITLE V—MILITARY PERSONNEL**  
5 **POLICY**

6 **Subtitle A—Officer Personnel**  
7 **Policy**

8 **SEC. 501. OFFICERS ELIGIBLE TO SERVE ON BOARDS OF IN-**  
9 **QUIRY.**

10 (a) AUTHORIZATION FOR ACTIVE DUTY OFFICERS IN  
11 PAY GRADES OF LIEUTENANT COLONEL OR COMMANDER  
12 TO SERVE ON BOARDS OF INQUIRY.—Section 1187(a)(2),  
13 of title 10, United States Code, is amended—

14 (1) by striking from the first sentence “in a  
15 grade above lieutenant colonel or commander”; and

16 (2) by inserting, immediately after the first sen-  
17 tence, the following two sentences: “Further, at least  
18 one member of a board must be in a grade above  
19 lieutenant colonel or commander. The remaining  
20 members of a board must be in a grade above major  
21 or lieutenant commander.”.

22 (b) AUTHORIZATION FOR RETIRED OFFICERS IN PAY  
23 GRADES OF LIEUTENANT COLONEL OR COMMANDER TO  
24 SERVE ON BOARDS OF INQUIRY.—Section 1187(a)(3) of  
25 title 10, United States Code, is amended—

1           (1) by striking from the first sentence, “above  
2 lieutenant colonel or commander and whose retired  
3 grade is”; and

4           (2) by inserting, immediately after the first sen-  
5 tence, the following two sentences: “Further, at least  
6 one member of a board must be in a grade above  
7 lieutenant colonel or commander. The remaining  
8 members of a board must be in a grade above major  
9 or lieutenant commander.”.

10       (c) AUTHORIZATION FOR OFFICERS IN PAY GRADES  
11 OF LIEUTENANT COLONEL OR COMMANDER TO SERVE  
12 ON BOARDS OF INQUIRY CONVENED UNDER CHAPTER  
13 1411 OF TITLE 10.—Section 14906(a)(2) of title 10,  
14 United States Code, is amended—

15           (1) by striking from the first sentence “holds a  
16 grade above lieutenant colonel or commander and”;  
17 and

18           (2) by inserting, immediately after the first sen-  
19 tence, the following two sentences: “Further, at least  
20 one member of a board must be in a grade above  
21 lieutenant colonel or commander. The remaining  
22 members of a board must be in a grade above major  
23 or lieutenant commander.”.



1 **SEC. 502. CLARIFICATION OF SELECTION PROCEDURES**  
2 **FOR THE JUDGE ADVOCATES GENERAL AND**  
3 **THE ASSISTANT/DEPUTY JUDGE ADVOCATES**  
4 **GENERAL OF THE MILITARY DEPARTMENTS**  
5 **AND THE STAFF JUDGE ADVOCATE TO THE**  
6 **COMMANDANT OF THE MARINE CORPS.**

7 (a) ARMY.—Section 3037(d) of title 10, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing new sentence: “The Secretary of the Army shall  
10 specify the number of officers, not fewer than three nor  
11 more than five for each position to be filled, to be rec-  
12 ommended.”.

13 (b) NAVY.—

14 (1) THE JUDGE ADVOCATE GENERAL.—Section  
15 5148(e) of such title 10 is amended by adding at the  
16 end the following new sentence: “The Secretary of  
17 the Navy shall specify the number of officers, not  
18 fewer than three nor more than five for each posi-  
19 tion to be filled, to be recommended.”;

20 (2) THE DEPUTY JUDGE ADVOCATE GEN-  
21 ERAL.—Section 5149(a)(2) of such title 10 is  
22 amended by adding at the end the following new  
23 sentence: “The Secretary of the Navy shall specify  
24 the number of officers, not fewer than three nor  
25 more than five for each position to be filled, to be  
26 recommended.”; and

1           (3) THE STAFF JUDGE ADVOCATE TO THE COM-  
2           MANDANT OF THE MARINE CORPS.—Section 5046(b)  
3           of such title 10 is amended by adding at the end the  
4           following new sentence: “The Secretary of the Navy  
5           shall specify the number of officers, not fewer than  
6           three nor more than five for each position to be  
7           filled, to be recommended.”.

8           (c) AIR FORCE.—Section 8037(e) of such title 10 is  
9           amended by adding at the end the following new sentence:  
10          “The Secretary of the Air Force shall specify the number  
11          of officers, not fewer than three nor more than five for  
12          each position to be filled, to be recommended.”.

13   **SEC. 503. TENURE REQUIREMENT FOR CRITICAL ACQUI-**  
14                                   **SITION POSITIONS.**

15          Section 1734(a) of title 10, United States Code, is  
16          amended—

17               (1) in paragraph (1), by striking “critical acqui-  
18               sition position” and inserting in lieu thereof “pro-  
19               gram manager or deputy program manager position  
20               for a significant nonmajor defense acquisition pro-  
21               gram, program executive officer position, general or  
22               flag officer position or civilian position equivalent  
23               thereto, or senior contracting official position”; and

24               (2) in paragraph (2), by striking “critical acqui-  
25               sition position” and inserting in lieu thereof “pro-

1           gram manager or deputy program manager position  
2           for a significant nonmajor defense acquisition pro-  
3           gram, program executive officer position, general or  
4           flag officer position or civilian position equivalent  
5           thereto, or senior contracting official position”.

6 **SEC. 504. RECOMMENDATIONS FOR PROMOTION BY SELEC-**  
7                           **TION BOARDS.**

8           Section 575(b)(2) of title 10, United States Code, is  
9           amended by adding at the end the following new sentence:  
10          “If the number determined under this subsection within  
11          a grade (or grade and competitive category) is less than  
12          one, the board may recommend one such officer from with-  
13          in that grade (or grade and competitive category).”.

14           **Subtitle B—Matters Relating to**  
15                           **Reserve Components**

16 **SEC. 510. CONTINUATION ON RESERVE ACTIVE STATUS**  
17                           **LIST TO COMPLETE DISCIPLINARY ACTION.**

18           (a) IN GENERAL.—Chapter 1407 of title 10, United  
19           States Code, is amended by adding at the end the fol-  
20           lowing new section:

21          **“§ 14518. Continuation on reserve active status list to**  
22                           **complete disciplinary action**

23           “When any action has been commenced against a Re-  
24           serve officer with a view to trying the officer by court-  
25           martial, as authorized by section 802(d) of this title, the

1 Secretary concerned may delay the separation or retire-  
 2 ment of the Reserve officer under the provisions of this  
 3 chapter until the completion of the disciplinary action  
 4 under the provisions of chapter 47 of this title.”.

5 (b) CLERICAL AMENDMENT.—The table of sections  
 6 at the beginning of such chapter 1407 is amended by add-  
 7 ing at the end:

“14518. Continuation on reserve active status list to complete disciplinary ac-  
 tion.”.

8 **SEC. 511. AUTHORITY TO ORDER RESERVE COMPONENT**  
 9 **MEMBERS TO ACTIVE DUTY TO COMPLETE A**  
 10 **MEDICAL EVALUATION.**

11 Section 12301 of title 10, United States Code, is  
 12 amended by adding at the end the following new sub-  
 13 section:

14 “(h) When authorized by the Secretary of Defense,  
 15 a Secretary concerned may order a member of a reserve  
 16 component to active duty, with the consent of that mem-  
 17 ber, to complete a required Department of Defense health  
 18 care study, to include an associated medical evaluation of  
 19 the member. A member ordered to active duty under this  
 20 subsection may be retained with the member’s consent,  
 21 when the Secretary concerned deems it appropriate, for  
 22 medical treatment for a condition associated with such  
 23 study or evaluation, provided such treatment of the mem-  
 24 ber otherwise is authorized by law. A member of the Army

1 National Guard of the United States or of the Air Na-  
2 tional Guard of the United States may not be ordered to  
3 active duty under this subsection without the consent of  
4 the Governor or other appropriate authority of the State  
5 concerned.”.

6 **SEC. 512. ELIGIBILITY FOR CONSIDERATION FOR PRO-**  
7 **MOTION: GENERAL RULES.**

8 (a) AMENDMENT.—Section 14301 of title 10, United  
9 States Code, is amended by adding the following new sub-  
10 section at the end:

11 “(h) OFFICERS ON EDUCATIONAL DELAY.—A Re-  
12 serve officer serving in an educational delay status for the  
13 purpose of attending an approved institution of higher  
14 education for advanced training, subsidized by the military  
15 department concerned in the form of a scholarship or sti-  
16 pend, is ineligible for consideration for promotion while  
17 in such status. The officer shall remain on the Reserve  
18 active status list of the military department concerned  
19 while in such an educational delay status.”.

20 (b) RETROACTIVE EFFECT.—The Secretary con-  
21 cerned, upon a proper application, shall expunge from the  
22 record of any officer a nonselection for promotion if the  
23 nonselection occurred during a period the officer was serv-  
24 ing in an educational delay status that occurred between

1 the first day of October 1996 and the effective date of  
2 this Act.

3 **SEC. 513. RETENTION OF CERTAIN RESERVE COMPONENT**  
4 **OFFICERS WHO TWICE FAILED SELECTION**  
5 **FOR PROMOTION.**

6 Section 14506 of title 10, United States Code, is  
7 amended to read as follows:

8 “Unless retained as provided in section 12646,  
9 12686, 14701, or 14702 of this title, each Reserve officer  
10 of the Army, Navy, Air Force, or Marine Corps who holds  
11 the grade of major or lieutenant commander who has  
12 failed of selection to the next higher grade for the second  
13 time and whose name is not on a list of officers rec-  
14 ommended for promotion to the next higher grade shall,  
15 if not earlier removed from the Reserve active status list,  
16 be removed from that list in accordance with section  
17 14513 of this title on the later of—

18 “(1) the first day of the month after the month  
19 in which the officer completes 20 years of commis-  
20 sioned service, or

21 “(2) the first day of the seventh month after  
22 the month in which the President approves the re-  
23 port of the board which considered the officer for  
24 the second time.”.

1 **SEC. 514. COMPUTATION OF YEARS OF SERVICE EXCLU-**  
2 **SION.**

3 Section 14706 of title 10, United States Code, is  
4 amended to read as follows:

5 “For the purpose of this chapter and chapter 1407  
6 of this title, a Reserve officer’s years of service include  
7 all service of the officer as a commissioned officer of any  
8 uniformed service other than—

9 “(1) service as a warrant officer;

10 “(2) constructive service; and

11 “(3) service after appointment as a commis-  
12 sioned officer of a Reserve component while in a pro-  
13 gram of advanced education to obtain the first pro-  
14 fessional degree required for appointment, designa-  
15 tion, or assignment as an officer in the Medical  
16 Corps, the Dental Corps, the Veterinary Corps, the  
17 Medical Service Corps, the Nurse Corps, the Army  
18 Medical Specialists Corps, or an officer designated  
19 as a chaplain or judge advocate, provided such serv-  
20 ice occurs before the officer commences initial serv-  
21 ice on active duty or initial service in the Ready Re-  
22 serve in the specialty that results from such a de-  
23 gree. This exclusion does not apply to service per-  
24 formed by an officer who previously served on active  
25 duty or participated as a member of the Ready Re-  
26 serve in other than a student status.”.

1 **SEC. 515. AUTHORITY TO RETAIN RESERVE COMPONENT**  
2 **CHAPLAINS UNTIL AGE 67.**

3 Section 14703(b) of title 10, United States Code, is  
4 amended by striking “(or, in the case of a Reserve officer  
5 of the Army in the Chaplains or a Reserve officer of the  
6 Air Force designated as a chaplain, 60 years of age)”.

7 **SEC. 516. SPACE REQUIRED TRAVEL FOR RESERVES; EX-**  
8 **PANSION AND CODIFICATION.**

9 (a) CODIFICATION.—Section 8023 of such Depart-  
10 ment of Defense Appropriations Act, 1999 is codified by  
11 amending chapter 1209 of title 10 to add at the end the  
12 following new section 12323:

13 **“§ 12323. Space required travel for reserves**

14 “A member of a Reserve component is authorized to  
15 travel in a space required status on aircraft of the Armed  
16 Forces between home and place of inactive duty training,  
17 or place of duty in lieu of unit training assembly, when  
18 there is no road or railroad transportation (or combination  
19 of road and railroad transportation) between those loca-  
20 tions: *Provided*, That a member traveling in that status  
21 on a military aircraft pursuant to the authority provided  
22 in this section is not authorized to receive travel, transpor-  
23 tation, or per diem allowances in connection with that  
24 travel.”.



1 (b) CLERICAL.—The table of sections for chapter  
2 1209 of such title 10 is amended by adding at the end  
3 the following new item:

“12323. Space required travel for reserves.”.

4 **SEC. 517. CONFORMING AMENDMENT TO AUTHORIZE RE-**  
5 **SERVE OFFICERS AND RETIRED REGULAR**  
6 **OFFICERS TO HOLD A CIVIL OFFICE WHILE**  
7 **SERVING ON ACTIVE DUTY FOR NOT MORE**  
8 **THAN 270 DAYS.**

9 Section 973(b)(1) of title 10, United States Code, is  
10 amended—

11 (1) in subparagraph (B), by striking “180  
12 days” and inserting in lieu thereof “270 days”; and

13 (2) in subparagraph (C), by striking “180  
14 days” and inserting in lieu thereof “270 days”.

15 **SEC. 518. CLERICAL AMENDMENT RELATING TO RETIRED**  
16 **PAY FOR NONREGULAR SERVICE.**

17 Section 1370(d)(1) of title 10, United States Code,  
18 is amended by striking “chapter 1225” and inserting in  
19 lieu thereof “chapter 1223”.

1 **Subtitle C—Military Education and**  
2 **Training**

3 **SEC. 520. TO MAKE PERMANENT THE EXPANSION OF ROTC**  
4 **PROGRAM TO INCLUDE GRADUATE STU-**  
5 **DENTS.**

6 (a) MAKING PERMANENT THE ROTC GRADUATE  
7 PROGRAM.—Section 2107(c)(2) of title 10, United States  
8 Code, is amended to read as follows:

9 “(2) The Secretary concerned may provide financial  
10 assistance, as described in paragraph (1), to a student en-  
11 rolled in an advanced education program beyond the  
12 baccalaureate degree level provided the student also is a  
13 cadet or midshipman in an advanced training program.  
14 Not more than 15 percent of the total number of scholar-  
15 ships awarded under this section in any year may be  
16 awarded under the program.”.

17 (b) AUTHORITY TO ENROLL IN ADVANCED TRAINING  
18 PROGRAM.—Section 2101(3) of title 10, United States  
19 Code, a definition for “advanced training,” is amended by  
20 inserting “students enrolled in an advanced education pro-  
21 gram beyond the baccalaureate degree level or to” after  
22 “instruction offered in the Senior Reserve Officers’ Train-  
23 ing Corps to”.

1 **SEC. 521. CORRECTION OF RESERVE CREDIT FOR PARTICI-**  
2 **PATION IN HEALTH PROFESSIONAL SCHOL-**  
3 **ARSHIP AND FINANCIAL ASSISTANCE PRO-**  
4 **GRAM.**

5 Section 2126(b) of title 10, United States Code, is  
6 amended—

7 (1) by revising paragraph (2) to read as follows:

8 “(2) Service credited under paragraph (1)  
9 counts only for the award of retirement points for  
10 computation of years of service under section 12732  
11 of this title and for computation of retired pay under  
12 section 12733 of this title.”;

13 (2) in paragraph (3) by striking “paragraph  
14 (2)(A), a member” and inserting in lieu thereof  
15 “paragraph (2), a member who completes a satisfac-  
16 tory year of service in the Selected Reserve”;

17 (3) by redesignating paragraph (5) as para-  
18 graph (6); and

19 (4) by inserting after paragraph (4) the fol-  
20 lowing new paragraph (5):

21 “(5) A member of the Selected Reserve who is  
22 awarded points or service credit under this sub-  
23 section shall not be considered to have been in an  
24 active status, by reason of the award of the points  
25 or credit, while pursuing a course of study under  
26 this subchapter for purposes of any provision of law

1 other than sections 12732(a) and 12733(3) of this  
2 title.”.

3 **SEC. 522. PAYMENT OF TUITION FOR OFF-DUTY TRAINING**  
4 **OR EDUCATION.**

5 Section 1745 of title 10, United States Code, is  
6 amended by adding at the end the following new sentence:  
7 “Notwithstanding the 75% limitation of section 2007(a)  
8 of this title, such tuition reimbursement and training au-  
9 thorized by this section may be for the full amount of tui-  
10 tion expenses and training incurred.”.

11 **SEC. 523. DEAN OF ACADEMIC BOARD, UNITED STATES**  
12 **MILITARY ACADEMY AND DEAN OF THE FAC-**  
13 **ULTY; UNITED STATES AIR FORCE ACADEMY.**

14 (a) DEAN OF THE ACADEMIC BOARD, USMA.—Sec-  
15 tion 4335(b) of title 10, United States Code, is amended  
16 by adding at the end the following sentence:

17 “When the position is filled by an officer of the Army,  
18 the Dean has the grade of brigadier general while serving  
19 as such, with the benefits authorized for regular brigadier  
20 generals of the Army, if appointed to that grade by the  
21 President, by and with the advice and consent of the Sen-  
22 ate. However, the retirement age of an officer so appointed  
23 is that of a permanent professor of the Academy.”.

24 (b) DEAN OF THE FACULTY, USAFA.—Section 9335  
25 of title 10, United States Code, is amended as follows:

1           (1) by inserting the designator (a) in front of  
2           the existing matter; and

3           (2) by inserting after the newly designated sub-  
4           section (a), the following:

5           “(b) When the position is filled by an officer of the  
6           Air Force, that officer has the grade of brigadier general,  
7           if appointed to that grade by the President, by and with  
8           the advice and consent of the Senate. While serving as  
9           dean that officer is entitled to benefits authorized for reg-  
10          ular brigadier generals of the Air Force. The retirement  
11          age of an officer so appointed is that of a permanent pro-  
12          fessor of the Academy.”.

13       **SEC. 524. UNITED STATES ARMY WAR COLLEGE MASTER OF**  
14                               **STRATEGIC STUDIES DEGREE.**

15          (a) **AUTHORITY FOR DEGREE.**—Chapter 401 of title  
16          10, United States Code, is amended by adding at the end  
17          the following new section:

18       **§ 4319. United States Army War College: master of**  
19                               **strategic studies degree**

20          “Under regulations prescribed by the Secretary of the  
21          Army, the Commandant of the United States Army War  
22          College, upon the recommendation of the faculty and Dean  
23          of the College, may confer the degree of master of stra-  
24          tegic studies upon graduates of the College who fulfill the  
25          requirements for the degree.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of such chapter is amended by adding  
3 at the end the following new item:

“4319. United States Army War College: master of strategic studies degree.”.

4 **SEC. 525. AIR UNIVERSITY: GRADUATE-LEVEL DEGREES.**

5 (a) IN GENERAL.—Section 9317(a) of title 10,  
6 United States Code, is amended to read as follows:

7 “(a) AUTHORITY.—Upon recommendation of the fac-  
8 ulty of the appropriate school, the Commander of the Air  
9 University may confer the degrees of—

10 “(1) master of strategic studies upon graduates  
11 of the Air War College who fulfill the requirements  
12 for that degree;

13 “(2) master of military operational art and  
14 science upon graduates of the Air Command and  
15 Staff College who fulfill the requirements for that  
16 degree; and

17 “(3) master of airpower art and science upon  
18 graduates of the School of Advanced Air power  
19 Studies who fulfill the requirements for that de-  
20 gree.”.

21 (b) CLERICAL AMENDMENTS.—(1) The catchline for  
22 such section 9317 is amended to read:

1 **“§ 9317. Air University: graduate-level degrees”.**

2 (2) The table of sections for chapter 901 of such title  
3 10 is amended by amending the item relating to section  
4 9317 to read:

“9317. Air University: graduate-level degrees.”.

5 **SEC. 526. FINANCIAL ASSISTANCE PROGRAM FOR SPE-**  
6 **CIALLY SELECTED MEMBERS: MARINE CORPS**  
7 **RESERVE.**

8 (a) IN GENERAL.—Chapter 1205 of title 10, United  
9 States Code, is amended by adding at the end the fol-  
10 lowing new section:

11 **“§ 12216. Financial assistance for members of the pla-**  
12 **toon leader’s class program**

13 “(a) The Secretary of the Navy may provide payment  
14 of not more than \$5,200 per year for a period not to ex-  
15 ceed three consecutive years of educational expenses to eli-  
16 gible enlisted members of the Marine Corps Reserve for  
17 completion of—

18 “(1) baccalaureate degree requirements in an  
19 approved academic program that requires less than  
20 five academic years to complete, including tuition,  
21 fees, and books, and laboratory expenses; or

22 “(2) doctor of jurisprudence or bachelor of laws  
23 degree requirements in an approved academic pro-  
24 gram which requires not more than three years to  
25 complete, including tuition, fees, and books.

1           “(b) To be eligible for receipt of educational expenses  
2 as authorized by subsection (a), an enlisted member of the  
3 Marine Corps Reserve must—

4           (1) either—

5                   “(A) be under 27 years of age on June 30  
6 of the calendar year in which the member is eli-  
7 gible for appointment as a second lieutenant in  
8 the Marine Corps for such persons in a  
9 baccalaureate degree program described in sub-  
10 section (a)(1), except that any such member  
11 who has served on active duty in the armed  
12 forces may exceed such age limitation on such  
13 date by a period equal to the period such mem-  
14 ber served on active duty, but only if such  
15 member will be under 30 years of age on such  
16 date; or

17                   “(B) be under 31 years of age on June 30  
18 of the calendar year in which the member is eli-  
19 gible for appointment as a second lieutenant in  
20 the Marine Corps for such persons in a doctor  
21 of jurisprudence or bachelor of laws degree pro-  
22 gram described in subsection (a)(2), except that  
23 any such member who has served on active duty  
24 in the armed forces may exceed such age limita-  
25 tion on such date by a period equal to the pe-



1           riod such member served on active duty, but  
2           only if such member will be under 35 years of  
3           age on such date;

4           “(2) be satisfactorily enrolled at any accredited  
5           civilian educational institution authorized to grant  
6           baccalaureate, doctor of jurisprudence or bachelor of  
7           law degrees;

8           “(3) be selected as an officer candidate in the  
9           Marine Corps Platoon Leader’s Class Program and  
10          successfully completes one increment of military  
11          training of not less than six weeks’ duration; and

12          “(4) agree in writing—

13                 “(A) to accept an appointment as a com-  
14                 missioned officer in the Marine Corps, if ten-  
15                 dered by the President;

16                 “(B) to serve on active duty for a min-  
17                 imum of five years; and

18                 “(C) under such terms and conditions as  
19                 shall be prescribed by the Secretary of the  
20                 Navy, to serve in the Marine Corps Reserve  
21                 until the eighth anniversary of the receipt of  
22                 such appointment.

23          “(c) Upon satisfactorily completing the academic and  
24          military requirements of the Marine Corps Platoon Lead-  
25          ers Class Program, an officer candidate may be appointed

1 by the President as a Reserve officer in the Marine Corps  
2 in the grade of second lieutenant.

3 “(d) Not more than 1,200 officer candidates may  
4 participate in the financial assistance program authorized  
5 by this section at any one time.

6 “(e) An officer candidate may be ordered to active  
7 duty in the Marine Corps by the Secretary of the Navy  
8 to serve in an appropriate enlisted grade for such period  
9 of time as the Secretary of the Navy prescribes, but not  
10 for more than four years, when such person—

11 “(1) accepted financial assistance; and

12 “(2) either—

13 “(A) completes the military and academic  
14 requirements of the Marine Corps Platoon  
15 Leaders Class Program and refuses to accept a  
16 commission when offered;

17 “(B) fails to complete the military or aca-  
18 demic requirements of the Marine Corps Pla-  
19 toon Leaders Class Program; or

20 “(C) is disenrolled from the Marine Corps  
21 Platoon Leaders Class Program for failure to  
22 maintain eligibility for an original appointment  
23 as a commissioned officer under section 532 of  
24 this title.

1 Except under regulations prescribed by the Secretary of  
2 the Navy, such persons who are not physically qualified  
3 for appointment under section 532 and subsequently are  
4 determined by the Secretary of the Navy under section  
5 505 of this title to be unqualified for service as an enlisted  
6 person in the Marine Corps due to a physical or medical  
7 condition that was not the result of misconduct or grossly  
8 negligent conduct may request a waiver of obligated serv-  
9 ice of such financial assistance.”.

10 (b) CLERICAL AMENDMENT.—The table of sections  
11 at the beginning of Chapter 1205 of such title 10 is  
12 amended by inserting after the item relating to section  
13 12215 the following:

“12216. Financial assistance for members of the platoon leader’s class pro-  
gram.”.

14 (c) COMPUTATION: SERVICE CREDITABLE.—Section  
15 205 of title 37, United States Code, is amended by adding  
16 at the end the following new subsection:

17 “(f) Notwithstanding subsection (a), a commissioned  
18 officer appointed under sections 12209 and 12216 of title  
19 10 may not count in computing basic pay a period of serv-  
20 ice after January 1, 2000, that the officer performed con-  
21 currently as a member of the Marine Corps Platoon Lead-  
22 ers Class Program and the Marine Corps Reserve, except  
23 that service after this date that such officer performed  
24 prior to commissioning while serving as an enlisted mem-

1 ber on active duty or as a member of the selected Reserve  
2 may be so counted.”.

3 (d) TRANSITION PROVISION.—Enlisted members of  
4 the Marine Corps Reserve selected for training as officer  
5 candidates under section 12209 of title 10, United States  
6 Code, prior to October 1, 2000 may, upon their applica-  
7 tion, participate in the financial assistance program estab-  
8 lished in subsection (a) if—

9 (1) such person is eligible for financial assist-  
10 ance under the qualification requirements of sub-  
11 section (a);

12 (2) requests such financial assistance to the  
13 Secretary of the Navy not later than 180 days after  
14 the enactment of this amendment; and

15 (3) agrees in writing to accept an appointment,  
16 if offered in the Marine Corps Reserve, and to com-  
17 ply with the length of obligated service provisions in  
18 subsection (a)(2)(D). In computing length of service  
19 for any purpose, a person who requests financial as-  
20 sistance may not be credited with service either as  
21 an officer candidate or concurrent enlisted service,  
22 other than concurrent enlisted service while serving  
23 on active duty other than for training while a mem-  
24 ber of the Marine Corps Reserve.

1           **Subtitle D—Uniform Code of**  
2                           **Military Justice**

3   **SEC. 530. INCREASE IN JURISDICTION OF SPECIAL COURTS-**  
4                           **MARTIAL TO AUTHORIZE IMPOSITION OF**  
5                           **SENTENCE TO CONFINEMENT AND FORFEIT-**  
6                           **URES OF PAY OF NOT MORE THAN ONE YEAR.**

7           (a) INCREASE IN JURISDICTION.—Section 819 of  
8 title 10, United States Code (article 19 of the Uniform  
9 Code of Military Justice), is amended by striking “six  
10 months” each place it appears and inserting in lieu thereof  
11 “one year”.

12           (b) EFFECTIVE DATE.—The amendment made by  
13 subsection (a) shall take effect on the first day of the sixth  
14 month following the month in which it is enacted, except  
15 that this amendment shall apply only to those charges sub-  
16 sequently referred to trial by special court-martial.

17   **SEC. 531. REVISION TO MEASUREMENT OF BREATH AND**  
18                           **BLOOD ALCOHOL FOR PURPOSES OF DETER-**  
19                           **MINING THE OFFENSE OF DRUNKEN OPER-**  
20                           **ATION OF A VEHICLE, AIRCRAFT, OR VESSEL.**

21           (a) STANDARD FOR DRUNKENNESS.—Section 911(2)  
22 of title 10, United States Code (article 111 of the Uniform  
23 Code of Military Justice), is amended by striking “0.10  
24 grams” each place it appears and inserting in lieu thereof  
25 “0.08 grams”.

1 (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall take effect on the date of enactment  
3 of this Act and shall apply with respect to offenses com-  
4 mitted on or after that date.

5 **TITLE VI—COMPENSATION AND**  
6 **OTHER PERSONNEL BENEFITS**

7 **Subtitle A—Pay and Allowances**

8 **SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2000.**

9 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—Ex-  
10 cept as provided in subsection (b), the adjustment to be-  
11 come effective during fiscal year 2000 required by section  
12 1009 of title 37, United States Code, in the rate of month-  
13 ly basic pay authorized members of the uniformed services  
14 by section 203(a) of such title shall not be made.

15 (b) INCREASE IN BASIC PAY.—Effective on January  
16 1, 2000, the rates of basic pay of members of the uni-  
17 formed services shall be increased by 4.4 percent.

18 (c) CHANGE IN BASIC PAY TABLES.—Effective July  
19 1, 2000, the rates of monthly basic pay for members of  
20 the uniformed services are as follows:

**COMMISSIONED OFFICERS 1 2 3**

| Pay grade         | Years of service computed under section 205 of title 37, United States Code |         |         |         |         |         |         |         |         |         |          |          |          |          |  |  |
|-------------------|---|---------|---------|---------|---------|---------|---------|---------|---------|---------|----------|----------|----------|----------|--|--|
|                   | 2   | 3       | 4       | 6       | 8       | 10      | 12      | 14      | 16      | 18      | 20       | 22       | 24       | 26       |  |  |
| O-10 <sup>2</sup> | 0.0   | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 10614.30 | 10666.80 | 10888.80 | 11275.20 |  |  |
| O-9               | 0.0   | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 9283.80  | 9417.60  | 9611.10  | 9948.30  |  |  |
| O-8               | 656   | 6784.50 | 6926.40 | 6966.60 | 7148.40 | 7443.00 | 7512.30 | 7794.60 | 8119.20 | 8471.40 | 8796.60  | 9013.50  | 9013.50  | 9013.50  |  |  |
| O-7               | 545   | 5829.60 | 5829.60 | 5871.90 | 6091.20 | 6258.30 | 6451.20 | 6643.80 | 687.00  | 7443.00 | 7955.10  | 7955.10  | 7955.10  | 7995.30  |  |  |
| O-6               | 404   | 4444.50 | 4736.10 | 4736.10 | 4754.40 | 4958.40 | 4985.70 | 4985.70 | 5152.50 | 5769.00 | 6357.00  | 6524.10  | 6695.70  | 7024.20  |  |  |
| O-5               | 323   | 3799.50 | 4062.30 | 4112.10 | 4276.20 | 4404.90 | 4642.50 | 4953.60 | 5268.30 | 5415.30 | 5562.30  | 5731.80  | 5731.80  | 5731.80  |  |  |
| O-4               | 272   | 3321.30 | 3542.70 | 3592.20 | 3798.60 | 3966.00 | 4236.90 | 4447.20 | 4593.60 | 4740.90 | 4791.60  | 4791.60  | 4791.60  | 4791.60  |  |  |
| O-3 <sup>3</sup>  | 253   | 2873.40 | 3100.80 | 3351.90 | 3512.40 | 3688.50 | 3835.50 | 4024.80 | 4123.20 | 4123.20 | 4123.20  | 4123.20  | 4123.20  | 4123.20  |  |  |
| O-2 <sup>3</sup>  | 221   | 2517.90 | 2899.80 | 2997.60 | 3059.40 | 3059.40 | 3059.40 | 3059.40 | 3059.40 | 3059.40 | 3059.40  | 3059.40  | 3059.40  | 3059.40  |  |  |
| O-1 <sup>3</sup>  | 191   | 1997.40 | 2413.80 | 2413.80 | 2413.80 | 2413.80 | 2413.80 | 2413.80 | 2413.80 | 2413.80 | 2413.80  | 2413.80  | 2413.80  | 2413.80  |  |  |

**COMMISSIONED OFFICERS WITH OVER 4 YEARS ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER**

|      |     |      |         |         |         |         |         |         |         |         |         |         |         |         |
|------|-----|------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| O-3E | 0.0 | 0.00 | 3351.90 | 3512.40 | 3688.50 | 3835.50 | 4024.80 | 4184.40 | 4275.60 | 4402.50 | 4402.50 | 4402.50 | 4402.50 | 4402.50 |
| O-2E | 0.0 | 0.00 | 2997.60 | 3059.40 | 3156.30 | 3321.30 | 3448.20 | 3542.70 | 3542.70 | 3542.70 | 3542.70 | 3542.70 | 3542.70 | 3542.70 |
| O-1E | 0.0 | 0.00 | 2413.80 | 2578.50 | 2673.60 | 2770.50 | 2866.80 | 2997.60 | 2997.60 | 2997.60 | 2997.60 | 2997.60 | 2997.60 | 2997.60 |

**WARRANT OFFICERS**

|     |     |         |         |         |         |         |         |         |         |         |         |         |         |         |
|-----|-----|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| W-5 | 0.0 | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 4458.00 | 4611.00 | 4764.90 | 4918.50 |
| W-4 | 258 | 2777.70 | 2937.60 | 3071.70 | 3204.90 | 3337.50 | 3471.90 | 3608.40 | 3739.20 | 3873.30 | 4006.20 | 4139.70 | 4273.50 | 4410.30 |
| W-3 | 234 | 2545.80 | 2578.50 | 2684.10 | 2804.40 | 2962.80 | 3099.40 | 3164.70 | 3285.60 | 3405.60 | 3525.60 | 3645.60 | 3765.90 | 3886.20 |
| W-2 | 205 | 2223.90 | 2297.10 | 2413.80 | 2545.80 | 2642.40 | 2739.30 | 2833.50 | 2937.90 | 3044.70 | 3151.80 | 3258.60 | 3365.70 | 3465.70 |
| W-1 | 171 | 1963.50 | 2127.60 | 2223.90 | 2323.80 | 2424.00 | 2523.60 | 2624.10 | 2724.30 | 2824.20 | 2899.80 | 2899.80 | 2899.80 | 2899.80 |

**ENLISTED MEMBERS 4 5 6**

|                  |     |      |      |      |      |         |         |         |         |         |         |         |         |         |
|------------------|-----|------|------|------|------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| E-9 <sup>4</sup> | 0.0 | 0.00 | 0.00 | 0.00 | 0.00 | 3003.90 | 3071.70 | 3157.80 | 3259.20 | 3360.30 | 3460.20 | 3595.50 | 3729.60 | 3900.90 |
|------------------|-----|------|------|------|------|---------|---------|---------|---------|---------|---------|---------|---------|---------|

**ENLISTED MEMBERS <sup>4 5 6</sup>—Continued**

|                      |     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
|----------------------|-----|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| E-8                  | 0.0 | 0.00    | 0.00    | 0.00    | 0.00    | 2518.80 | 2591.70 | 2659.50 | 2741.10 | 2829.30 | 2921.40 | 3014.40 | 3149.10 | 3282.90 | 3471.90 |
| E-7                  | 175 | 1920.60 | 1993.20 | 2066.10 | 2139.60 | 2212.50 | 2285.40 | 2359.50 | 2430.90 | 2504.40 | 2577.30 | 2650.50 | 2776.80 | 2915.10 | 3122.40 |
| E-6                  | 151 | 1671.90 | 1746.00 | 1817.40 | 1892.70 | 1966.50 | 2040.30 | 2111.40 | 2184.00 | 2255.90 | 2274.60 | 2274.60 | 2274.60 | 2274.60 | 2274.60 |
| E-5                  | 132 | 1488.30 | 1560.90 | 1634.70 | 1708.50 | 1783.50 | 1855.20 | 1928.70 | 1929.00 | 1929.00 | 1929.00 | 1929.00 | 1929.00 | 1929.00 | 1929.00 |
| E-4                  | 123 | 1368.00 | 1441.80 | 1514.40 | 1587.90 | 1661.50 | 1735.00 | 1808.50 | 1882.00 | 1955.50 | 1955.50 | 1955.50 | 1955.50 | 1955.50 | 1955.50 |
| E-3                  | 116 | 1255.80 | 1329.00 | 1398.00 | 1467.00 | 1536.00 | 1605.00 | 1674.00 | 1743.00 | 1812.00 | 1881.00 | 1950.00 | 2019.00 | 2088.00 | 2157.00 |
| E-2                  | 112 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 | 1123.20 |
| E-1 > 4 <sup>5</sup> | 100 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 | 1001.70 |
| E-1 < 4 <sup>6</sup> | 926 | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    | 0.00    |

<sup>1</sup> Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

<sup>2</sup> While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be \$12,441.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule.

<sup>3</sup> Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

<sup>4</sup> While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$4,701.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

<sup>5</sup> Applies to personnel who have served 4 months or more on active duty.

<sup>6</sup> Applies to personnel who have served less than 4 months on active duty.



1     **Subtitle B—Bonuses and Special**  
2                     **and Incentive Pays**

3     **SEC. 610. ENLISTMENT BONUS INSTALLMENT.**

4             Section 308a(a) of title 37, United States Code, is  
5 amended by changing the second sentence to read as fol-  
6 lows: “Under regulations prescribed by the appropriate  
7 Secretary, the bonus may be paid in a single lump sum,  
8 or in periodic installments, to meet established career  
9 milestones that ensure terms of the initial contract are  
10 satisfied.”.

11     **SEC. 611. ENLISTED BONUS AMOUNT.**

12             Section 308a(a) of title 37, United States Code, is  
13 amended by striking out “\$12,000” and inserting in lieu  
14 thereof “\$20,000”.

15     **SEC. 612. REENLISTMENT BONUS—MONTHS OF CONTIN-**  
16                     **UOUS ACTIVE DUTY.**

17             Section 308 of title 37, United States Code, is  
18 amended in clause (a)(1)(A), by striking out “twenty-one”  
19 and inserting in lieu thereof “seventeen”.

20     **SEC. 613. REENLISTMENT BONUS; INCREASE IN STATUTORY**  
21                     **MAXIMUM PAYABLE.**

22             Section 308(a)(2) of title 37, United States Code, is  
23 amended—

24                     (1) in clause (i) of subparagraph (A) by strik-  
25             ing “ten” and inserting in lieu thereof “fifteen”; and

1           (2) in subparagraph (B) by striking “\$45,000”  
2           and inserting in lieu thereof “\$60,000”.

3 **SEC. 614. RESERVE COMPONENT PRIOR SERVICE ENLIST-**  
4                   **MENT BONUS ELIGIBILITY FOR ATTAINING A**  
5                   **CRITICAL SKILL.**

6           Paragraph (2) of section 308i(a) of title 37, United  
7 States Code, is amended to read as follows:

8           “(2) A bonus may only be paid under this sec-  
9           tion to a person who meets each of the following re-  
10          quirements:

11                   “(A) The person has completed that per-  
12                   son’s military service obligation but has less  
13                   than 14 years of total military service.

14                   “(B) The person has received an honorable  
15                   discharge at the conclusion of military service.

16                   “(C) The person is not being released from  
17                   active service for the purpose of enlistment in  
18                   a reserve component.

19                   “(D) The person—

20                           “(i) is projected to occupy a position  
21                           as a member of the Selected Reserve in a  
22                           specialty in which the person—

23                                   “(I) successfully served while a  
24                                   member on active duty; and

1                   “(II) attained a level of qualifica-  
2                   tion while a member on active duty  
3                   commensurate with the grade and  
4                   years of service of the member; or

5                   “(ii) is occupying a position as a  
6                   member of the Selected Reserve in a spe-  
7                   cialty in which the person—

8                   “(I) has completed training or re-  
9                   training in the specialty skill that is  
10                  designated as critically short; and

11                  “(II) has attained a level of qual-  
12                  ification in the designated critically  
13                  short specialty skill that is commensu-  
14                  rate with the member’s grade and  
15                  years of service.

16                  “(E) The person has not previously been  
17                  paid a bonus (except under this section) for en-  
18                  listment, reenlistment, or extension of enlist-  
19                  ment in a reserve component.”.

20 **SEC. 615. AVIATION CAREER INCENTIVE PAY FOR AIR BAT-**  
21 **TLE MANAGERS.**

22                  Section 301a of title 37, United States Code is  
23                  amended by inserting after subparagraph 301a(b)(3) the  
24                  following new subparagraph:

1           “(4) SAVE PAY PROVISION.—An air battle man-  
2           anager entitled to incentive pay under section 301 of  
3           this title is entitled to either the rate authorized in  
4           subsection (b) of this section or the rate of incentive  
5           pay the member was receiving under section  
6           301(c)(2)(A) of this title immediately prior to such  
7           entitlement under subsection (b), whichever is  
8           higher.”.

9   **SEC. 616. DIVING DUTY SPECIAL PAY AND HAZARDOUS**  
10                           **DUTY INCENTIVE PAY.**

11           Section 304(e) of title 37, United States Code, is  
12           amended to read as follows:

13           “(c) A member may be paid special pay under this  
14           section and incentive pay under section 301 of this title  
15           for the same period of service for each hazardous duty  
16           described in section 301 of this title for which the member  
17           is qualified if the member is assigned by orders to such  
18           a hazardous duty or duties in addition to diving duty.”.

19   **SEC. 617. CAREER ENLISTED FLYER INCENTIVE PAY.**

20           (a) Chapter 5 of title 37, United States Code, is  
21           amended by inserting after section 301e the following new  
22           subsection 301f:

1 **“§ 301f. Incentive pay: career enlisted flyers**

2 “(a) PAY AUTHORIZED.—An enlisted member de-  
3 scribed in subsection (b) may be paid career enlisted flyer  
4 incentive pay as authorized in this section.

5 “(b) ELIGIBLE MEMBERS.—Under regulations pre-  
6 scribed by the Secretary concerned, an enlisted member  
7 of the Armed Forces who—

8 “(1) is entitled to basic pay under section 204  
9 of this title, or is entitled to pay under section 206  
10 of this title as described in subsection (e) of this sec-  
11 tion;

12 “(2) holds or is in training leading to qualifica-  
13 tion and designation of an enlisted military occupa-  
14 tional specialty or enlisted military rating designated  
15 as a career enlisted flyer specialty or rating by the  
16 Secretary concerned;

17 “(3) is qualified for aviation service under regu-  
18 lations prescribed by the Secretary concerned; and

19 “(4) engages and remains in aviation service on  
20 a career basis;

21 is entitled to monthly incentive pay in the amount author-  
22 ized by the Secretary concerned, not to exceed the monthly  
23 maximum amounts set forth in subsection (d). Eligible  
24 members may be entitled to continuous monthly incentive  
25 pay, or on a month-to-month basis, dependent upon the  
26 operational flying duty performed as prescribed in sub-

1 section (c). Entitlement to continuous monthly incentive  
2 pay ceases in all cases upon completion of 25 years of avia-  
3 tion service; thereafter, the member is entitled to monthly  
4 incentive pay under subsection (c)(3) for the frequent and  
5 regular performance of operational flying duty.

6 “(c) OPERATIONAL FLYING DUTY REQUIRE-  
7 MENTS.—(1) A member must perform operational flying  
8 duties (as defined in subsection (f)) for 6 of the first 10,  
9 9 of the first 15, and 14 of the first 20 years of aviation  
10 service, to be entitled to continuous monthly incentive pay.

11 “(2) Upon completion of 10, 15, or 20 years of avia-  
12 tion service, a member who has not performed the min-  
13 imum required operational flying duties established in this  
14 subsection during the prescribed period loses the entitle-  
15 ment to continuous monthly incentive pay. For the needs  
16 of the Service, the Secretary concerned may permit, on  
17 a case-by-case basis, a member to continue to receive con-  
18 tinuous monthly incentive pay despite the member’s fail-  
19 ure to perform the operational flying duty required during  
20 the first 10, 15, or 20 years of aviation service, but only  
21 if the member has performed at least 5 years of oper-  
22 ational flying duties during the first 10 years of aviation  
23 service, 8 years of operational flying duties during the first  
24 15 years of aviation service, or 12 years of operational  
25 flying duty during the first 20 years of aviation service.

1 The Secretary concerned may delegate this authority, but  
 2 not below the level of the Service Personnel Chief.

3 “(3) If entitlement to continuous monthly incentive  
 4 pay ceases under subsection (b) or (2), a member eligible  
 5 under subsection (b) (1) through (4) is entitled to month-  
 6 to-month incentive pay for subsequent frequent and reg-  
 7 ular performance of operational flying duty. The rate pay-  
 8 able is that authorized by the Secretary concerned under  
 9 subsection (d) for a member of corresponding years of  
 10 aviation service.

11 “(4) If entitlement to continuous monthly incentive  
 12 pay ceases under subsection (2), entitlement to continuous  
 13 incentive pay may resume if the member meets the min-  
 14 imum operational flying duty requirement upon comple-  
 15 tion of the next established period of aviation service.

16 “(d) MONTHLY MAXIMUM INCENTIVE PAY.—A mem-  
 17 ber who satisfies the requirements in subsections (b) and  
 18 (c) may be paid month-to-month incentive pay as author-  
 19 ized by the Secretary concerned in amounts not to exceed  
 20 the following:

| <b>Years of aviation service</b> | <b>Monthly rate</b> |
|----------------------------------|---------------------|
| 4 or less .....                  | \$150               |
| Over 4 .....                     | 225                 |
| Over 8 .....                     | 350                 |
| Over 14 .....                    | 400.                |

21 “(e) PAYMENT TO A MEMBER OF A RESERVE COMPO-  
 22 NENT WHEN PERFORMING INACTIVE DUTY TRAINING.—  
 23 Under regulations of the Secretary concerned, when a

1 member of a reserve component or the National Guard,  
2 entitled to compensation under section 206 of this title,  
3 meets the requirements described in subsections (b) and  
4 (c), the member is entitled to an increase in compensation  
5 equal to  $\frac{1}{30}$  of the monthly incentive pay authorized by  
6 the Secretary concerned under subsection (d) for a mem-  
7 ber of corresponding years of aviation service who is enti-  
8 tled to basic pay. Such member is entitled to the increase  
9 for as long as the member is qualified for it, for each reg-  
10 ular period of instruction or period of appropriate duty,  
11 at which the member is engaged for at least two hours,  
12 or for the performance of such other equivalent training,  
13 instruction, duty or appropriate duties, as the Secretary  
14 may prescribe under section 206(a) of this title.

15 “(f) DEFINITIONS.—In this section:

16 “(1) The term ‘aviation service’ means service  
17 performed, under regulations prescribed by the Sec-  
18 retary concerned, by a designated career enlisted  
19 flyer.

20 “(2) The term ‘operational flying duty’ means  
21 flying performed under competent orders while serv-  
22 ing in assignments in which basic flying skills nor-  
23 mally are maintained in the performance of assigned  
24 duties as determined by the Secretary concerned,  
25 and flying duty performed by members in training



1 that leads to the award of an enlisted aviation rating  
2 or military occupational specialty designated as a ca-  
3 reer enlisted flyer rating or specialty by the Sec-  
4 retary concerned.

5 “(g) APPLICABILITY TO MEMBERS RECEIVING HAZ-  
6 ARDOUS DUTY INCENTIVE PAY OR SPECIAL PAY FOR DIV-  
7 ING DUTY.—A member receiving special pay under section  
8 301(a) or section 304 of this title may not be paid special  
9 pay under this section for the same period of service.”.

10 (b) SAVE PAY PROVISION.—In the case of a des-  
11 ignated career enlisted flyer receiving incentive pay under  
12 section 301(b) or 301(c)(2)(A) of this title on the date  
13 immediately preceding enactment of this Act, the member  
14 is entitled to the higher of the monthly amount authorized  
15 under subsection (b) of this section, or the rate of incen-  
16 tive pay the member was receiving immediately preceding  
17 enactment of this Act under section 301(b) or  
18 301(c)(2)(A) of this title.

19 (c) CLERICAL AMENDMENT.—The table of sections  
20 at the beginning of chapter 5 of title 37, United States  
21 Code, is amended by inserting immediately after the item  
22 referring to section 301e the following new item:

“301f. Incentive pay: career enlisted flyers.”.

1 **SEC. 618. INCREASE TO DIVING DUTY SPECIAL PAY.**

2 Section 304(b) of title 37, United States Code, is  
3 amended by striking out “\$200” and “\$300” and insert-  
4 ing in lieu thereof, respectively “\$240” and “\$340”.

5 **SEC. 619. FOREIGN LANGUAGE PROFICIENCY PAY—IN-**  
6 **CREASE IN STATUTORY MAXIMUM PAYABLE.**

7 Section 316(b) of title 37, United States Code, is  
8 amended by striking “\$100” and inserting in lieu thereof  
9 “\$300”.

10 **SEC. 620. SURFACE WARFARE OFFICER CONTINUATION**  
11 **PAY.**

12 (a) SPECIAL PAY: SURFACE WARFARE OFFICER  
13 CONTINUATION PAY.—Chapter 5 of title 37, United  
14 States Code, is amended by inserting after section 301g  
15 the following new section:

16 **“§ 301h. Special pay: surface warfare officer continu-**  
17 **ation pay**

18 “(a) SPECIAL PAY AUTHORIZED.—A surface warfare  
19 officer described in subsection (b) who executes a written  
20 agreement to remain on active duty to complete tours of  
21 duty to which the officer may be ordered as a department  
22 head afloat may, upon the acceptance of the agreement  
23 by the Secretary concerned, be paid a sum of money not  
24 to exceed the amount prescribed in subsection (c).

1       “(b) COVERED OFFICERS.—A surface warfare officer  
2 referred to in subsection (a) is an officer of the Regular  
3 Navy or Naval Reserve on full-time active duty who—

4               “(1) is designated and serving as a surface war-  
5 fare officer;

6               “(2) has been selected for assignment as a de-  
7 partment head on a surface ship; and

8               “(3) has completed any service commitment in-  
9 curred through the officer’s original commissioning  
10 program.

11       “(c) AMOUNT PAYABLE.—The amount payable under  
12 this section may not be more than a total of \$50,000.

13       “(d) PRORATION.—The term of an agreement under  
14 subsection (a) and the amount payable under subsection  
15 (c) may be prorated.

16       “(e) PAYMENT.—Upon acceptance of an agreement  
17 under subsection (a) by the Secretary of the Navy, the  
18 total amount payable pursuant to the agreement becomes  
19 fixed. It may be paid either—

20               “(1) by a lump sum in the amount of half the  
21 total payable under the agreement at the time the  
22 agreement is accepted by the Secretary of the Navy  
23 followed by equal annual installments on the anni-  
24 versary of acceptance of the agreement; or

1           “(2) in equal annual payments with the first  
2           payment payable at the time the agreement is ac-  
3           cepted by the Secretary of the Navy, and subsequent  
4           payments on the anniversary of acceptance of the  
5           agreement.

6           “(f) ADDITIONAL PAY.—Any amount paid under this  
7           section is in addition to any other pay and allowances to  
8           which an officer is entitled.

9           “(g) REPAYMENT.—(1) If an officer who has entered  
10          into a written agreement under subsection (a) and has re-  
11          ceived all or part of a special pay under this section fails  
12          to complete the total period of active duty specified in the  
13          agreement, the Secretary of the Navy may require the offi-  
14          cer to repay the United States, to the extent that the Sec-  
15          retary determines conditions and circumstances warrant,  
16          any or all sums paid under this section.

17          “(2) An obligation to repay the United States im-  
18          posed under paragraph (1) is for all purposes a debt owed  
19          to the United States.

20          “(3) A discharge in bankruptcy under title 11 that  
21          is entered less than five years after the termination of an  
22          agreement entered into under subsection (a) does not dis-  
23          charge the officer signing the agreement from a debt aris-  
24          ing under such agreement or under paragraph (1).

1       “(h) REGULATIONS.—The Secretary of the Navy  
2 shall prescribe regulations to carry out this section.”.

3       (b) CONFORMING AMENDMENT.—The table of sec-  
4 tion at the beginning of chapter 5 of title 37, United  
5 States Code, is amended by inserting immediately after  
6 the item referring to section 301g the following new item:

“301h. Special pay: surface warfare officer continuation pay.”.

7 **SEC. 621. AVIATION CAREER OFFICERS EXTENDING PE-**  
8 **RIOD OF ACTIVE DUTY.**

9       Section 301b(e)(1) of title 37, United States Code,  
10 is amended as follows—

11           (1) in subsection (c) by amending paragraph  
12           (1) to read as follows:

13           “(1) \$25,000 for each year covered by the writ-  
14           ten agreement, if the officer agrees to remain on ac-  
15           tive duty to complete 14 years of aviation service;  
16           or”; and

17           (2) by amending subsection (d) to read as fol-  
18           lows:

19       “(d) PROBATION.—The term of an agreement under  
20 subsection (a) and the amount of the bonus under sub-  
21 section (c) may be prorated as long as such agreement  
22 does not extend beyond the date on which the officer mak-  
23 ing such agreement would complete 14 years of aviation  
24 service.”.

1 **SEC. 622. SPECIAL WARFARE OFFICER CONTINUATION PAY.**

2 (a) SPECIAL PAY: SPECIAL WARFARE OFFICER CON-  
3 TINUATION PAY.—Chapter 5 of title 37, United States  
4 Code, is amended by inserting after section 301f the fol-  
5 lowing new section:

6 **“§ 301g. Special pay: special warfare officer continu-**  
7 **ation pay**

8 “(a) SPECIAL PAY AUTHORIZED.—A special warfare  
9 officer described in subsection (b) who executes a written  
10 agreement to remain on active duty in special warfare  
11 service for at least one year may, upon the acceptance of  
12 the agreement by the Secretary concerned, be paid a sum  
13 of money not to exceed the amount prescribed in sub-  
14 section (c).

15 “(b) COVERED OFFICERS.—A special warfare officer  
16 referred to in subsection (a) is an officer of a regular com-  
17 ponent of an armed force on full-time active duty who—

18 “(1) is qualified for and serving in a military  
19 occupational specialty or designator identified by the  
20 Secretary concerned as a special warfare military oc-  
21 cupational specialty or designator;

22 “(2) is in pay grade O–3 or O–4 and is not on  
23 a promotion list to pay grade O–5 at the time the  
24 officer applies for an agreement under this section;

25 “(3) has completed at least six but not more  
26 than 14 years of active commissioned service; and

1           “(4) has completed any service commitment in-  
2           curred through the officer’s original commissioning  
3           program.

4           “(c) AMOUNT PAYABLE.—The entitlement under this  
5           section may not be more than \$10,000 for each year of  
6           the written agreement. The authority to enter into written  
7           agreements under subsection (a) expires as of September  
8           30, 2001.

9           “(d) PRORATION.—The term of an agreement under  
10          subsection (a) and the amount payable under subsection  
11          (c) may be prorated as long as such agreement does not  
12          extend beyond the date on which the officer making such  
13          agreement would complete 14 years of active commis-  
14          sioned service.

15          “(e) PAYMENT.—Upon acceptance of a written agree-  
16          ment under subsection (a) by the Secretary concerned, the  
17          total amount payable pursuant to the agreement becomes  
18          fixed. It may be paid either—

19                 “(1) by a lump sum in the amount of half the  
20                 total payable under the agreement at the time the  
21                 agreement is accepted by the Secretary concerned  
22                 followed by equal annual installments on the anni-  
23                 versary of acceptance of the agreement; or

24                 “(2) in graduated annual payments under regu-  
25                 lations prescribed by the Secretary concerned with

1 the first payment payable at the time the agreement  
2 is accepted by the Secretary concerned, and subse-  
3 quent payments on the anniversary of acceptance of  
4 the agreement.

5 “(f) ADDITIONAL PAY.—Any amount paid under this  
6 section is in addition to any other pay and allowances to  
7 which an officer is entitled.

8 “(g) REPAYMENT.—(1) If an officer who has entered  
9 into a written agreement under subsection (a) and has re-  
10 ceived all or part of a special pay under this section fails  
11 to complete the total period of active duty specified in the  
12 agreement, the Secretary concerned may require the offi-  
13 cer to repay the United States, to the extent that the Sec-  
14 retary determines conditions and circumstances warrant,  
15 any or all sums paid under this section.

16 “(2) An obligation to repay the United States im-  
17 posed under paragraph (1) is for all purposes a debt owed  
18 to the United States.

19 “(3) A discharge in bankruptcy under title 11 that  
20 is entered less than five years after the termination of a  
21 written agreement entered into under subsection (a) does  
22 not discharge the officer signing the agreement from a  
23 debt arising under such agreement or under paragraph  
24 (1).



1       “(h) REGULATIONS.—The Secretaries concerned  
2 shall prescribe regulations to carry out this section. Regu-  
3 lations prescribed by the Secretary of a military depart-  
4 ment shall be subject to the approval of the Secretary of  
5 Defense.”.

6       (b) CONFORMING AMENDMENT.—The table of sec-  
7 tion at the beginning of chapter 5 of title 37, United  
8 States Code, is amended by inserting immediately after  
9 the item referring to section 301f the following new item:

“301g. Special pay: special warfare officer continuation pay.”.

10 **SEC. 623. INCREASE IN SPECIAL PAY AND BONUSES FOR**  
11 **NUCLEAR-QUALIFIED OFFICERS.**

12       (a) SPECIAL PAY FOR OFFICERS EXTENDING PE-  
13 RIOD OF ACTIVE SERVICE.—Section 312(a) of title 37,  
14 United States Code, is amended by striking out “\$15,000”  
15 and inserting in lieu thereof “\$25,000”.

16       (b) NUCLEAR CAREER ACCESSION BONUS.—Section  
17 312b(a)(1) of title 37, United States Code, is amended  
18 by striking out “\$10,000” and inserting in lieu thereof  
19 “\$20,000”.

20       (c) NUCLEAR CAREER ANNUAL INCENTIVE BO-  
21 NUSES.—Section 312c of title 37, United States Code, is  
22 amended—

23               (1) in subsection (a)(1), by striking out  
24       “\$12,000” and inserting in lieu thereof “\$22,000”;  
25       and

1           (2) in subsection (b)(1), by striking out  
2           “\$5,500” and inserting in lieu thereof “\$10,000”.

3           **Subtitle C—Extension of Certain**  
4           **Bonuses and Special Pays**

5           **SEC. 625. EXTENSION OF CERTAIN BONUSES AND SPECIAL**  
6                           **PAY AUTHORITIES FOR RESERVE FORCES**  
7                           **THROUGH FISCAL YEAR 2001.**

8           (a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN  
9           CRITICALLY SHORT WARTIME SPECIALTIES.—Section  
10          302g(f) of title 37, United States Code, is amended by  
11          striking out “December 31, 1999” and inserting in lieu  
12          thereof “September 30, 2001”.

13          (b) SELECTED RESERVE REENLISTMENT BONUS.—  
14          Section 308b(f) of title 37, United States Code, is amend-  
15          ed by striking out “December 31, 1999” and inserting in  
16          lieu thereof “September 30, 2001”.

17          (c) SELECTED RESERVE ENLISTMENT BONUS.—Sec-  
18          tion 308c(e) of title 37, United States Code, is amended  
19          by striking out “December 31, 1999” and inserting in lieu  
20          thereof “September 30, 2001”.

21          (d) SPECIAL PAY FOR ENLISTED MEMBERS AS-  
22          SIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section  
23          308d(c) of title 37, United States Code, is amended by  
24          striking out “December 31, 1999” and inserting in lieu  
25          thereof “September 30, 2001”.

1 (e) SELECTED RESERVE AFFILIATION BONUS.—Sec-  
 2 tion 308e(e) of title 37, United States Code, is amended  
 3 by striking out “December 31, 1999” and inserting in lieu  
 4 thereof “September 30, 2001”.

5 (f) READY RESERVE ENLISTMENT AND REENLIST-  
 6 MENT BONUS.—Section 308h(g) of title 37, United States  
 7 Code, is amended by striking out “December 31, 1999”  
 8 and inserting in lieu thereof “September 30, 2001”.

9 (g) PRIOR SERVICE REENLISTMENT BONUS.—Sec-  
 10 tion 308i(f) of title 37, United States Code, is amended  
 11 by striking out “December 31, 1999” and inserting in lieu  
 12 thereof “September 30, 2001”.

13 (h) REPAYMENT OF EDUCATION LOANS FOR CER-  
 14 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-  
 15 LECTED RESERVE.—Section 16302(d) of title 10 United  
 16 States Code, is amended by striking out “January 1,  
 17 2000” and inserting in lieu thereof “October 1, 2001”.

18 **SEC. 626. EXTENSION OF AUTHORITIES RELATING TO PAY-**  
 19 **MENT OF REENLISTMENT AND ENLISTMENT**  
 20 **BONUSES AND SPECIAL PAY FOR AVIATION**  
 21 **CAREER OFFICERS EXTENDING PERIOD OF**  
 22 **ACTIVE DUTY.**

23 (a) SPECIAL PAY FOR AVIATION CAREER OFFICERS  
 24 EXTENDING PERIOD OF ACTIVE DUTY.—Section 301b(a)  
 25 of title 37, United States Code, is amended by striking

1 out “December 31, 1999” and inserting in lieu thereof  
2 “September 30, 2001”.

3 (b) REENLISTMENT BONUS FOR ACTIVE MEM-  
4 BERS.—Section 308(g) of title 37, United States Code, is  
5 amended by striking out “December 31, 1999” and insert-  
6 ing in lieu thereof “September 30, 2001”.

7 (c) ENLISTMENT BONUSES FOR MEMBERS WITH  
8 CRITICAL SKILLS.—Sections 308a(e) and 308f(c) of title  
9 37, United States Code, are each amended by striking out  
10 “December 31, 1999” and inserting in lieu thereof “Sep-  
11 tember 30, 2001”.

12 **SEC. 627. EXTENSION OF CERTAIN BONUSES AND SPECIAL**  
13 **PAY AUTHORITIES FOR NURSE OFFICER CAN-**  
14 **DIDATES, REGISTERED NURSES, AND NURSE**  
15 **ANESTHETISTS.**

16 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-  
17 GRAM.—Section 2130a(a)(1) of title 10, United States  
18 Code, is amended by striking out “December 31, 1999”  
19 and inserting in lieu thereof “September 30, 2001”.

20 (b) ACCESSION BONUS FOR REGISTERED NURSES.—  
21 Section 302d(a)(1) of title 37, United States Code, is  
22 amended by striking out “December 31, 1999” and insert-  
23 ing in lieu thereof “September 30, 2001”.

24 (c) INCENTIVE SPECIAL PAY FOR NURSE ANES-  
25 THETISTS.—Section 302e(a)(1) of title 37, United States

1 Code, is amended by striking out “December 31, 1999”  
2 and inserting in lieu thereof “September 30, 2001”.

3 **SEC. 628. EXTENSION OF AUTHORITY RELATING TO PAY-**  
4 **MENT OF NUCLEAR CAREER FIELD BONUSES**  
5 **AND SPECIAL PAY.**

6 (a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFI-  
7 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section  
8 312(e) of title 37, United States Code, is amended by  
9 striking “December 31, 1999” and inserting in lieu there-  
10 of “September 30, 2001”.

11 (b) NUCLEAR CAREER ACCESSION BONUS.—Section  
12 312b(e) of title 37, United States Code, is amended by  
13 striking “December 31, 1999” and inserting in lieu there-  
14 of “September 30, 2001”.

15 (c) NUCLEAR CAREER ANNUAL INCENTIVE  
16 BONUS.—Section 312c(d) of title 37, United States Code;  
17 is amended by striking “October 1, 1998 and the 15-  
18 month period beginning on that date and ending Decem-  
19 ber 31, 1999” and inserting in lieu thereof “September  
20 30, 2001”.

1     **Subtitle D—Military Retired Pay**

2     **SEC. 630. REPEAL OF REDUCTION IN RETIRED PAY APPLI-**  
3                   **CABLE TO POST-AUGUST 1, 1986, MEMBERS**  
4                   **WITH LESS THAN 30 YEARS OF SERVICE.**

5           (a) REPEAL OF REDUCTION.—Section 1409(b) of  
6 title 10, United States Code, is amended—

7                 (1) by striking paragraph (2); and

8                 (2) by redesignating paragraph (3) as para-  
9 graph (2).

10          (b) CONFORMING AMENDMENT.—Paragraph (1) of  
11 such section is amended by striking “paragraphs (2) and  
12 (3)” and inserting in lieu thereof “paragraph (2)”.

13     **SEC. 631. MODIFY “CPI-1” COST-OF-LIVING ADJUSTMENT**  
14                   **APPLICABLE TO RETIRED PAY OF POST-AU-**  
15                   **GUST 1, 1986, MEMBERS.**

16          Section 1401a(b) of title 10, United States Code, is  
17 amended by striking paragraph (3) and inserting in lieu  
18 thereof the following new paragraph (3):

19                 “(3) POST-AUGUST 1, 1986 MEMBERS.—(A) If  
20 the percent determined under paragraph (2) is  
21 greater than or equal to three percent, the Secretary  
22 of Defense shall increase the retired pay of each  
23 member and former member who first became a  
24 member on or after August 1, 1986, by the dif-  
25 ference between—

1           “(i) the percent determined in paragraph  
2           (2); and

3           “(ii) one percent.

4           “(B) If the percent determined under para-  
5           graph (2) is less than three percent, the Secretary  
6           shall increase the retired pay of each member and  
7           former member who first became a member on or  
8           after August 1, 1986, by the lesser of the CPI  
9           change or two percent.”.

10 **SEC. 632. CONFORMING AMENDMENTS.**

11           (a) RECOMPUTATION OF COLA ADJUSTMENT  
12           “CATCH-UP” AT AGE 62.—Section 1410 of title 10,  
13           United States Code, is amended—

14                   (1) by amending the catchline for section 1410  
15           to read as follows:

16           **“§ 1410. Restoral of COLA amount at age 62 for mem-  
17           bers entering on or after August 1, 1986”;**

18                   (2) by striking paragraph (2); and

19                   (3) by striking “—

20                   (1)” and realigning the indented remaining  
21           matter as one with the preceding paragraph; and

22                   (4) at the end of the realigned matter by strik-  
23           ing “; and” inserting in lieu thereof a period.

24           (b) AMENDMENTS TO SURVIVOR BENEFIT PLAN.—

25           Chapter 73 of such title is amended as follows:

1           (1) Section 1447(6)(A) is amended by striking  
2           “(determined without regard to any reduction under  
3           section 1409(b)(2) of this title)”.

4           (2) Section 1451 is amended in subsection (h)  
5           by striking paragraph (3); and

6           (3) Section 1452 is amended in subsection (c)  
7           by striking paragraph (4).

8   **SEC. 633. EFFECTIVE DATE.**

9           The amendments made by sections 630, 631, and 632  
10          shall take effect on October 1, 1999.

11                   **Subtitle E—Other Matters**

12   **SEC. 640. LUMP SUM LEAVE WITH REENLISTMENT.**

13          Section 501 of title 37, United States Code, is  
14          amended—

15                 (1) in paragraph (a)(1), by adding at the end  
16                 before the semicolon the following: “, or in conjunc-  
17                 tion with a reenlistment regardless of when it oc-  
18                 curs”; and

19                 (2) in paragraph (b)(2), by striking “or enter-  
20                 ing into an enlistment,”.

21   **SEC. 641. EMERGENCY LEAVE TRAVEL COST LIMITATIONS.**

22          Section 411d(b)(1) of title 37, United States Code,  
23          is amended—

24                 (1) by redesignating clause (A) as clause (A)(i);



1           (2) by adding a new clause “(A)(ii) to any air-  
2           port in the continental United States to which travel  
3           can be arranged at the same or a lower cost as trav-  
4           el obtained under clause (A)(i) above; or”.

5 **SEC. 642. AUTHORITY TO EXPEND APPROPRIATED FUNDS**  
6                           **TO PAY CERTAIN ACTUAL EXPENSES OF RE-**  
7                           **SERVISTS.**

8           Section 404(i) of title 37, United States Code, is  
9 amended—

10           (1) in paragraph (1), by striking the period at  
11           the end of the paragraph and inserting in lieu there-  
12           of “or, if transient government quarters are unavail-  
13           able, may provide contract quarters as lodging in  
14           kind as if the member were entitled to such allow-  
15           ances under subsection (a) of this section.”;

16           (2) in paragraph (3), by inserting “or expenses  
17           for contract quarters” after “service charge ex-  
18           penses”; and

19           (3) by adding at the end the following new  
20           paragraph (4):

21           “(4) Use of Government Charge Cards is au-  
22           thorized for payment of these expenses.”.

1 **SEC. 643. AVIATION CAREER INCENTIVE PAY; DELEGATION**  
2 **OF AUTHORITY TO WAIVE OPERATIONAL FLY-**  
3 **ING DUTY REQUIREMENTS.**

4 Section 301a(a)(5) of title 37, United States Code,  
5 is amended by striking the third sentence and inserting  
6 in lieu thereof the following: “The Secretary concerned  
7 may delegate the authority in the preceding sentence, but  
8 not below the Service Personnel Chief, to permit the pay-  
9 ment of incentive pay under this paragraph.”

10 **SEC. 644. TUITION ASSISTANCE FOR MEMBERS DEPLOYED**  
11 **IN A CONTINGENCY OPERATION.**

12 Section 2007(a) of title 10, United States Code, is  
13 amended—

- 14 (1) in paragraph (2), by striking “and”;
- 15 (2) in paragraph (3), by striking the period at  
16 the end and inserting in lieu thereof “; and”; and
- 17 (3) by adding at the end the following new  
18 paragraph:
- 19 “(4) in the case of a member serving in a con-  
20 tingency operation as defined in section 101(a)(13)  
21 of this title, or similar operational mission (other  
22 than for training) designated by the Secretary con-  
23 cerned, all of the charges may be paid.”.

1 **SEC. 645. PAYMENT OF TEMPORARY LODGING EXPENSES**  
2 **TO MEMBERS MAKING THEIR FIRST PERMA-**  
3 **NENT CHANGE OF STATION.**

4 Section 404a(a) of title 37, United States Code, is  
5 amended—

6 (1) in paragraph (1), by striking “or” at the  
7 end of the paragraph:

8 (2) in paragraph (2), by inserting “or” after  
9 the semicolon; and

10 (3) by inserting after paragraph (2) the fol-  
11 lowing new paragraph (3):

12 “(3) for enlisted members, from the member’s  
13 home of record or initial technical school to the  
14 member’s first permanent duty station;”.

15 **SEC. 636. DUTY STATUS; WHEREABOUTS UNKNOWN; PAY**  
16 **ADMINISTRATION.**

17 (a) DEFINITION.—Section 551 of title 37, United  
18 States Code, is amended—

19 (1) by redesignating subsection (3) as sub-  
20 section (4); and

21 (2) by inserting the following new subsection  
22 (3):

23 “(3) The term ‘duty status; whereabouts un-  
24 known’ defines a transitory casualty status, applica-  
25 ble only to military personnel, that is used when the  
26 responsible commander suspects the member may be

1 a casualty whose absence is involuntary, but does  
2 not consider that sufficient evidence currently exists  
3 to make a definite determination that the member  
4 is—

5 “(A) missing;

6 “(B) deserted;

7 “(C) absent without leave; or

8 “(D) dead.”.

9 (b) CONFORMING AMENDMENTS.—(1) Section 552 of  
10 title 37, United States Code, is amended—

11 (A) by amending the section heading to read as  
12 follows:

13 **“§ 552. Pay and allowances; continuation while in a**  
14 **missing or duty status; whereabouts un-**  
15 **known status; limitations”;**

16 (B) in subsection (a), by inserting “or duty sta-  
17 tus; whereabouts unknown” after “missing” each  
18 place it appears; and

19 (C) in paragraph (a)(1), by striking out “that”  
20 the first place it appears, and inserting in lieu there-  
21 of “either”.

22 (2) In the table of sections at the beginning of chap-  
23 ter 10 of title 37, United States Code, the item referring  
24 to section 552 is amended to read as follows:

“552. Pay and allowances; continuation while in a missing or duty status;  
whereabouts unknown status; limitations.”.

1 **SEC. 647. BIENNIAL REPORTING REQUIREMENT FOR THE**  
2 **MONTGOMERY GI BILL; SELECTED RESERVE.**

3 Section 16137 of title 10, United States Code, is  
4 amended by striking “not later than March 1 of each year  
5 concerning the operation of the educational assistance pro-  
6 gram established by this chapter during the preceding fis-  
7 cal year.” and inserting in lieu thereof “by March 1, at  
8 least once every two years concerning the operation of the  
9 educational assistance program established by this chapter  
10 during the preceding fiscal years.”.

11 **TITLE VII—HEALTH CARE**  
12 **PROVISIONS**

13 **SEC. 701. ADMINISTRATION OF HEALTH CARE CONTRACTS**  
14 **AND PROGRAMS.**

15 Section 1073 of title 10, United States Code, is  
16 amended—

17 (1) by inserting “(a)” at the beginning of the  
18 current text; and

19 (2) by adding at the end the following new sub-  
20 section:

21 “(b)(1) In the administration of contracts under this  
22 chapter, the Secretary of Defense shall provide a stable  
23 and uniform program of medical and dental care by imple-  
24 menting program benefit and administrative changes at  
25 the start of each fiscal year, rather than throughout the  
26 year, except when the Secretary determines that the

1 change would significantly improve health services to eligi-  
2 ble beneficiaries under this chapter, or that for other rea-  
3 sons implementation other than at the start of the fiscal  
4 year would most effectively carry out the purposes of this  
5 chapter.

6 “(2) In cases in which a law is enacted requiring the  
7 initiation of a new program or benefit under this chapter,  
8 the Secretary of Defense may defer for up to one year  
9 the implementation schedule for such new program or ben-  
10 efit if the Secretary—

11 “(A) determines such deferral is necessary to  
12 seek the appropriation of such funds, additional to  
13 those needed for ongoing programs and benefits  
14 under this chapter, as may be necessary for such  
15 new programs and benefits; and

16 “(B) certifies to Congress that such deferral is  
17 necessary to prevent disruptions to such ongoing  
18 programs and benefits and reports on the appropria-  
19 tion amounts that would be necessary to proceed  
20 with timely implementation of the new program or  
21 benefit.”.

1 **SEC. 702. CONTINUATION OF PREVIOUSLY PROVIDED CUS-**  
2 **TODIAL CARE BENEFITS FOR CERTAIN**  
3 **CHAMPUS BENEFICIARIES.**

4 (a) CONTINUATION OF COVERAGE.—Subject to sub-  
5 section (c), the Secretary of Defense may continue pay-  
6 ment under the Civilian Health and Medical Program of  
7 the Uniformed Services (as defined in section 1072 of title  
8 10, United States Code) for domiciliary or custodial care  
9 services, otherwise excluded by regulations implementing  
10 section 1077(b)(1) of such title on behalf of beneficiaries  
11 described in subsection (b).

12 (b) COVERED BENEFICIARIES.—Beneficiaries de-  
13 scribed in subsection (a) are covered beneficiaries (as de-  
14 fined in section 1072 of such title) who, prior to the effec-  
15 tive date of final regulations to implement the individual  
16 case management program authorized by section  
17 1079(a)(17) of such title, were provided domiciliary or  
18 custodial care services for which the Secretary provided  
19 payment.

20 (c) SECRETARIAL AUTHORITY.—The authority pro-  
21 vided by subsection (a) is subject to a case-by-case deter-  
22 mination by the Secretary that discontinuation of payment  
23 for domiciliary or custodial care services or transition  
24 under the case management program authorized by such  
25 section 1079(a)(17) to alternative programs and services

1 would be inadequate to meet the needs of, and unjust to,  
2 the beneficiary.

3 **SEC. 703. MODIFICATION OF DUE DATE FOR EVALUATION**  
4 **AND REPORT ON TRICARE EFFECTIVENESS.**

5 Section 717(c) of the National Defense Authorization  
6 Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat.  
7 376) is amended by striking “March 1” and inserting in  
8 lieu thereof “September 1”.

9 **SEC. 704. AUTHORITY OF ARMED FORCES MEDICAL EXAM-**  
10 **INER TO CONDUCT AUTOPSIES.**

11 (a) IN GENERAL.—Chapter 3 of title 10, United  
12 States Code is amended by adding after section 130a the  
13 following new section:

14 **“§ 130b. Authority of armed forces medical examiner**  
15 **to conduct autopsies**

16 “(a) IN GENERAL.—Under regulations prescribed by  
17 the Secretary of Defense, the Armed Forces Medical Ex-  
18 aminer is authorized to conduct a forensic pathology inves-  
19 tigation, including an autopsy, when a person is found  
20 dead or dies under circumstances that require a forensic  
21 pathology investigation to determine the cause or manner  
22 of death and one of the circumstances described in sub-  
23 section (b) is also present.



1       “(b) APPLICABILITY.—The circumstances referred to  
2 in subsection (a) are, subject to subsection (c), any one  
3 of the following:

4           “(1) A person is found dead or dies at an in-  
5 stallation garrisoned by units of the Armed Forces  
6 and under the exclusive jurisdiction of the United  
7 States.

8           “(2) A member of the armed forces on active  
9 duty or inactive duty for training is found dead or  
10 dies, or a former member dies soon after retirement  
11 under chapter 61 of this title as a result of an injury  
12 or illness incurred while such a member.

13           “(3) A civilian dependent of a member of the  
14 armed forces is found dead or dies in any location  
15 outside the United States.

16           “(4) Pursuant to an authorized Department of  
17 Defense investigation of matters in which there is  
18 involved the death of a person or persons, a factual  
19 determination is necessary of the cause or manner of  
20 the death(s).

21           “(5) Pursuant to an authorized investigation  
22 being conducted by the Federal Bureau of Investiga-  
23 tion, the National Transportation Safety Board, or  
24 other Federal agency, an authorized official of such  
25 agency with authority to direct a forensic pathology

1 investigation requests that such an investigation be  
2 conducted by the Armed Forces Medical Examiner.

3 “(c) LIMITATION IN CONCURRENT JURISDICTION  
4 CASES.—Authority of the Armed Forces Medical Exam-  
5 iner to conduct a forensic pathology investigation under  
6 the circumstances described in subsection (b) is subject  
7 to the primary jurisdiction, to the extent fully exercised  
8 (including conducting an autopsy), of the appropriate  
9 State or local governmental authority or, if outside the  
10 United States, of appropriate authorities under any appli-  
11 cable Status of Forces or other international agreement  
12 between the United States and the country involved.

13 “(d) PROCEDURES.—In conducting forensic pathol-  
14 ogy investigations under this section, the Armed Forces  
15 Medical Examiner shall—

16 “(1) designate qualified pathologists for this  
17 purpose;

18 “(2) to the extent practicable and consistent  
19 with responsibilities under this section, give due re-  
20 gard to any applicable law protecting religious be-  
21 liefs;

22 “(3) as soon as practicable, inform the family  
23 of the decedent, if known, of the fact of the forensic  
24 pathology investigation;

1           “(4) as soon as practicable after completion of  
2 the investigation, return the remains of the deceased  
3 to the family of the decedent, if known; and

4           “(5) promptly report the results of the forensic  
5 pathology investigation to the authorized official re-  
6 sponsible for the investigation relating to the death.

7           “(e) DEFINITION.—In this section, the term ‘cir-  
8 cumstances that require a forensic pathology investigation’  
9 are, in the judgment of the Armed Forces Medical  
10 Examiner—

11           “(1) a person is killed or from any cause dies  
12 an unnatural death;

13           “(2) the cause or manner of death are un-  
14 known;

15           “(3) there is reasonable suspicion that the  
16 death was by unlawful means;

17           “(4) death was apparently from an infectious  
18 disease or from the effects of a hazardous material  
19 that may have an adverse effect on the installation  
20 or community; or

21           “(5) the identity of the deceased person is un-  
22 known.”.

23           (b) CONFORMING AMENDMENT.—Chapter 577 of  
24 title 10, United States Code, is amended by adding after  
25 section 6522 the following new section:

1 **“§ 6523. Inquests**

2       “(a) When a person is found dead under cir-  
3 cumstances that require investigation, at a place garri-  
4 soned by the Navy or Marine Corps, and under the exclu-  
5 sive jurisdiction of the United States, the commanding of-  
6 ficer shall direct a summary court-martial to investigate  
7 the circumstances of the death.

8       “(b) In conducting an investigation under subsection  
9 (a), the summary court-martial may summon witnesses  
10 and examine them under oath.

11       “(c) The summary court-martial shall promptly sub-  
12 mit to the commanding officer a report of the investigation  
13 and findings as to the cause of death.”.

14       (c) CLERICAL AMENDMENTS.—(1) The tables of sec-  
15 tions of such title and chapters are amended—

16           (A) by adding after the item relating to section  
17 130a the following new item:

“130b. Authority of armed forces medical examiner to conduct autopsies.”; and

18           (B) by adding after the item relating to section  
19 6522 the following new item:

“6523. Inquests.”.

20       (2) The chapter heading for such chapter 577 is  
21 amended by adding at the end a semicolon and **“IN-**  
22 **QUESTS”**.

23       (3) The tables of chapters and table of sections for  
24 such title 10, for subtitle C of such title, and for part II

1 of such Subtitle are amended with respect to the items  
2 relating to chapter 577 by adding at the end a semicolon  
3 and **“Inquests”**.

4 **SEC. 705. EMERGENCY MEDICAL CARE FOR EMPLOYEES OF**  
5 **THE DEPARTMENT OF DEFENSE ON DUTY IN**  
6 **THE FORMER SOVIET UNION OR FORMER**  
7 **WARSAW PACT COUNTRIES.**

8 (a) **AUTHORITY FOR MEDICAL CARE.**—Chapter 53 of  
9 title 10, United States Code, is amended by inserting after  
10 section 1049 the following new section 1049a:

11 **“§ 1049a. Emergency medical care for employees of**  
12 **the Department of Defense on duty in the**  
13 **former Soviet Union or former Warsaw**  
14 **Pact countries**

15 “The Secretary of Defense may make payments for  
16 emergency medical or dental care for military, civilian, and  
17 contractor employees of the Department of Defense per-  
18 manently or temporarily on duty in the countries of the  
19 former Soviet Union and the former Warsaw Pact. The  
20 authority of the Secretary of Defense to make payments  
21 under this section is effective for any fiscal year only to  
22 the extent that appropriated funds are available for such  
23 purpose.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 at the beginning of title 10, United States Code is amend-  
 3 ed by adding at the end the following new item:

“1049a. Emergency medical care for employees of the Department of Defense  
 on duty in the former Soviet Union or former Warsaw Pact  
 countries.”.

4 **SEC. 706. THIRD PARTY COLLECTION PROGRAM IMPROVE-**  
 5 **MENT.**

6 Section 1095 of title 10, United States Code, is  
 7 amended —

8 (1) by amending subsection (f) to read as fol-  
 9 lows:

10 “(f) The Secretary of Defense, in consultation with  
 11 the other administering Secretaries, shall prescribe regula-  
 12 tions for the administration of this section. Such regula-  
 13 tions shall provide for the computation of the reasonable  
 14 cost of inpatient, outpatient, or other health care services.  
 15 Computation of such reasonable cost may be based on—

16 “(1) per diem rates;

17 “(2) all-inclusive per visit rates;

18 “(3) diagnosis-related groups;

19 “(4) rates prescribed under the regulations im-  
 20 plementing sections 1079 and 1086 of this title; or

21 “(5) such other method as may be appro-  
 22 priate.”; and

23 (2) in subsection (h)(1), by striking the first  
 24 sentence and inserting in lieu thereof “The term

1 ‘third party payer’ means an entity that provides an  
2 insurance, medical service, or health plan by con-  
3 tract or agreement including an automobile liability  
4 insurance or no fault insurance carrier, a worker’s  
5 compensation program or plan, and any other plan  
6 or program that is designed to provide compensation  
7 or coverage for expenses incurred by a beneficiary  
8 for medical services and supplies.”.

9 **TITLE VIII—ACQUISITION POL-**  
10 **ICY, ACQUISITION MANAGE-**  
11 **MENT, AND RELATED MAT-**  
12 **TERS**

13 **SEC. 801. PROTECTION OF COMMERCIAL SOURCES.**

14 Section 455(b)(1) of title 10, United States Code, is  
15 amended—

16 (1) in subparagraph (B) by striking “or”;

17 (2) in subparagraph (C) by striking the period  
18 at the end and inserting in lieu thereof “; or”; and

19 (3) by adding at the end the following new sub-  
20 paragraph (D):

21 “(D) that contains information that the  
22 Secretary of Defense has determined in writing,  
23 if disclosed, would interfere or unfairly compete  
24 with an emerging or existing commercial indus-  
25 try or market operation.”.

1           (4) by adding at the end the following new  
2 paragraph (4):

3           “(4) Nothing in this section shall affect, limit,  
4 or supersede the authorities or responsibilities of the  
5 Director of Central Intelligence with respect to im-  
6 agery and imagery intelligence pursuant to the Na-  
7 tional Security Act of 1947, as amended (50 U.S.C.  
8 402 et seq.), Executive Order 12951, or any suc-  
9 cessor Executive Order and applicable Presidential  
10 directives. The withholding of imagery and imagery  
11 intelligence will be in accordance with the policies  
12 and directives of the Director of Central Intel-  
13 ligence.”.

14 **SEC. 802. WAIVER OF LIVE-FIRE SURVIVABILITY TESTING**  
15                           **MH-47E/MH-60K HELICOPTER MODIFICATION**  
16                           **PROGRAMS.**

17           (a) **WAIVER.**—Notwithstanding the requirement of  
18 section 2366(c)(1) of title 10, United States Code, that  
19 any waiver by the Secretary of Defense of the application  
20 of the survivability tests to a covered system occur before  
21 the system or program enters engineering and manufac-  
22 turing development, and notwithstanding the requirements  
23 of section 142 of the National Defense Authorization Act  
24 for Fiscal Year 1993 (Public Law 102–484; 106 Stat.  
25 2338) that operational test and evaluation and surviv-



1 ability testing of the MH-47E helicopters and MH-60K  
2 helicopters be completed prior to full materiel release of  
3 the helicopters for operational use, the Secretary may  
4 waive the application of the survivability tests to the MH-  
5 47E and MH-60K helicopter modification programs be-  
6 fore full material release of the MH-47E and MH-60K  
7 helicopters for operational use.

8 (b) REPORT.—Except as provided in subsection (a)  
9 above, any waiver by the Secretary of Defense of the appli-  
10 cation of the survivability tests to the MH-47E and MH-  
11 60K helicopters shall comply with all other requirements  
12 of subsection (c) of section 2366 of title 10, United States  
13 Code.

14 **SEC. 803. SALE, EXCHANGE, AND WAIVER AUTHORITY FOR**  
15 **COAL AND COKE.**

16 (a) IN GENERAL.—Section 2404 of title 10, United  
17 States Code, is amended—

18 (1) in the catchline for the provision by insert-  
19 ing “, coal, coke,” after “petroleum”;

20 (2) in subsection (a)—

21 (A) by inserting “, coal, coke,” after “pe-  
22 troleum”; and

23 (B) in paragraph (1), by inserting “, coal  
24 market conditions, coke market conditions,”  
25 after “petroleum market conditions”;

1           (3) in subsection (b), by inserting “, coal,  
2 coke,” after “petroleum”;

3           (4) in subsection (c), by inserting “, coal,  
4 coke,” after the term “petroleum”; and

5           (5) in subsection (d), by inserting “, coal,  
6 coke,” after “petroleum”.

7           (b) CLERICAL AMENDMENT.—The table of sections  
8 for chapter 141 of such title 10 is amended by amending  
9 the item relating to section 2104 by inserting “, coal,  
10 coke,” after “petroleum”.

11 **SEC. 804. REPEAL OF CERTIFICATION OF FUNDING FOR**  
12 **SUPPORT COSTS IN THE FIVE YEAR DEFENSE**  
13 **PROGRAM.**

14           Section 2306b(i)(1) of title 10, United States Code,  
15 is amended—

16           (1) by striking “each of the following conditions  
17 is satisfied.”;

18           (2) by striking subparagraph (A); and

19           (3) by striking “(B) The” and inserting in lieu  
20 thereof “the”.

21 **SEC. 805. REPEAL OF THE SHIPBUILDING CAPABILITY**  
22 **PRESERVATION AGREEMENT.**

23           (a) REPEALER.—Section 7315 of title 10, United  
24 States Code, relating to the Shipbuilding Capability Pres-  
25 ervation Agreement, is repealed.

1 (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 633 of title 10 is amended  
3 by striking the item relating to section 7315.

4 **SEC. 806. ELIMINATION OF SUBCONTRACT NOTIFICATION**  
5 **REQUIREMENTS.**

6 Section 2306(e) of title 10, United States Code, is  
7 amended to read as follows:

8 “(e) Except for contracts with a contractor that  
9 maintains a purchasing system that has been approved by  
10 the cognizant contracting officer, each cost contract and  
11 each cost-plus-a-fixed-fee contract shall include a contract  
12 provision that requires the contractor to notify the agency,  
13 prior to the award under a prime contract, of—

14 “(1) a cost-plus-a-fixed-fee subcontract; or

15 “(2) a fixed-price subcontract or purchase order  
16 involving more than the greater of—

17 “(A) the simplified acquisition threshold;

18 or

19 “(B) 5 percent of the estimated cost of the  
20 prime contract.”.

21 **SEC. 807. ANNUAL REPORT TO CONGRESS ON NUCLEAR AT-**  
22 **TACK SUBMARINE PROCUREMENT AND SUB-**  
23 **MARINE TECHNOLOGY.**

24 Section 131 of the National Defense Authorization  
25 Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat.

1 206) is amended by striking subsections (b), (c), (e) and  
2 (f).

3 **SEC. 808. ELIMINATION OF ANNUAL REPORT ON DESIGN**  
4 **RESPONSIBILITY OF NEW ATTACK SUB-**  
5 **MARINE PROGRAM.**

6 Section 121(g) of the National Defense Authorization  
7 Act of Fiscal Year 1997 (Public Law 104–201; 110 Stat.  
8 2441) is amended by striking paragraph (3).

9 **SEC. 809. CLERICAL AMENDMENT TO THE AUTHORITY TO**  
10 **CARRY OUT CERTAIN PROTOTYPE PROJECTS.**

11 Section 845(b)(1) of the National Defense Authoriza-  
12 tion Act for Fiscal Year 1994 (Public Law 103–160; 107  
13 Stat. 1722; 10 U.S.C. 2371 note), as amended by section  
14 804 of the National Defense Authorization Act for Fiscal  
15 Year 1997 (Public Law 104–201; 110 Stat. 2605), is  
16 amended by striking “(e)(2) and (e)(3) of such section  
17 2371” and inserting in lieu thereof “(e)(1)(B) and (e)(2)  
18 of such section 2371”.

19 **SEC. 810. MANUFACTURING TECHNOLOGY COST-SHARING.**

20 Section 2525 of title 10, United States Code, is  
21 amended—

22 (1) in subsection (b)—

23 (A) by redesignating paragraphs (5)  
24 through (8) as paragraphs (6) through (9), re-  
25 spectfully; and

1 (B) by inserting after paragraph (3) the  
2 following new paragraph (4):

3 “(4) to address broad defense-related manufac-  
4 turing inefficiencies and requirements;” and

5 (2) by amending subsections (d) and (e) to read  
6 as follows:

7 “(d) COMPETITION AND COST-SHARING.—(1) Com-  
8 petitive procedures shall be used for awarding all grants  
9 and entering into all contracts, cooperative agreements,  
10 and other transactions under the program.

11 “(2)(A) Cost-sharing is required for projects under-  
12 taken under the terms of this section except when a  
13 project meets conditions in subparagraph (B).

14 “(B) Cost-sharing may be waived when a project—

15 “(i) is not likely to have an immediate and  
16 direct commercial application, and

17 “(ii) is initiated by a military Service acquisi-  
18 tion organization or by the Defense Logistics Agen-  
19 cy, pursuant to a formal review of manufacturing  
20 development opportunities and planning for project  
21 execution.

22 “(C) If cost-sharing is not used, the appropriate  
23 Service Acquisition Executive, the Director of the Defense  
24 Logistics Agency, or a designee of such an official, shall

1 document the rationale in the transaction file for each  
2 such project.

3 “(e) FIVE-YEAR PLAN.—(1) The Under Secretary of  
4 Defense (Acquisition & Technology) shall prepare a five-  
5 year plan for the program which establishes—

6 “(A) The overall manufacturing technology  
7 goals, milestones, priorities, and investment strategy  
8 for the program; and

9 “(B) for each of the five fiscal years covered by  
10 the plan, the objectives of, and funding for the pro-  
11 gram by, each military department and each Defense  
12 Agency participating in the program.

13 “(2) The plan shall also provide an assessment of the  
14 following:

15 “(A) Effectiveness of the program.

16 “(B) Extent to which the costs of projects are  
17 being shared.

18 “(3) The plan shall be updated annually and shall  
19 be included in the budget justification documents sub-  
20 mitted in support of the budget of the Department of De-  
21 fense for a fiscal year (as included in the budget of the  
22 President submitted to Congress under section 1105 of  
23 title 31).”.

1 **TITLE IX—DEPARTMENT OF DE-**  
2 **FENSE ORGANIZATION AND**  
3 **MANAGEMENT**

4 **Subtitle A—Organization**

5 **SEC. 901. ABOLISHMENT OF POSITION OF ASSISTANT TO**  
6 **THE SECRETARY OF DEFENSE FOR NUCLEAR**  
7 **AND CHEMICAL AND BIOLOGICAL DEFENSE**  
8 **PROGRAMS.**

9 (a) IN GENERAL.—Section 142 of title 10, United  
10 States Code, is repealed.

11 (b) CONFORMING AMENDMENTS.—Section 179(e)(2)  
12 of such title 10 is amended by striking “The Assistant  
13 to the Secretary of Defense for Nuclear and Chemical and  
14 Biological Defense Programs” and inserting in lieu thereof  
15 “Director, Defense Research & Engineering”. Section  
16 5316 of title 5, United States Code, is amended by strik-  
17 ing “Assistant to the Secretary of Defense for Nuclear and  
18 Chemical and Biological Defense Programs, Department  
19 of Defense”.

20 (c) CLERICAL AMENDMENT.—The table of sections  
21 at the beginning of Chapter 4 of title 10, United States  
22 Code, is amended by striking the item relating to section  
23 142.

1 **SEC. 902. MODIFICATION OF THE TITLES OF CERTAIN MEM-**  
2 **BERS OF THE STRATEGIC ENVIRONMENTAL**  
3 **RESEARCH AND DEVELOPMENT PROGRAM**  
4 **COUNCIL.**

5 Section 2902(b) of title 10, United States Code, is  
6 amended—

7 (1) in paragraph(1), by striking “Director of  
8 Defense Research and Engineering” and inserting in  
9 lieu thereof “Deputy Under Secretary of Defense for  
10 Science and Technology”; and

11 (2) in paragraph (6), by striking “Energy Re-  
12 search” and inserting in lieu thereof “Science”.

13 **SEC. 903. ESTABLISHMENT OF THE POSITION IN THE OF-**  
14 **FICE OF THE SECRETARY OF DEFENSE OF DI-**  
15 **RECTOR OF DEFENSE LOGISTICS.**

16 (a) IN GENERAL.—Chapter 4 of title 10, United  
17 States Code, is amended by inserting after section 133a  
18 the following new section:

19 **“§ 133b. Director of Defense Logistics**

20 “(a) There is a Director of Defense Logistics, ap-  
21 pointed from civilian life by the President, by and with  
22 the advice and consent of the Senate at level 4 of the Exec-  
23 utive Schedule.

24 “(b) The Director shall be appointed without regard  
25 to political affiliation and solely on the basis of fitness to  
26 perform the duties of the office of Director.



1       “(c) Except as otherwise prescribed by the Secretary  
2 of Defense, the Director is the principal adviser to the Sec-  
3 retary and the Under Secretary of Defense for Acquisition  
4 and Technology on logistics in the Department of Defense  
5 and the principal logistics official within the senior man-  
6 agement of the Department of Defense, and shall perform  
7 such duties relating to logistics as the Under Secretary  
8 of Defense for Acquisition and Technology may assign,  
9 including—

10           “(1) prescribe, by authority of the Secretary of  
11 Defense, policies and procedures for the conduct of  
12 logistics in the Department of Defense;

13           “(2) advise and assist the Secretary of Defense,  
14 the Deputy Secretary of Defense, the Under Sec-  
15 retary of Defense for Acquisition and Technology  
16 and provide guidance to and consult with the Secre-  
17 taries of military departments with respect to logis-  
18 tics in the Department of Defense; and

19           “(3) monitor and review all logistics programs  
20 in the Department of Defense.”.

21       (b) CLERICAL AMENDMENT.—The table of sections  
22 at the beginning of such chapter 4 is amended by inserting  
23 after the item relating to section 133a the following new  
24 item:

“133b. Director of Defense Logistics.”.

1 (c) CONFORMING AMENDMENT.—Section 5315 of  
2 title 5, United States Code, is amended by adding at the  
3 end the following new item:

4 “Director of Defense Logistics”.

5 **Subtitle B—Management of Service**  
6 **Academies**

7 **SEC. 905. ELIGIBILITY FOR PRESIDENTIAL APPOINTMENT**  
8 **TO A SERVICE ACADEMY; TO INCLUDE CHIL-**  
9 **DREN OF RESERVE PERSONNEL AND CER-**  
10 **TAIN ACTIVE DUTY PERSONNEL.**

11 (a) ARMY.—Section 4342(b)(1) of title 10, United  
12 States Code, is amended—

13 (1) by striking subparagraph (A) and inserting  
14 in lieu thereof the following new subparagraph:

15 “(A) are currently on active duty (other  
16 than for training) and who have served on ac-  
17 tive duty for a total of at least eight years.”;

18 (2) in subparagraph (B), by striking “, other  
19 than those granted retired pay under section 12731  
20 of this title (or under section 1331 of this title as  
21 in effect before the effective date of the Reserve Of-  
22 ficer Personnel Management Act)”;

23 (3) by adding at the end the following new sub-  
24 paragraphs (C) and (D):

1           “(C) are serving as a member of a reserve  
2           component and have earned at least 2,880 re-  
3           tirement points credited for purposes of section  
4           12733 of this title; or

5           “(D) are, or who died while they were, eli-  
6           gible for retired pay under chapter 1223 of this  
7           title, but had not yet reached age 60;”.

8           (b) NAVY.—Section 6954(b)(1) of title 10, United  
9           States Code, is amended—

10           (1) by striking subparagraph (A) and inserting  
11           in lieu thereof the following new subparagraph:

12           “(A) are currently on active duty (other  
13           than for training) and who have served on ac-  
14           tive duty for a total of at least eight years.”;

15           (2) in subparagraph (B), by striking “, other  
16           than those granted retired pay under section 12731  
17           of this title (or under section 1331 of this title as  
18           in effect before the effective date of the Reserve Of-  
19           ficer Personnel Management Act)”; and

20           (3) by adding at the end the following new sub-  
21           paragraphs (C) and (D):

22           “(C) are serving as a member of a reserve  
23           component and who have earned at least 2,880  
24           retirement points countable for purposes of sec-  
25           tion 12733 of this title; or

1           “(D) are, or who died while they were, eli-  
2           gible for retired pay under chapter 1223 of this  
3           title, but had not yet reached age 60;”.

4           (c) AIR FORCE.—Section 9342(b)(1) of title 10,  
5 United States Code, is amended—

6           (1) by striking subparagraph (A) and inserting  
7           in lieu thereof the following new subparagraph:

8           “(A) are currently on active duty (other  
9           than for training) and who have served on ac-  
10          tive duty for a total of at least eight years.”;

11          (2) in subparagraph (B), by striking “, other  
12          than those granted retired pay under section 12731  
13          of this title (or under section 1331 of this title as  
14          in effect before the effective date of the Reserve Of-  
15          ficer Personnel Management Act)”; and

16          (3) by adding at the end the following new sub-  
17          paragraphs (C) and (D):

18                 “(C) are serving as a member of a reserve  
19                 component and who have earned at least 2,880  
20                 retirement points countable for purposes of sec-  
21                 tion 12733 of this title; or

22                 “(D) are, or who died while they were, eli-  
23                 gible for retired pay under chapter 1223 of this  
24                 title, but had not yet reached age 60;”.

1 **SEC. 906. REIMBURSEMENT OF EXPENSES FOR INSTRUC-**  
2 **TION AT SERVICE ACADEMIES OF PERSONS**  
3 **FROM FOREIGN COUNTRIES.**

4 (a) UNITED STATES MILITARY ACADEMY.—Section  
5 4344(b) of title 10, United States Code, is amended—

6 (1) by striking the text of paragraph (3) and  
7 inserting in lieu thereof the following new para-  
8 graph:

9 “The amount of reimbursement waived under  
10 paragraph (2) may not exceed 50 percent of the per-  
11 person reimbursement amount otherwise required to  
12 be paid by a foreign country under such paragraph,  
13 except in the case of not more than twenty persons  
14 receiving instruction at the Academy under this sec-  
15 tion at any one time.”.

16 (b) NAVAL ACADEMY.—Section 6957(b) of title 10,  
17 United States Code, is amended—

18 (1) by striking the text of paragraph (3) and  
19 inserting in lieu thereof the following new para-  
20 graph:

21 “The amount of reimbursement waived under  
22 paragraph (2) may not exceed 50 percent of the per-  
23 person reimbursement amount otherwise required to  
24 be paid by a foreign country under such paragraph,  
25 except in the case of not more than twenty persons

1 receiving instruction at the Naval Academy under  
2 this section at any one time.”.

3 (c) AIR FORCE ACADEMY.—Section 9344(b) of title  
4 10, United States Code, is amended—

5 (1) by striking the text of paragraph (3) and  
6 inserting in lieu thereof the following new para-  
7 graph:

8 “The amount of reimbursement waived under  
9 paragraph (2) may not exceed 50 percent of the per-  
10 person reimbursement amount otherwise required to  
11 be paid by a foreign country under such paragraph,  
12 except in the case of not more than twenty persons  
13 receiving instruction at the Naval Academy under  
14 this section at any one time.”.

15 (d) EFFECTIVE DATE.—The amendments made by  
16 this section apply with respect to students from a foreign  
17 country entering the United States Military Academy, the  
18 United States Naval Academy, or the United States Air  
19 Force Academy on or after May 1, 1999.

20 **SEC. 907. SERVICE ACADEMY FOREIGN EXCHANGE PRO-**  
21 **GRAM.**

22 (a) UNITED STATES MILITARY ACADEMY.—(1) Sec-  
23 tion 4345(b) of title 10, United States Code, is amended  
24 by striking out “10 cadets” and inserting in lieu thereof  
25 “24 cadets”.

1           (2) Section 4345(c)(3) of title 10, United States  
2 Code, is amended by striking out “\$50,000” and inserting  
3 in lieu thereof “\$120,000”.

4           (b) UNITED STATES NAVAL ACADEMY.—(1) Section  
5 6957a(b) of title 10, United States Code, is amended by  
6 striking out “10 midshipmen” and inserting in lieu thereof  
7 “24 midshipmen”.

8           (2) Section 6957a(c)(3) of title 10, United States  
9 Code, is amended by striking out “\$50,000” and inserting  
10 in lieu thereof “\$120,000”.

11           (c) UNITED STATES AIR FORCE ACADEMY.—(1) Sec-  
12 tion 9345(b) of title 10, United States Code, is amended  
13 by striking out “10 cadets” and inserting in lieu thereof  
14 “24 cadets”.

15           (2) Section 9345(c)(3) of title 10, United States  
16 Code, is amended by striking out “\$50,000” and inserting  
17 in lieu thereof “\$120,000”.

## 18 **Subtitle C—Personnel Management**

### 19 **SEC. 910. EXEMPTION OF RETIREE COUNCIL MEMBERS** 20 **FROM RECALLED RETIREE LIMITS.**

21           Section 690 (b)(2) of title 10, United States Code,  
22 is amended by adding at the end the following new sub-  
23 paragraph (D):

1 “(D) Any officer assigned to duty as a member of  
2 the Army, Navy, or Air Force Retiree Council for the pe-  
3 riod of active duty to which ordered.”.

## 4 **Subtitle D—Other Matters**

### 5 **SEC. 915. VESSELS STRICKEN FROM NAVAL VESSEL REG-** 6 **ISTER, CAPTURED.**

7 Section 7306(d) of title 10, United States Code is  
8 amended—

9 (1) by striking the designator (1) at the begin-  
10 ning of the first paragraph;

11 (2) by striking paragraph (2); and

12 (3) in the remaining matter, by striking “days  
13 of continuous session of Congress” and inserting in  
14 lieu thereof “calendar days”.

### 15 **SEC. 916. LEASES: LAND FOR SPECIAL OPERATIONS ACTIVI-** 16 **TIES; EXTENSION OF AUTHORITY.**

17 Section 2680(d) of title 10, United States Code, is  
18 amended by striking “September 30, 2000” and inserting  
19 in lieu thereof “September 30, 2002”.

### 20 **SEC. 917. TO CONSOLIDATE VARIOUS DEPARTMENT OF THE** 21 **NAVY TRUST AND GIFT FUNDS.**

22 (a) CONSOLIDATION OF NAVAL ACADEMY GENERAL  
23 GIFT FUND AND THE NAVAL ACADEMY MUSEUM  
24 FUND.—Section 6973 of title 10, United States Code, is  
25 amended—



1           (1) by amending subsection 6973(a) to read as  
2 follows:

3           “(a)(1) The Secretary of the Navy may accept, hold,  
4 administer, and spend gifts and bequests of personal prop-  
5 erty, and loans of personal property other than money,  
6 made on the condition that it be used for the benefit of,  
7 or for use in connection with, the Naval Academy or the  
8 Naval Academy Museum, its collection, or its services.  
9 Gifts or bequests of money and the proceeds from the sales  
10 of property received as gifts shall be deposited in the  
11 Treasury in the fund called ‘United States Naval Academy  
12 Gift and Museum Fund.’ The Secretary may disburse  
13 funds deposited under this subsection for the benefit or  
14 use of the Naval Academy or the Naval Academy Museum  
15 subject to the terms of the gift or bequest.

16           “(2) The Secretary shall develop written guidelines  
17 to be used in determining whether the acceptance of  
18 money, personal property or loans of personal property  
19 under paragraph (1) would reflect unfavorably upon the  
20 ability of the Department of the Navy or any employee  
21 of the Department of the Navy to carry out its responsibil-  
22 ities or his or her official duties in a fair and objective  
23 manner, or would compromise the integrity, or the appear-  
24 ance of the integrity, of its programs or any official in-  
25 volved in those programs.”; and

1           (2) in subsection 6973(c), by striking “United  
2       States Naval Academy general gift fund” both times  
3       such phrase appears in the subsection and by insert-  
4       ing in lieu thereof, in each instance, “United States  
5       Naval Academy Gift and Museum Fund.”.

6       (b) REPEAL OF NAVAL ACADEMY MUSEUM FUND.—  
7       Section 6974 of such title 10, is hereby repealed.

8       (c) REPEAL OF NAVAL HISTORICAL CENTER  
9       FUND.—Section 7222 of such title 10, is hereby repealed.

10       (d) TRANSFER OF FUNDS.—

11           (1) UNITED STATES GIFT AND MUSEUM  
12       FUND.—All funds currently deposited or held in the  
13       United States Naval Academy Museum Fund estab-  
14       lished pursuant to section 6974 of such title 10,  
15       shall be transferred to the United States Naval  
16       Academy Gift and Museum Fund authorized by sub-  
17       section (a).

18           (2) NAVY GENERAL GIFT FUND.—All funds cur-  
19       rently deposited or held in the Naval Historical Cen-  
20       ter Fund, established pursuant to section 7222 of  
21       such title 10, shall be transferred to the Department  
22       of the Navy General Gift Fund authorized by section  
23       2601 of such title 10.

24       (e) CLERICAL AMENDMENTS.—

1           (1) CHAPTER 603.—The Table of Sections at  
2 the beginning of Chapter 603 of such title 10 is  
3 amended by striking the item relating to section  
4 6974.

5           (2) CHAPTER 631.—The Table of Sections at  
6 the beginning of Chapter 631 of such title 10 is  
7 amended by striking the item relating to section  
8 7222.

9 **SEC. 918. USE OF BURDEN SHARING FUNDS FOR CON-**  
10 **STRUCTION IN THE EVENT OF WAR OR NA-**  
11 **TIONAL EMERGENCY.**

12       Section 2350j(e), title 10, United States Code, is  
13 amended by adding at the end the following new para-  
14 graph:

15           “(3) In the event of a declaration of war or the  
16 declaration by the President of a national emergency  
17 in accordance with the National Emergencies Act  
18 (Public Law 94–412; 50 U.S.C. 1601 et seq.) that  
19 requires the use of armed forces in the country (or,  
20 in the case of a contribution by a regional organiza-  
21 tion, within the region) which provided the burden  
22 sharing contribution, the Secretary of Defense, or  
23 the Secretary of a military department when author-  
24 ized by the Secretary of Defense, may undertake a  
25 military construction project under subsection (d)

1 necessary to support such use of the armed forces  
2 without meeting the 21-day notice and wait period  
3 specified in paragraph (2). However, when a decision  
4 is made to undertake a military construction project  
5 under such circumstances, the Secretary of Defense  
6 shall notify the appropriate committees of Congress  
7 of that decision and of the estimated cost of such  
8 construction projects, including the cost of any real  
9 estate action pertaining to those construction  
10 projects. Authority to not comply with the 21-day  
11 notice and wait provision shall terminate with re-  
12 spect to any war or national emergency at the end  
13 of the war or national emergency.”.

14 **SEC. 919. PROTECTION OF OPERATIONAL FILES OF THE NA-**  
15 **TIONAL IMAGERY AND MAPPING AGENCY.**

16 Title I of the National Security Act of 1947 (50  
17 U.S.C. 402 et seq.) is amended by inserting after section  
18 105A (50 USC 403–5a) the following new section:

19 “PROTECTION OF OPERATIONAL FILES OF THE NATIONAL  
20 IMAGERY AND MAPPING AGENCY

21 SEC. 105B. (a). EXEMPTION OF CERTAIN OPER-  
22 ATIONAL FILES FROM SEARCH, REVIEW, PUBLICATION,  
23 OR DISCLOSURE.—(1) Operational files of the National  
24 Imagery and Mapping Agency may be exempted by the  
25 Director of the National Imagery and Mapping Agency,  
26 with the coordination of the Director of Central Intel-

1 ligen­ce, from the provisions of section 552 of title 5,  
2 United States Code (Freedom of Information Act), which  
3 require publication or disclosure, or search or review, in  
4 connection therewith.

5       “(2) For the purposes of this section, the term ‘oper-  
6 ational files’ means files of the National Imagery and  
7 Mapping Agency (NIMA) concerning the activities of  
8 NIMA that were previously performed by the National  
9 Photographic Interpretation Center of the Central Intel-  
10 ligen­ce Agency (NPIC), and which document the means  
11 by which foreign intelligence or counterintelligence is col-  
12 lected through scientific and technical systems, except that  
13 files which are the sole repository of disseminated intel-  
14 ligen­ce are not operational files.

15       “(3) Notwithstanding paragraph (1) of this sub-  
16 section, exempted operational files shall continue to be  
17 subject to search and review for information concerning—

18               “(A) United States citizens or aliens lawfully  
19 admitted for permanent residence who have re-  
20 quested information on themselves pursuant to the  
21 provisions of section 552 of title 5, United States  
22 Code (Freedom of Information Act), or section 552a  
23 of title 5, United States Code (Privacy Act of 1974);

1           “(B) any special activity the existence of which  
2           is not exempt from disclosure under the provisions  
3           of section 552 of title 5, United States Code; or

4           “(C) the specific subject matter of an investiga-  
5           tion by the Intelligence Oversight Board, the De-  
6           partment of Justice, the Office of General Counsel  
7           of the National Imagery and Mapping Agency, or  
8           the Office of the Director of the National Imagery  
9           and Mapping Agency for any impropriety, or viola-  
10          tion of law, Executive order, or Presidential direc-  
11          tive, in the conduct of an intelligence activity.

12          “(4)(A) Files that are not exempted under subsection  
13          (a)(1) of this section which contain information derived  
14          or disseminated from exempted operational files shall be  
15          subject to search and review.

16          “(B) The inclusion of information from exempted  
17          operational files in files that are not exempted under sub-  
18          section (a)(1) shall not affect the exemption under sub-  
19          section (a)(1) of the originating operational files from  
20          search, review publication, or disclosure.

21          “(C) Records from exempted operational files which  
22          have been disseminated to and referenced in files that are  
23          not exempted under subsection (a)(1) and which have been  
24          returned to exempted operational files for sole retention  
25          shall be subject to search and review.

1       “(5) the provisions of subsection (a)(1) may not be  
2 superseded except by a provision of law which is enacted  
3 after the date of enactment of this act, and which specifi-  
4 cally cites and repeals or modifies its provisions.

5       “(6) Whenever any person who has requested agency  
6 records under section 552 of title 5, United States Code  
7 (Freedom of Information Act), alleges that the National  
8 Imagery and Mapping Agency has withheld records im-  
9 properly because of failure to comply with any provision  
10 of this section, judicial review shall be available under the  
11 terms set forth in section 552(a)(4)(B) of title 5, United  
12 States Code, except that—

13           “(A) in any case in which information specifi-  
14 cally authorized under criteria established by an Ex-  
15 ecutive Order to be kept secret in the interests of  
16 national defense or foreign relations is filed with, or  
17 produced for, the court by the National Imagery and  
18 Mapping Agency, such information shall be exam-  
19 ined ex parte, in camera by the court;

20           “(B) the court shall, to the fullest extent prac-  
21 ticable, determine the issues of fact based on sworn  
22 written submissions of the parties;

23           “(C) when a complainant alleges that requested  
24 records were improperly withheld because of im-  
25 proper exception of operational files, the National

1 Imagery and Mapping Agency shall meet its burden  
2 under section 552(a)(4)(B) of title 5, United States  
3 Code, by demonstrating to the court by sworn writ-  
4 ten submission that exempted operational files likely  
5 to contain responsible records currently perform the  
6 functions set forth in subsection (a)(2) of this sec-  
7 tion;

8 “(D)(i) when a complainant alleges that re-  
9 quested records were improperly withheld because of  
10 improper exception of operational files, the National  
11 Imagery and Mapping Agency shall meet its burden  
12 under section 552(a)(4)(B) of title 5, United States  
13 Code, by demonstrating to the court by sworn writ-  
14 ten submission that exempted operational files likely  
15 to contain responsible records currently perform the  
16 functions set forth in subsection (a)(2) of this sec-  
17 tion; and

18 “(ii) the court may not order the National Im-  
19 agery and Mapping Agency to review the content of  
20 any exempted operational file or files in order to  
21 make the demonstration required under clause (i) of  
22 this subparagraph, unless the complainant disputes  
23 the National Imagery and Mapping Agency’s show-  
24 ing with a sworn written submission based on per-  
25 sonal knowledge or otherwise admissible evidence;



1           “(E) in proceedings under subparagraphs (C)  
2           and (D) of subsection (a)(6), the parties shall not  
3           obtain discovery pursuant to rules 26 and 36;

4           “(F) if the court finds under this subsection  
5           that the National Imagery and Mapping Agency has  
6           improperly withheld requested records because of  
7           failure to comply with any provisions of this section,  
8           the court shall order the National Imagery and Map-  
9           ping Agency to search and review the appropriate  
10          exempted operational file or files for the requested  
11          records and make such records, or portions thereof,  
12          available in accordance with the provisions of section  
13          552 of title 5, United States Code (Freedom of In-  
14          formation Act), and such order shall be the exclusive  
15          remedy for failure to comply with the section;

16          “(G) if at any time following the filing of a  
17          complaint pursuant to this subsection the National  
18          Imagery and Mapping Agency agrees to search the  
19          appropriate exempted operational file or files for the  
20          requested records, the court shall dismiss the claim  
21          based upon such complaint; and

22          “(H) any information filed with, or produced  
23          for the court pursuant to subparagraphs (A) and  
24          (D) shall be coordinated with the Director of Central  
25          Intelligence prior to submission to the court.

1           “(b) DECENNIAL REVIEW OF EXEMPTED OPER-  
2    TIONAL FILES.—(1) Not less than once every ten years,  
3    the Director of the National Imagery and Mapping Agency  
4    and the Director of Central Intelligence shall review the  
5    exemptions in force under subsection (a)(1) of this section  
6    to determine whether such exemptions may be removed  
7    from the category or exempted files or any portion thereof.  
8    The Director of Central Intelligence must approve any de-  
9    termination to remove such exemptions.

10           “(2) The review required by subsection (b)(1) of this  
11    section shall include consideration of the historical values  
12    of other public interest in the subject matter of the par-  
13    ticular category of files or portions thereof and the poten-  
14    tial for declassifying a significant part of the information  
15    contained therein.

16           “(3) A complaint which alleges that the National Im-  
17    agery and Mapping Agency has improperly withheld  
18    records because of failure to comply with this subsection  
19    may seek judicial review in the district court of the United  
20    States of the district in which any of the parties reside,  
21    or in the District of Columbia. In such a proceeding, the  
22    court’s review shall be limited to determining—

23                   “(A) whether the National Imagery and Map-  
24    ping Agency has conducted the review required by  
25    subsection (b)(1) within 10 years after the enact-

1 ment of this section or within ten years after the  
2 last review; and

3 “(B) whether the National Imagery and Map-  
4 ping Agency, in fact, considered the criteria set forth  
5 in subsection (b)(2) of this section in conducting the  
6 required review.”

## 7 **TITLE X—GENERAL PROVISIONS**

### 8 **Subtitle A—Financial Matters**

9 **SEC. 1001. REPEAL OF REQUIREMENT FOR SEPARATE**  
10 **BUDGET REQUEST FOR PROCUREMENT OF**  
11 **RESERVE EQUIPMENT.**

12 Section 114(e) of title 10, United States Code, is re-  
13 pealed.

14 **SEC. 1002. REPEAL OF REQUIREMENT FOR TWO-YEAR**  
15 **BUDGET CYCLE FOR THE DEPARTMENT OF**  
16 **DEFENSE.**

17 Section 1405 of the Department of Defense Author-  
18 ization Act, 1986 (31 U.S.C. 1105 note) is repealed.

19 **SEC. 1003. DATE FOR SUBMITTAL OF JOINT REPORT ON**  
20 **SCORING OF BUDGET OUTLAYS.**

21 Section 226 of title 10, United States Code is  
22 amended—

23 (1) in subsection (a) by striking “Not later  
24 than December 15 of each year” and inserting in  
25 lieu thereof “Not later than the day on which the

1 budget for any fiscal year is submitted to Congress  
2 pursuant to section 1105 of title 31”;

3 (2) in paragraph (a)(1) by striking “major  
4 functional category 050” and all that follows  
5 through “section 1105 of title 31;”, and inserting in  
6 lieu thereof “subfunctional category 051 (Depart-  
7 ment of Defense—Military) for that budget;”;

8 (3) in the catchline to subsection (b) by striking  
9 “USE OF AVERAGES.—” and inserting in lieu there-  
10 of “USE OF DIFFERENCES.—”; and

11 (4) in subsection (b) by striking “, the report  
12 shall reflect the average of the relevant outlay rates  
13 or assumptions used by the two offices.” and insert-  
14 ing in lieu thereof “, the report shall reflect the dif-  
15 ferences between the relevant outlay rates or as-  
16 sumptions used by the two offices. For each account  
17 where a difference exists, the report also shall dis-  
18 play the budget year budget authority (BA), the  
19 rates, and the outlays estimated by both offices.”.

## 20 **Subtitle B—Foreign Nations**

### 21 **SEC. 1010. COOPERATIVE MILITARY AIRLIFT AGREEMENTS:**

#### 22 **ALLIED COUNTRIES.**

23 Section 2350c of Chapter 138 of title 10, United  
24 States Code, is amended—

25 (1) by striking subsection (d); and

1 (2) by redesignating subsection (e) as sub-  
 2 section (d).

3 **Subtitle C—Department of Defense**  
 4 **Schools**

5 **SEC. 1015. AMENDMENT OF ELIGIBILITY REQUIREMENTS**  
 6 **FOR ATTENDANCE AT DEPARTMENT OF DE-**  
 7 **FENSE DOMESTIC DEPENDENT ELEMENTARY**  
 8 **AND SECONDARY SCHOOLS, RISING SENIOR.**

9 Section 2164(c) of title 10, United States Code, is  
 10 amended by adding at the end the following new para-  
 11 graph (4):

12 “(4) A dependent of a member of the armed forces  
 13 or of a Federal civilian employee who has been a junior  
 14 in a secondary school in a program under this section may  
 15 be enrolled as a senior in that program in the next school  
 16 year, notwithstanding a change in the enrollment eligi-  
 17 bility status of the dependent that, except for this para-  
 18 graph, would otherwise terminate the eligibility of the de-  
 19 pendent to be enrolled in the program.”.

20 **SEC. 1016. AMENDMENT OF PROVISION FOR SCHOOL**  
 21 **BOARDS IN DEPARTMENT OF DEFENSE DO-**  
 22 **MESTIC DEPENDENT ELEMENTARY AND SEC-**  
 23 **ONDARY SCHOOLS.**

24 Section 2164(d)(1) of title 10, United States Code,  
 25 is amended to read as follows:

1           “(1) The Secretary of Defense shall provide for  
2           the establishment of a school board for Department  
3           of Defense Domestic Dependent Elementary and  
4           Secondary Schools at each military installation  
5           under this section, except that one school board shall  
6           be authorized for all Department of Defense Domes-  
7           tic Dependent Elementary and Secondary Schools lo-  
8           cated in each territory, commonwealth, or possession  
9           of the United States.”.

10 **SEC. 1017. AMENDMENT OF ELIGIBILITY CRITERIA FOR DE-**  
11 **PENDENTS OF MEMBERS OF THE ARMED**  
12 **FORCES OR OF FEDERAL EMPLOYEES TO AT-**  
13 **TEND DEPARTMENT OF DEFENSE DOMESTIC**  
14 **DEPENDENT ELEMENTARY AND SECONDARY**  
15 **SCHOOLS.**

16           Section 2164(c)(3) of title 10, United States Code,  
17 is amended to read as follows:

18           “(3) The Secretary of Defense may authorize a  
19           dependent of a member of the armed forces or the  
20           dependent of a Federal employee, to continue enroll-  
21           ment in a program under this subsection for so long  
22           as the Secretary of Defense deems appropriate not-  
23           withstanding a change in the status of the member  
24           of the armed forces or of the Federal employee that,  
25           except for this paragraph, would otherwise terminate

1 the eligibility of the dependent to be enrolled in the  
 2 program. The Secretary shall exercise this authority  
 3 only for a showing of good cause as determined by  
 4 the Secretary or his representative for this purpose.  
 5 The Secretary of Defense may remove the dependent  
 6 from the program at any time for cause.”.

## 7 **Subtitle D—Other Matters**

### 8 **SEC. 1020. NATIONAL GUARD CHALLENGE PROGRAM.**

9 Section 509(b) of title 32, United States Code, is  
 10 amended by striking “, except that Federal expenditures  
 11 under the program may not exceed \$50,000,000 for any  
 12 fiscal year”.

## 13 **DIVISION B—MILITARY CON-** 14 **STRUCTION AUTHORIZA-** 15 **TIONS**

Sec. 2001. Short title.

### **TITLE XXI—ARMY**

Sec. 2101. Authorized Army construction and land acquisition projects.  
 Sec. 2102. Family housing.  
 Sec. 2103. Improvements to military family housing units.  
 Sec. 2104. Authorization of appropriations, Army.  
 Sec. 2105. Modification of authority to carry out certain fiscal year 1997  
 projects.

### **TITLE XXII—NAVY**

Sec. 2201. Authorized Navy construction and land acquisition projects.  
 Sec. 2202. Family housing.  
 Sec. 2203. Improvements to military family housing units.  
 Sec. 2204. Authorization of appropriations, Navy.  
 Sec. 2205. Authorization, Drug Interdiction and Counter-Drug Activities.

### **TITLE XXIII—AIR FORCE**

Sec. 2301. Authorized Air Force construction and land acquisition projects.  
 Sec. 2302. Family housing.  
 Sec. 2303. Improvements to military family housing units.

- Sec. 2304. Authorization of appropriations, Air Force.  
 Sec. 2305. Authorization, Drug Interdiction and Counter-Drug Activities.

#### **TITLE XXIV—DEFENSE AGENCIES**

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.  
 Sec. 2402. Improvements to military family housing units.  
 Sec. 2403. Military housing improvement program.  
 Sec. 2404. Energy conservation projects.  
 Sec. 2405. Authorization of appropriations, Defense Agencies.  
 Sec. 2406. Modification of authority to carry out certain fiscal year 1990 projects.

#### **TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**

- Sec. 2501. Authorized NATO construction and land acquisition projects.  
 Sec. 2502. Authorization of appropriations, NATO.

#### **TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

#### **TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS**

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.  
 Sec. 2702. Extension of authorizations of certain fiscal year 1996 projects.  
 Sec. 2703. Extension of authorizations of certain fiscal year 1995 projects.  
 Sec. 2704. Effective date.

#### **TITLE XXVIII—GENERAL PROVISIONS**

##### **Subtitle A—Military Construction Program and Military Family Housing**

- Sec. 2801. Limitation on certain projects; authority to carry out small projects with operation and maintenance funds.  
 Sec. 2802. Planning and design funds for military construction projects.

##### **Subtitle B—Real Property and Facilities Administration**

- Sec. 2803. Utility privatization.  
 Sec. 2804. Authority to carry out former military housing Privatization projects with funds transferred to family housing construction.

##### **Subtitle C—Defense Base Closure and Realignment**

- Sec. 2805. Establishment of environmental restoration accounts for base closure installations and formerly used defense sites.



1 **SEC. 2001. SHORT TITLE.**

2 This division may be cited as the “Military Construc-  
3 tion Authorization Act for Fiscal Year 2000”.

4 **TITLE XXI—ARMY**

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

Sec. 2105. Modification of authority to carry out certain fiscal year 1997 projects.

5 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
6 **ACQUISITION PROJECTS.**

7 (a) **INSIDE THE UNITED STATES.**—Using amounts  
8 appropriated pursuant to the authorization of appropria-  
9 tions in section 2104(a)(1), the Secretary of the Army  
10 may acquire real property and carry out military construc-  
11 tion projects for the installations and locations inside the  
12 United States, and in the amounts, set forth in the fol-  
13 lowing table:

**Army: Inside the United States**

| State                      | Installation or location               | Amount        |
|----------------------------|--|---------------|
| Alaska .....               | Fort Richardson .....                  | \$14,600,000  |
|                            | Fort Wainwright .....                  | \$15,500,000  |
| California .....           | Fort Irwin .....                       | \$13,400,000  |
| Colorado .....             | Peterson Air Force Base .....          | \$25,000,000  |
| District of Columbia ..... | Fort McNair .....                      | \$1,250,000   |
|                            | Walter Reed Medical Center .....       | \$6,800,000   |
|                            | Fort Benning .....                     | \$48,400,000  |
| Georgia .....              | Fort Stewart/Hunter Army Air Field ... | \$3,500,000   |
|                            | Hunter Army Air Field .....            | \$7,200,000   |
| Hawaii .....               | Schofield Barracks .....               | \$95,000,000  |
| Kansas .....               | Fort Leavenworth .....                 | \$34,100,000  |
| Kentucky .....             | Blue Grass Army Depot .....            | \$212,800,000 |
|                            | Fort Campbell .....                    | \$36,900,000  |
| Maryland .....             | Fort Meade .....                       | \$22,450,000  |
| Massachusetts .....        | Westover Air Reserve Base .....        | \$4,000,000   |
| Missouri .....             | Fort Leonard Wood .....                | \$10,600,000  |
| North Carolina .....       | Fort Bragg .....                       | \$111,000,000 |
|                            | Sunny Point (MOTSU) .....              | \$3,800,000   |
| Oklahoma .....             | Fort Sill .....                        | \$13,200,000  |
|                            | McAlester Army Ammunition .....        | \$16,600,000  |
| Pennsylvania .....         | Carlisle Barracks .....                | \$5,000,000   |

**Army: Inside the United States**—Continued

| State                | Installation or location     | Amount        |
|----------------------|------------------------------|---------------|
|                      | Letterkenny Army Depot ..... | \$3,650,000   |
| South Carolina ..... | Fort Jackson .....           | \$7,400,000   |
| Texas .....          | Fort Bliss .....             | \$50,400,000  |
|                      | Fort Hood .....              | \$68,000,000  |
| Virginia .....       | Fort Belvoir .....           | \$3,850,000   |
|                      | Fort Eustis .....            | \$39,000,000  |
|                      | Fort Myer .....              | \$2,900,000   |
| Washington .....     | Fort Lewis .....             | \$6,200,000   |
|                      | Yakima Training Center ..... | \$17,200,000  |
| CONUS Various .....  | CONUS Various .....          | \$36,400,000  |
|                      | Total .....                  | \$936,100,000 |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2104(a)(2), the Secretary of the Army  
4 may acquire real property and carry out military construc-  
5 tion projects for the locations outside the United States,  
6 and in the amounts, set forth in the following table:

**Army: Outside the United States**

| Country       | Installation or location | Amount       |
|---------------|--------------------------|--------------|
| Germany ..... | Ansbach .....            | \$21,000,000 |
|               | Area Support Group ..... | \$23,200,000 |
|               | Mannheim .....           | \$4,500,000  |
| Korea .....   | Camp Casey .....         | \$31,000,000 |
|               | Camp Howze .....         | \$3,050,000  |
|               | Camp Stanley .....       | \$3,650,000  |
|               | Total .....              | \$86,400,000 |

7 **SEC. 2102. FAMILY HOUSING.**

8 (a) CONSTRUCTION AND ACQUISITION.—Using  
9 amounts appropriated pursuant to the authorization of ap-  
10 propriations in section 2104(a)(19)(A), the Secretary of  
11 the Army may construct or acquire family housing units  
12 (including land acquisition) at the installations, for the

1 purposes, and in the amounts set forth in the following  
 2 table:

**Army: Family Housing**

| State       | Installation or location | Purpose        | Amount       |
|-------------|--------------------------|----------------|--------------|
| Korea ..... | Camp Humphreys .....     | 60 Units ..... | \$24,000,000 |
|             |                          | Total .....    | \$24,000,000 |

3 (b) **PLANNING AND DESIGN.**—Using amounts appro-  
 4 priated pursuant to the authorization of appropriations in  
 5 section 2104(a)(19)(A), the Secretary of the Army may  
 6 carryout architectural and engineering services and con-  
 7 struction design activities with respect to the construction  
 8 or improvement of family housing units in an amount not  
 9 to exceed \$4,300,000.

10 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
 11 **UNITS.**

12 Subject to section 2825 of title 10, United States  
 13 Code, and using amounts appropriated pursuant to the  
 14 authorization of appropriations in sections  
 15 2104(a)(19)(A), the Secretary of the Army may improve  
 16 existing military family housing units in an amount not  
 17 to exceed \$32,600,000.

18 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

19 (a) **IN GENERAL.**—Funds are hereby authorized to  
 20 be appropriated for fiscal years beginning after September  
 21 30, 1999, for military construction, land acquisition, and

1 military family housing functions of the Department of the  
2 Army in the total amount of \$1,768,086,000 as follows:

3 (1) For military construction projects inside the  
4 United States authorized by section 2101(a),  
5 \$187,513,000.

6 (2) For the military construction projects outside the  
7 United States authorized by section 2101(b),  
8 \$13,985,000.

9 (3) For a reduction in the amount of supervision, in-  
10 spection and overhead included in the above authorization  
11 of appropriations, section 2104(a) (1) and (2) of this Act,  
12 \$30,689,000.

13 (4) For the construction of the U.S. Disciplinary  
14 Barracks, Phase II, Fort Leavenworth, Kansas, author-  
15 ized in section 2101(a) of the National Defense Authoriza-  
16 tion Act for Fiscal Year 1998 (division B of Public Law  
17 105–85; 111 Stat. 1967), \$18,800,000.

18 (5) For the construction of the Railhead Facility,  
19 Fort Hood, Texas, authorized in section 2101(a) of the  
20 National Defense Authorization Act for Fiscal Year 1999  
21 (division B of Public Law 105–261; 112 Stat. 2182),  
22 \$14,800,000.

23 (6) For the construction of the Power Plant, Roi  
24 Namur Island, Kwajalein Atoll, Kwajalein, authorized in  
25 section 2101(a) of the National Defense Authorization Act

1 for Fiscal Year 1999 (division B of Public Law 105–261;  
2 112 Stat. 2183), \$35,400,000.

3 (7) For the construction of the Cadet Development  
4 Center, United States Military Academy, West Point, New  
5 York, authorized in section 2101(a) of the National De-  
6 fense Authorization Act for Fiscal Year 1999 (division B  
7 of Public Law 105–261; 112 Stat. 2182), \$28,500,000.

8 (8) For the construction of the Ammunition Demili-  
9 tarization Facility, Anniston Army Depot, Alabama, au-  
10 thorized in section 2101(a) of the Military Construction  
11 Authorization Act for Fiscal Year 1991 (division B of  
12 Public Law 101–510; Stat. 1758), as amended by section  
13 2101(a) of the Military Construction Authorization Act  
14 for Fiscal Years 1992 and 1993 (division B of Public Law  
15 102–190; 105 Stat. 1508); section 2101(a) of the Military  
16 Construction Authorization Act for Fiscal Year 1993 (di-  
17 vision B of Public Law 102–484; 106 Stat. 2586); and  
18 section 2401 of the Military Construction Authorization  
19 Act for Fiscal Year 1995 (division B of Public Law 103–  
20 337, 108 Stat. 3040), \$7,000,000.

21 (9) For the construction of the Ammunition Demili-  
22 tarization Facility, Pine Bluff Arsenal, Arkansas, author-  
23 ized in section 2401 of Military Construction Authoriza-  
24 tion Act for Fiscal Year 1995 (division B of Public Law  
25 103–337; 108 Stat. 3040), as amended by section 2407

1 of the National Defense Authorization Act for Fiscal Year  
2 1996 (division B of Public Law 104–106; 110 Stat. 539),  
3 section 2408 of the Military Construction Authorization  
4 Act for Fiscal Year 1998 (division B of Public Law 105–  
5 85; 111 Stat. 1982), and section 2406 of the Military Con-  
6 struction Authorization Act for Fiscal Year 1999 (division  
7 B of Public Law 105–261; 112 Stat. 2197), \$61,800,000.

8       (10) For the construction of the Ammunition Demili-  
9 tarization Facility, Umatilla Army Depot, Oregon, author-  
10 ized in section 2401 of the Military Construction Author-  
11 ization Act for Fiscal Year 1995 (division B of Public Law  
12 103–337; 108 Stat. 3040), as amended by section 2407  
13 of the Military Construction Authorization Act for Fiscal  
14 Year 1996 (division B of Public Law 104–106; 110 Stat.  
15 539), section 2408 of the Military Construction Authoriza-  
16 tion Act for Fiscal Year 1998 (division B of Public Law  
17 105–85; 111 Stat. 1982); and section 2406 of the Military  
18 Construction Authorization Act for Fiscal Year 1999 (di-  
19 vision B of Public Law 105–261; 112 Stat. 2197),  
20 \$35,900,000.

21       (11) For the construction of the Ammunition Demili-  
22 tarization Facility, Aberdeen Proving Ground, Maryland,  
23 authorized in section 2401(a) of the Military Construction  
24 Authorization Act for Fiscal Year 1999 (division B of  
25 Public Law 105–261; 112 Stat. 2193), \$66,600,000.

1           (12) For the construction of the Ammunition Demili-  
2   tarization Facility at Newport Army Depot, Indiana, au-  
3   thorized in section 2401(a) of the Military Construction  
4   Authorization Act for Fiscal Year 1999 (division B of  
5   Public Law 105–261; 112 Stat. 2193), \$61,200,000.

6           (13) For the construction of the Ammunition Demili-  
7   tarization Facility, Pueblo Army Depot, Colorado, author-  
8   ized in section 2401(a) of the Military Construction Au-  
9   thorization Act for Fiscal Year 1997 (division B of Public  
10   Law 104–201; 110 Stat. 2775), \$11,800,000.

11          (14) For the construction of the Whole Barracks  
12   Complex Renewal, Fort Campbell, Kentucky, authorized  
13   in section 2101(a) of the Military Construction Authoriza-  
14   tion Act for Fiscal year 1999 (division B of Public Law  
15   105–261; 112 Stat. 2182), \$4,800,000.

16          (15) For the Construction of the Multi-Purpose Dig-  
17   ital Training Range, Fort Knox, Kentucky, authorized in  
18   section 2101(a) of the Military Construction Authorization  
19   Act for Fiscal Year 1999 (division B of Public Law 105–  
20   261; 112 Stat. 2182), \$2,400,000.

21          (16) For the construction of the Force XXI Soldier  
22   Development Center, Fort Hood, Texas, authorized in sec-  
23   tion 2101(a) of the Military Construction Authorization  
24   Act for Fiscal Year 1999 (division B of Public Law 105–  
25   85; 111 Stat. 1966), \$14,000,000.

1       (17) For unspecified minor construction projects au-  
2 thorized by section 2805 of title 10, United States Code,  
3 \$9,500,000.

4       (18) For architectural and engineering services and  
5 construction design and supervision, inspection and over-  
6 head as follows:

7           (A) For architectural and engineering services  
8 and construction design under section 2807 of title  
9 10, United States Code, \$82,005,000.

10          (B) For supervision, inspection and overhead  
11 under section 2802 of title 10 United States Code  
12 \$30,689,000.

13       (19) For military family housing functions:

14           (A) For construction and acquisition, planning  
15 and design and improvement of military family hous-  
16 ing and facilities, \$14,003,000.

17           (B) For support of military family housing (in-  
18 cluding the functions described in section 2833 of  
19 title 10, United States Code), \$1,098,080,000.

20       (b) ADVANCE AUTHORIZATION OF APPROPRIA-  
21 TIONS.—Funds are hereby authorized to be appropriated  
22 for fiscal years beginning after September 30, 2000, for  
23 completion of military construction and family housing  
24 projects authorized in sections 2101, 2102, and 2103, and  
25 subject to the same terms, as follows:



1           (1) For military construction projects author-  
2           ized by section 2101, \$659,536,000.

3           (2) For military family housing functions au-  
4           thorized by sections 2102(a) and 2103,  
5           \$43,991,000.

6           (c) ADVANCE AUTHORIZATION OF APPROPRIATIONS  
7 FOR FISCAL YEAR 2001 Biennial Budget.—Funds are  
8 hereby authorized to be appropriated for fiscal years be-  
9 ginning after September 30, 2000, for military construc-  
10 tion and family housing projects authorized for fiscal year  
11 2001, as follows:

12           (1) For military construction projects and land  
13           acquisition authorized for fiscal year 2001,  
14           \$950,784,000.

15           (2) For military family housing functions au-  
16           thorized for fiscal year 2001, \$1,018,264,000.

17           (d) LIMITATION ON TOTAL COST OF CONSTRUCTION  
18 PROJECTS.— Notwithstanding the cost variations author-  
19 ized by section 2853 of title 10, United States Code, and  
20 any other cost variation authorized by law, the total cost  
21 of all projects carried out under section 2101 of this Act  
22 may not exceed \$1,022,500,000.

1 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**  
 2 **CERTAIN FISCAL YEAR 1997 PROJECTS.**

3 The table in section 2401 of the Military Construc-  
 4 tion Authorization Act for Fiscal Year 1997 (division B  
 5 of Public Law 104–201; 110 Stat.2775), under the agency  
 6 heading relating to Chemical Weapons and Munitions De-  
 7 struction, is amended in the item relating to Pueblo Chem-  
 8 ical Activity, Colorado, by striking out “\$179,000,000” in  
 9 the amount column and inserting in lieu thereof  
 10 “\$203,500,000”.

11 **TITLE XXII—NAVY**

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Authorization, Drug Interdiction and Counter-Drug Activities .

12 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
 13 **ACQUISITION PROJECTS.**

14 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 15 appropriated pursuant to the authorization of appropria-  
 16 tions in section 2204(a)(1), the Secretary of the Navy may  
 17 acquire real property and carry out military construction  
 18 projects for the installations and locations inside the  
 19 United States, and in the amounts, set forth in the fol-  
 20 lowing table:

**Navy: Inside the United States**

| State            | Installation or location                                      | Amount       |
|------------------|---|--------------|
| Arizona .....    | Marine Corps Air Station, Yuma .....                          | \$17,020,000 |
|                  | Navy Detachment, Camp Navajo .....                            | \$7,560,000  |
| California ..... | Marine Corps Air-Ground Combat Cen-<br>ter, Twentynine Palms. | \$34,760,000 |

**Navy: Inside the United States**—Continued

| <b>State</b>         | <b>Installation or location</b>                          | <b>Amount</b> |
|----------------------|--|---------------|
|                      | Marine Corps Base, Camp Pendleton ...                    | \$31,660,000  |
|                      | Marine Corps Logistics Base, Barstow                     | \$4,670,000   |
|                      | Marine Corps Recruit Depot, San Diego.                   | \$3,200,000   |
|                      |  | \$24,020,000  |
|                      | Naval Air Station, Lemoore .....                         | \$54,420,000  |
|                      | Naval Air Station, North Island .....                    | \$21,590,000  |
|                      | Naval Hospital, San Diego .....                          | \$7,640,000   |
|                      | Naval Hospital, Twentynine Palms .....                   |               |
| Florida .....        | Naval Air Station, Whiting Field, Milton.                | \$4,750,000   |
| Georgia .....        | Marine Corps Logistics Base, Albany ...                  | \$6,260,000   |
| Hawaii .....         | Camp H.M. Smith .....                                    | \$86,050,000  |
|                      | Marine Corps Air Station, Kaneohe Bay.                   | \$5,790,000   |
|                      |  | \$10,610,000  |
|                      | Naval Shipyard, Pearl Harbor .....                       | \$18,600,000  |
|                      | Naval Station, Pearl Harbor .....                        | \$29,460,000  |
|                      | Naval Submarine Base, Pearl Harbor ..                    |               |
| Idaho .....          | Naval Surface Warfare Center, Bayview.                   | \$10,040,000  |
| Illinois .....       | Naval Training Center, Great Lakes ....                  | \$57,290,000  |
| Maine .....          | Naval Air Station, Brunswick .....                       | \$16,890,000  |
| Maryland .....       | Naval Surface Warfare Center, Indian Head.               | \$10,070,000  |
| Mississippi .....    | Naval Construction Battalion Center Gulfport.            | \$19,170,000  |
| New Jersey .....     | Naval Air Warfare Center Aircraft Division, Lakehurst.   | \$15,710,000  |
| North Carolina ..... | Marine Corps Air Station, New River ..                   | \$5,470,000   |
|                      | Marine Corps Base, Camp LeJeune .....                    | \$21,380,000  |
| Pennsylvania .....   | Navy Ships Parts Control Center, Mechanicsburg.          | \$2,990,000   |
| South Carolina ..... | Naval Weapons Station, Charleston .....                  | \$7,640,000   |
|                      | Marine Corps Air Station, Beaufort .....                 | \$10,490,000  |
| Virginia .....       | Marine Corps Combat Development Command, Quantico.       | \$20,820,000  |
|                      |  | \$11,490,000  |
|                      | Naval Air Station, Oceana .....                          | \$17,630,000  |
|                      | Naval Shipyard, Norfolk, Portsmouth ..                   | \$69,550,000  |
|                      | Naval Station, Norfolk .....                             | \$25,040,000  |
|                      | Naval Weapons Station, Yorktown .....                    | \$10,310,000  |
|                      | Tactical Training Group Atlantic, Dam Neck.              |               |
| Washington .....     | Naval Ordnance Center Pacific Division Detachment, Port. | \$3,440,000   |
|                      |  | Hadlock       |
|                      | Puget Sound Naval Shipyard, Bremerton.                   | \$15,610,000  |
|                      |  | \$6,300,000   |
|                      | Strategic Weapons Facility Pacific, Bremerton.           |               |
|                      | Total .....  | \$725,390,000 |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2204(a)(2), the Secretary of the Navy may  
4 acquire real property and carry out military construction

1 projects for the locations outside the United States, and  
 2 in the amounts, set forth in the following table:

**Navy: Outside the United States**

| Country            | Installation or location                | Amount        |
|--------------------|---|---------------|
| Bahrain .....      | Administrative Support Unit, .....      | \$83,090,000  |
| Diego Garcia ..... | Naval Support Facility, Diego Garcia .. | \$8,150,000   |
| Greece .....       | Naval Support Activity, Souda Bay ..... | \$6,380,000   |
| Italy .....        | Naval Support Activity, Naples .....    | \$26,750,000  |
|                    | Total .....                             | \$124,370,000 |

3 **SEC. 2202. FAMILY HOUSING.**

4 (a) CONSTRUCTION AND ACQUISITION.—Using  
 5 amounts appropriated pursuant to the authorization of ap-  
 6 propriations in section 2204(a)(7)(A), the Secretary of the  
 7 Navy may construct or acquire family housing units (in-  
 8 cluding land acquisition) at the installations, for the pur-  
 9 poses, and in the amounts set forth in the following table:

**Navy: Family Housing**

| State        | Installation or location                  | Purpose        | Amount       |
|--------------|---|----------------|--------------|
| Hawaii ..... | Marine Corps Air Station,<br>Kaneohe Bay. | 100 Units .... | \$26,615,000 |
|              | Naval Base Pearl Harbor                   | 133 Units .... | \$30,168,000 |
|              | Naval Base Pearl Harbor                   | 96 Units ..... | \$19,167,000 |
|              |   | Total ....     | \$75,950,000 |

10 (b) PLANNING AND DESIGN.—Using amounts appro-  
 11 priated pursuant to the authorization of appropriation in  
 12 section 2204(a)(7)(A), the Secretary of the Navy may  
 13 carry out architectural and engineering services and con-  
 14 struction design activities with respect to the construction  
 15 or improvement of military family housing units in an  
 16 amount not to exceed \$17,715,000.

1 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
2 **UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 2204(a)(7)(A),  
6 the Secretary of the Navy may improve existing military  
7 family housing units in an amount not to exceed  
8 \$153,250,000.

9 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

10 (a) IN GENERAL.—Funds are hereby authorized to  
11 be appropriated for fiscal years beginning after September  
12 30, 1999, for military construction, land acquisition, and  
13 military family housing functions of the Department of the  
14 Navy in the total amount of \$1,284,394,000 as follows:

15 (1) For military construction projects inside the  
16 United States authorized by section 2201(a),  
17 \$202,444,000.

18 (2) For military construction projects outside  
19 the United States authorized by section 2201(b),  
20 \$31,680,000.

21 (3) for a reduction in the amount of super-  
22 vision, inspection and overhead included in the above  
23 authorization of appropriations, section 2204(a)(1)  
24 and (2) of this act, (\$6,178,000).

25 (4) For construction of Berthing Wharf (Incr.  
26 II), Naval Station Norfolk, Virginia, authorized in

1 section 2201(a) of the Military Construction Author-  
2 ization Act for Fiscal Year 1999 (division B of Pub-  
3 lic Law 105–261; 112 Stat. 2187), \$12,690,000.

4 (5) For unspecified minor construction projects  
5 authorized by section 2805 of title 10, United States  
6 Code, \$7,342,000.

7 (6) For architectural and engineering services  
8 and construction design and supervision, inspection  
9 and overhead as follows:

10 (A) For architectural and engineering serv-  
11 ices and construction design under section 2807  
12 of title 10, United States Code, \$65,630,000.

13 (B) For supervision, inspection and over-  
14 head under section 2802 of title 10 United  
15 States Code, \$6,178,000.

16 (7) For military family housing functions:

17 (A) For construction and acquisition, plan-  
18 ning and design and improvement of military  
19 family housing and facilities, \$64,605,000.

20 (B) For support of military housing (in-  
21 cluding functions described in section 2833 of  
22 title 10, United States Code), \$895,070,000.

23 (b) ADVANCE AUTHORIZATION OF APPROPRIA-  
24 TIONS.—Funds are hereby authorized to be appropriated  
25 for fiscal years beginning after September 30, 2000, for

1 completion of military construction and family housing  
2 projects authorized in sections 2201, 2202, and 2203, and  
3 subject to the same terms, as follows:

4           (1) For military construction projects, author-  
5 ized by section 2201, \$502,812,000.

6           (2) For military family housing functions au-  
7 thorized by sections 2202(a) and 2203,  
8 \$171,167,000.

9           (c) ADVANCE AUTHORIZATION OF APPROPRIATIONS  
10 FOR FISCAL YEAR 2001 Biennial Budget.—Funds are  
11 hereby authorized to be appropriated for fiscal years be-  
12 ginning after September 30, 2000, for military construc-  
13 tion and family housing projects authorized for fiscal year  
14 2001, as follows:

15           (1) For military construction projects and land  
16 acquisition authorized for fiscal year 2001,  
17 \$760,019,000.

18           (2) For military family housing functions au-  
19 thorized for fiscal year 2001, \$1,072,195,000.

20           (d) LIMITATION ON TOTAL COST OF CONSTRUCTION  
21 PROJECTS.—Notwithstanding the cost variations author-  
22 ized by section 2853 of title 10, United States Code, and  
23 any other cost variation authorized by law, the total cost  
24 of all projects carried out under section 2201 of this Act  
25 may not exceed \$849,760,000.

1 **SEC. 2205. AUTHORIZATION, DRUG INTERDICTION AND**  
 2 **COUNTER-DRUG ACTIVITIES.**

3 Using amounts made available for that purpose in the  
 4 Drug Interdiction and Counter-Drug Activities, Defense  
 5 appropriation, the Secretary of the Navy , or such other  
 6 Service Secretary as the Secretary of Defense later may  
 7 designate may acquire real property and carry out a mili-  
 8 tary construction project for a Forward Deployment Site  
 9 in a location to be designated by the Secretary of Defense  
 10 in the amount of \$6,726,000.

11 **TITLE XXIII—AIR FORCE**

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Authorization, Drug Interdiction and Counter-Drug Activities.

12 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
 13 **LAND ACQUISITION PROJECTS.**

14 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 15 appropriated pursuant to the authorization of appropria-  
 16 tions in section 2304(a)(1), the Secretary of the Air Force  
 17 may acquire real property and carry out military construc-  
 18 tion projects for the installations and locations inside the  
 19 United States, and in the amounts, set forth in the fol-  
 20 lowing table:

**Air Force: Inside the United States**

| State         | Installation or location           | Amount       |
|---------------|------------------------------------|--------------|
| Alaska .....  | Eielson Air Force Base .....       | \$24,100,000 |
|               | Elmendorf Air Force Base .....     | \$32,800,000 |
| Arizona ..... | Davis-Monthan Air Force Base ..... | \$7,800,000  |



**Air Force: Inside the United States**—Continued

| State                  | Installation or location              | Amount        |
|------------------------|---------------------------------------|---------------|
| California .....       | Beale Air Force Base .....            | \$8,900,000   |
|                        | Travis Air Force Base .....           | \$7,500,000   |
| Colorado .....         | Peterson Air Force Base .....         | \$33,000,000  |
|                        | Schriever Air Force Base .....        | \$9,400,000   |
|                        | U.S. Air Force Academy .....          | \$17,500,000  |
| CONUS Classified ..... | Classified Location .....             | \$16,870,000  |
| Florida .....          | Eglin Air Force Base .....            | \$13,600,000  |
|                        | Eglin Auxiliary Field 9 .....         | \$18,800,000  |
|                        | MacDill Air Force Base .....          | \$5,500,000   |
|                        | Patrick Air Force Base .....          | \$17,800,000  |
| Georgia .....          | Fort Benning .....                    | \$3,900,000   |
|                        | Moody Air Force Base .....            | \$3,200,000   |
|                        | Robins Air Force Base .....           | \$3,350,000   |
|                        | Hickam Air Force Base .....           | \$3,300,000   |
| Hawaii .....           | Hickam Air Force Base .....           | \$3,300,000   |
| Idaho .....            | Mountain Home Air Force Base .....    | \$17,000,000  |
| Kansas .....           | McConnell Air Force Base .....        | \$9,600,000   |
| Kentucky .....         | Fort Campbell .....                   | \$6,300,000   |
| Mississippi .....      | Keesler Air Force Base .....          | \$27,000,000  |
| Missouri .....         | Whiteman Air Force Base .....         | \$24,900,000  |
| Nebraska .....         | Offutt Air Force Base .....           | \$8,300,000   |
| Nevada .....           | Nellis Air Force Base .....           | \$18,600,000  |
| New Jersey .....       | McGuire Air Force Base .....          | \$11,800,000  |
| New York .....         | Rome Laboratory .....                 | \$12,800,000  |
| North Carolina .....   | Fort Bragg .....                      | \$4,600,000   |
|                        | Pope Air Force Base .....             | \$7,700,000   |
| Ohio .....             | Wright-Patterson Air Force Base ..... | \$17,600,000  |
| Oklahoma .....         | Tinker Air Force Base .....           | \$23,800,000  |
| South Carolina .....   | Charleston Air Force Base .....       | \$18,200,000  |
| Tennessee .....        | Arnold Air Force Base .....           | \$7,800,000   |
| Texas .....            | Lackland Air Force Base .....         | \$13,400,000  |
|                        | Laughlin Air Force Base .....         | \$3,250,000   |
| Utah .....             | Hill Air Force Base .....             | \$4,600,000   |
| Virginia .....         | Langley Air Force Base .....          | \$6,300,000   |
| Washington .....       | Fairchild Air Force Base .....        | \$4,500,000   |
|                        | McChord Air Force Base .....          | \$7,900,000   |
|                        | Total .....                           | \$483,270,000 |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2304(a)(2), the Secretary of the Air Force  
4 may acquire real property and carry out military construc-  
5 tion projects for the installations and locations outside the  
6 United States, and in the amounts, set forth in the fol-  
7 lowing table:

**Air Force: Outside the United States**

| Country     | Installation or location      | Amount      |
|-------------|-------------------------------|-------------|
| Guam .....  | Andersen Air Force Base ..... | \$8,900,000 |
| Italy ..... | Aviano Air Base .....         | \$3,700,000 |

**Air Force: Outside the United States**—Continued

| Country              | Installation or location         | Amount       |
|----------------------|----------------------------------|--------------|
| Korea .....          | Osan Air Base .....              | \$19,600,000 |
| Portugal .....       | Lajes Field, Azores .....        | \$1,800,000  |
| United Kingdom ..... | Ascension Island .....           | \$2,150,000  |
|                      | Royal Air Force Feltwell .....   | \$3,000,000  |
|                      | Royal Air Force Lakenheath ..... | \$18,200,000 |
|                      | Royal Air Force Mildenhall ..... | \$17,600,000 |
|                      | Royal Air Force Molesworth ..... | \$1,700,000  |
|                      | Total .....                      | \$76,650,000 |

**1 SEC. 2302. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
3 amounts appropriated pursuant to the authorization of ap-  
4 propriations in section 2304(a)(6)(A), the Secretary of the  
5 Air Force may construct or acquire family housing units  
6 (including land acquisition) at the installations, for the  
7 purposes, and in the amounts set forth in the following  
8 table:

**Air Force: Family Housing**

| State                      | Installation or loca-<br>tion      | Purpose                        | Amount         |
|----------------------------|------------------------------------|--------------------------------|----------------|
| Arizona .....              | Davis-Monthan Air<br>Force Base.   | 64 Units .....                 | \$10,000,000   |
| California .....           | Beale Air Force Base ..            | 60 Units .....                 | \$8,500,000    |
|                            | Edwards Air Force<br>Base.         | 188 Units .....                | \$32,790,000   |
|                            | Vandenberg Air Force<br>Base.      | 91 Units .....                 | \$16,800,000   |
| District of Columbia ..... | Bolling Air Force Base             | 72 Units .....                 | \$9,375,000    |
| Florida .....              | Eglin Air Force Base ..            | 130 Units .....                | \$14,080,000   |
|                            | MacDill Air Force<br>Base.         | 54 Units .....                 | \$9,034,000    |
| Mississippi .....          | Columbus Air Force<br>Base.        | 100 Units .....                | \$12,290,000   |
| Montana .....              | Malmstrom Air Force<br>Base.       | 34 Units .....                 | \$7,570,000    |
| Nebraska .....             | Offutt Air Force Base              | 72 Units .....                 | \$12,352,000   |
| North Carolina .....       | Seymour Johnson Air<br>Force Base. | 78 Units .....                 | \$12,187,000   |
|                            | North Dakota .....                 | Grand Forks Air Force<br>Base. | 42 Units ..... |
|                            |                                    |                                | 72 Units ..... |
| Texas .....                | Minot Air Force Base               | 48 Units .....                 | \$7,500,000    |
|                            | Lackland Air Force<br>Base.        |                                |                |
| Portugal .....             | Lajes Field, Azores .....          | 75 Units .....                 | \$12,964,000   |
|                            | .....                              | Total .....                    | \$186,248,000  |

1 (b) PLANNING AND DESIGN.—Using amounts appro-  
2 priated pursuant to the authorization of appropriations in  
3 section 2304(a)(6)(A), the Secretary of the Air Force may  
4 carry out architectural and engineering services and con-  
5 struction design activities with respect to the construction  
6 or improvement of military family housing units in an  
7 amount not to exceed \$17,093,000.

8 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
9 **UNITS.**

10 Subject to section 2825 of title 10, United States  
11 Code, and using amounts appropriated pursuant to the  
12 authorization of appropriations in section 2304(a)(6)(A),  
13 the Secretary of the Air Force may improve existing mili-  
14 tary family housing units in an amount not to exceed  
15 \$124,452,000.

16 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**  
17 **FORCE.**

18 (a) IN GENERAL.—Funds are hereby authorized to  
19 be appropriated for fiscal years beginning after September  
20 30, 1999, for military construction, land acquisition, and  
21 military family housing functions of the Department of the  
22 Air Force in the total amount of \$1,103,162,000 as fol-  
23 lows:

1           (1) For military construction projects inside the  
2 United States authorized by section 2301(a),  
3 \$122,362,000.

4           (2) For military construction projects outside  
5 the United States authorized by section 2301(b),  
6 \$20,372,000.

7           (3) For a reduction in the amount of super-  
8 vision, inspection and overhead included in the above  
9 authorization of appropriations, section 2304(a)(1)  
10 and (2) of this Act, \$3,376,000.

11           (4) For unspecified minor construction projects  
12 authorized by section 2805 of title 10, United States  
13 Code, \$8,741,000.

14           (5) For architectural and engineering services  
15 and construction design and supervision, inspection  
16 and overhead costs as follows:

17                   (A) For architectural and engineering serv-  
18 ices and construction design under section 2807  
19 of title 10, United States Code, \$28,004,000.

20                   (B) For supervision, inspection and over-  
21 head under 2802 of title 10 United States  
22 Code, \$3,376,000.

23           (6) For military housing functions:

1 (A) For construction and acquisition, plan-  
2 ning and design and improvement of military  
3 family housing and facilities, \$101,791,000.

4 (B) For support of military family housing  
5 (including functions described in section 2833  
6 of title 10, United States Code), \$821,892,000.

7 (b) ADVANCE AUTHORIZATION OF APPROPRIA-  
8 TIONS.—Funds are hereby authorized to be appropriated  
9 for fiscal years beginning after September 30, 2000, for  
10 completion of military construction and family housing  
11 projects authorized in sections 2301, 2302, and 2303, and  
12 subject to the same terms, as follows:

13 (1) For military construction projects author-  
14 ized by section 2301, \$379,867,000.

15 (2) For military family housing functions au-  
16 thorized by sections 2302(a) and 2303,  
17 \$215,222,000.

18 (c) ADVANCE AUTHORIZATION OF APPROPRIATIONS  
19 FOR FISCAL YEAR 2001 BIENNIAL BUDGET.—Funds are  
20 hereby authorized to be appropriated for fiscal years be-  
21 ginning after September 30, 2000, for military construc-  
22 tion and family housing projects authorized for fiscal year  
23 2001, as follows:

24 (1) For military construction projects author-  
25 ized for fiscal year 2001, \$534,287,000.

1           (2) For military family housing functions au-  
2           thorized for fiscal year 2001, \$1,062,806,000.

3           (d) **LIMITATION ON TOTAL COST OF CONSTRUCTION**  
4 **PROJECTS.**—Notwithstanding the cost variations author-  
5 ized by section 2853 of title 10, United States Code, and  
6 any other cost variation authorized by law, the total cost  
7 of all projects carried out under section 2301 of this Act  
8 may not exceed \$559,920,000.

9 **SEC. 2305. AUTHORIZATION, DRUG INTERDICTION AND**  
10 **COUNTER-DRUG ACTIVITIES.**

11           Using amounts made available for that purpose in the  
12 Drug Interdiction and Counter-Drug Activities, Defense  
13 appropriation, the Secretary of the Air Force, or other  
14 Service Secretary as the Secretary of Defense later may  
15 designate may acquire real property and carry out military  
16 construction projects for Forward Deployment Sites in  
17 Ecuador, in the amount of \$31,229,000, and in Curacao,  
18 in the amount of \$4,880,000.

19 **TITLE XXIV—DEFENSE**  
20 **AGENCIES**

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Improvements to military family housing units.

Sec. 2403. Military housing improvement program.

Sec. 2404. Energy conservation projects.

Sec. 2405. Authorization of appropriations, Defense Agencies.

Sec. 2406. Modification of authority to carry out certain fiscal year 1990 projects.

1 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**  
 2

3 (a) INSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may  
 5 acquire real property and carry out military construction  
 6 projects for the installations and locations inside the  
 7 United States, and in the amounts, set forth in the following table:  
 8  
 9

**Defense Agencies: Inside the United States**

| Agency                        | Installation or location  | Amount  |
|-------------------------------|---|---|
| Defense Education Activity.   | Laurel Bay, South Carolina .....<br>Marine Corps Base, Camp LeJeune,<br>North Carolina.   | \$2,874,000   |
| Defense Logistics Agency      | Defense Distribution New Cumberland—DDSP.<br>DFSC, Elmendorf Air Force Base,<br>Alaska.<br>Eielson Air Force Base, Alaska .....<br>Fairehild Air Force Base, Washington<br>Various Locations .....                      | \$5,000,000<br><br><br><br><br><br>\$8,900,000            |
| Defense Manpower Data Center. | Presidio, Monterey, California.   |   |
| National Security Agency      | Fort Meade, Maryland .....  | \$2,946,000   |
| Special Operations Command.   | Fleet Combat Training Center, Dam Neck, Virginia.<br>Fort Benning, Georgia .....<br>Fort Bragg, North Carolina .....<br>Mississippi Army Ammunition Plant, Mississippi.<br>Naval Amphibious Base, Coronado, California. | \$4,700,000<br><br><br><br>\$9,600,000<br><br>\$6,000,000 |
| Tri-Care Management Agency.   | Andrews Air Force Base, Maryland .....  | \$3,000,000   |

**Defense Agencies: Inside the United States**—Continued

| <b>Agency</b> | <b>Installation or location</b>                         | <b>Amount</b> |
|---------------|---|---------------|
|               | Cheatham Annex, Virginia .....                          | \$1,650,000   |
|               | Davis-Monthan Air Force Base, Arizona.                  |               |
|               | Fort Lewis, Washington .....                            | \$5,500,000   |
|               | Fort Riley, Kansas .....                                | \$6,000,000   |
|               | Fort Sam Houston, Texas .....                           | \$5,800,000   |
|               | Fort Wainwright, Alaska .....                           | \$133,000,000 |
|               | Los Angeles Air Force Base, California                  |               |
|               | Marine Corps Air Station, Cherry Point, North Carolina. | \$3,500,000   |
|               | Moody Air Force Base, Georgia .....                     | \$1,250,000   |
|               | Naval Air Station, Jacksonville, Florida                | \$3,780,000   |
|               | Naval Air Station, Norfolk, Virginia ....               | \$4,050,000   |
|               | Naval Air Station, Patuxent River, Maryland.            | \$4,150,000   |
|               | Naval Air Station, Pensacola, Florida ..                | \$4,300,000   |
|               | Naval Air Station, Whidbey Island, Washington.          | \$4,700,000   |
|               | Patrick Air Force Base, Florida .....                   | \$1,750,000   |
|               | Travis Air Force Base, California .....                 | \$7,500,000   |
|               | Wright-Patterson Air Force Base, Ohio                   | \$3,900,000   |
|               | Total .....   |               |

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2405(a)(2), the Secretary of Defense may  
4 acquire real property and carry out military construction  
5 projects for the installations and locations outside the  
6 United States, and in the amounts, set forth in the fol-  
7 lowing table:

**Defense Agencies: Outside the United States**

| <b>Agency</b>                    | <b>Installation or location</b>                             | <b>Amount</b> |
|----------------------------------|---|---------------|
| Defense Education Activ-<br>ity. | Andersen Air Force Base, Guam .....                         | \$44,170,000  |
|                                  | Naval Station Rota, Spain .....                             | \$17,020,000  |
|                                  | Royal Air Force, Feltwell, United King-<br>dom.             | \$4,570,000   |
|                                  | Royal Air Force, Lakenheath, United<br>Kingdom.             | \$3,770,000   |
| Defense Logistics Agency         | Andersen Air Force Base, Guam .....                         | \$24,300,000  |
|                                  | Moron Air Base, Spain .....                                 | \$15,200,000  |
| National Security Agency         | Royal Air Force, Menwith Hill Station,<br>United Kingdom.   | \$500,000     |
| Tri-Care Management<br>Agency.   | Naval Security Group Activity, Sabana<br>Seca, Puerto Rico. | \$4,000,000   |



**Defense Agencies: Outside the United States**—Continued

| Agency | Installation or location                     | Amount        |
|--------|--|---------------|
|        | Ramstein Air Force Base, Germany .....       | \$7,100,000   |
|        | Royal Air Force, Lakenheath, United Kingdom. | \$7,100,000   |
|        | Yongsan, Korea .....                         | \$41,120,000  |
|        | Total .....                                  | \$168,850,000 |

1       **SEC. 2402. IMPROVEMENTS TO MILITARY FAMILY HOUS-**  
2                                   **ING UNITS.**

3       Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriation in section 2405(a)(8)(A),  
6 the Secretary of Defense may improve existing military  
7 family housing units in an amount not to exceed \$50,000.

8       **SEC. 2403. MILITARY HOUSING IMPROVEMENT PROGRAM.**

9       Of the amount authorized to be appropriated pursu-  
10 ant to section 2405(a)(8)(C), \$78,756,000 shall be avail-  
11 able for credit to the Department of Defense Family  
12 Housing Fund established by section 2883(a)(1) of title  
13 10, United States Code.

14       **SEC. 2404. ENERGY CONSERVATION PROJECTS.**

15       Using amounts appropriated pursuant to the author-  
16 ization of appropriations in section 2405(a)(6), the Sec-  
17 retary of Defense may carry out energy conservation  
18 projects under section 2865 of title 10, United States  
19 Code, in the amount of \$31,900,000.

1 **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DE-**  
2 **FENSE AGENCIES.**

3 (a) IN GENERAL.—Funds are hereby authorized to  
4 be appropriated for fiscal years beginning after September  
5 30, 1999, for military construction, land acquisition, and  
6 military family housing functions of the Department of  
7 Defense (other than the military departments), in the total  
8 amount of \$1,019,162,000 as follows:

9 (1) For military construction projects inside the  
10 United States authorized by section 2401(a),  
11 \$94,083,000.

12 (2) For military construction projects outside  
13 the United States authorized by section 2401(b),  
14 \$39,484,000.

15 (3) For unspecified minor construction projects  
16 under section 2805 of title 10, United States Code,  
17 \$18,618,000.

18 (4) For contingency construction projects of the  
19 Secretary of Defense under section 2804 of title 10,  
20 United States Code, \$938,000.

21 (5) For architectural and engineering services  
22 and construction design under section 2807 of title  
23 10, United States Code, \$33,324,000.

24 (6) For Energy Conservation projects author-  
25 ized by section 2404 of this Act, \$6,558,000.

1           (7) For base closure and realignment activities  
2 as authorized by the Defense Base Closure and Re-  
3 alignment Act of 1990 (part A of title XXIX of  
4 Public Law 101–510; 10 U.S.C. 2687 note),  
5 \$705,911,000.

6           (8) For military family housing functions:

7           (A) For improvement of military family  
8 housing and facilities, \$50,000.

9           (B) For support of military housing (in-  
10 cluding functions described in section 2833 of  
11 title 10, United States Code), \$41,440,000 of  
12 which not more than \$35,639,000 may be obli-  
13 gated or expended for the leasing of military  
14 family housing units worldwide.

15           (C) For credit to the Department of De-  
16 fense Family Housing Improvement Fund as  
17 authorized by section 2403 of this Act,  
18 \$78,756,000.

19       (b) ADVANCE AUTHORIZATION OF APPROPRIA-  
20 TIONS.—Funds are hereby authorized to be appropriated  
21 for fiscal years beginning after September 30, 2000, as  
22 follows:

23           (1) For completion of military construction  
24 projects authorized in section 2401, and subject to  
25 the same terms, as follows, \$337,900,000.

1           (2) For the completion of base closure and re-  
2           alignment activities as authorized by the Defense  
3           Base Closure and Realignment Act of 1990 (part A  
4           of title XXIX of Public Law 101–510; 10 U.S.C.  
5           2687 note), commenced in fiscal year 2000,  
6           \$577,306,000.

7           (c) ADVANCE AUTHORIZATION OF APPROPRIATIONS  
8           FOR FISCAL YEAR 2001 BIENNIAL BUDGET.—Funds are  
9           hereby authorized to be appropriated for fiscal years be-  
10          ginning after September 30, 2000, for military construc-  
11          tion and family housing projects authorized for fiscal year  
12          2001, as follows:

13           (1) For military construction projects and land  
14           acquisition authorized for fiscal year 2001,  
15           \$789,559,000.

16           (2) For military family housing functions au-  
17           thorized for fiscal year 2001, \$43,313,000.

18           (3) For base realignment and closure as author-  
19           ized by the Defense Base Closure and Realignment  
20           Act of 1990 (part A of title XXIX of Public Law  
21           101–510; 10 U.S.C. 2687 note), \$1,009,329,000.

22           (4) For credit to the Department of Defense  
23           Family Housing Improvement Fund, \$175,367,000.

24           (d) LIMITATION OF TOTAL COST OF CONSTRUCTION  
25          PROJECTS.—Notwithstanding the cost variation author-

1 ized by section 2853 of title 10, United States Code, and  
 2 any other cost variations authorized by law, the total cost  
 3 of all projects carried out under section 2401 of this Act  
 4 may not exceed \$557,070,000.

5 **TITLE XXV—NORTH ATLANTIC**  
 6 **TREATY ORGANIZATION SE-**  
 7 **CURITY INVESTMENT PRO-**  
 8 **GRAM**

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

Sec. 2503. Advance authorization of appropriations, NATO.

9 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
 10 **ACQUISITION PROJECTS.**

11 The Secretary of Defense may make contributions for  
 12 the North Atlantic Treaty Organization Security Invest-  
 13 ment Program as provided in section 2806 of title 10,  
 14 United States Code, in an amount not to exceed the sum  
 15 of the amount authorized to be appropriated for this pur-  
 16 pose in section 2502 and the amount collected from the  
 17 North Atlantic Treaty Organization as a result of con-  
 18 struction previously financed by the United States.

19 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

20 Funds are hereby authorized to be appropriated for  
 21 fiscal years beginning after September 30, 1999, for con-  
 22 tributions by the Secretary of Defense under section 2806  
 23 of title 10, United States Code, for the share of the United  
 24 States of the cost of projects for the North Atlantic Treaty

1 Organization Security Investment Program authorized by  
 2 section 2501, in the amount of \$191,000,000.

3 **SEC. 2503. ADVANCE AUTHORIZATION OF APPROPRIATIONS**  
 4 **FOR FISCAL YEAR 2001 BIENNIAL BUDGET.**

5 Funds are hereby authorized to be appropriated for  
 6 fiscal years beginning after September 30, 2000, for con-  
 7 tributions by the Secretary of Defense under section 2806  
 8 of title 10, United States Code, for the share of the United  
 9 States of the cost of projects for the North Atlantic Treaty  
 10 Organization Security Investment Program, in the amount  
 11 of \$198,000,000.

12 **TITLE XXVI—GUARD AND**  
 13 **RESERVE FORCES FACILITIES**

Sec. 2601. Authorized guard and reserve construction and land acquisition projects.

14 **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**  
 15 **TION AND LAND ACQUISITION PROJECTS.**

16 (a) IN GENERAL.—There are authorized to be appro-  
 17 priated for fiscal years beginning after September 30,  
 18 1999, for the costs of acquisition, architectural and engi-  
 19 neering services, and construction of facilities for the  
 20 Guard and Reserve Forces, and for contributions therefor,  
 21 under chapter 1803 of title 10, United States Code (in-  
 22 cluding the cost of acquisition of land for those facilities),  
 23 the following amounts:

24 (1) For the Department of the Army—

1 (A) for the Army National Guard of the  
2 United States, \$16,045,000; and

3 (B) for the Army Reserve, \$23,120,000.

4 (2) For the Department of the Navy, for the  
5 Naval and Marine Corps Reserve, \$4,933,000.

6 (3) For the Department of the Air Force—

7 (A) for the Air National Guard of the  
8 United States, \$21,319,000; and

9 (B) for the Air Force Reserve,  
10 \$12,155,000.

11 (b) ADVANCE AUTHORIZATION OF APPROPRIA-  
12 TIONS.—Funds are hereby authorized to be appropriated  
13 for fiscal years beginning after September 30, 2000, for  
14 completion of military construction projects, authorized by  
15 subsection (a), and for other authorized purposes as fol-  
16 lows:

17 (1) For the Department of the Army:

18 (A) For the Army National Guard of the  
19 United States, \$41,357,000.

20 (B) For the Army Reserve, \$54,506,000.

21 (2) For the Department of the Navy, for the  
22 Naval and Marine Corps Reserve, \$10,020,000.

23 (3) For the Department of the Air Force:

24 (A) For the Air National Guard of the  
25 United States, \$51,981,000.

1 (B) For the Air Force Reserve,  
2 \$15,165,000.

3 (c) ADVANCE AUTHORIZATION OF APPROPRIATIONS  
4 FOR FISCAL YEAR 2001 BIENNIAL BUDGET.—Funds are  
5 hereby authorized to be appropriated for fiscal years be-  
6 ginning after September 30, 2000, for military construc-  
7 tion projects authorized for fiscal year 2001, as follows:

8 (1) For the Department of the Army:

9 (A) For the Army National Guard of the  
10 United States, \$48,000,000.

11 (B) For the Army Reserve, \$88,388,000.

12 (2) For the Department of the Navy, for the  
13 Naval and Marine Corps Reserve, \$20,000,000.

14 (3) For the Department of the Air Force:

15 (A) For the Air National Guard of the  
16 United States, \$56,625,000.

17 (B) For the Air Force Reserve,  
18 \$20,014,000.

19 **TITLE XXVII—EXPIRATION AND**  
20 **EXTENSION OF AUTHORIZA-**  
21 **TIONS**

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extension of authorizations of certain fiscal year 1996 projects.

Sec. 2703. Extension of authorizations of certain fiscal year 1995 projects.

Sec. 2704. Effective date.



1 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**  
2 **AMOUNTS REQUIRED TO BE SPECIFIED BY**  
3 **LAW.**

4 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE  
5 YEARS.—Except as provided in subsection (b), all author-  
6 izations contained in titles XXI through XXVI for military  
7 construction projects, land acquisition, family housing  
8 projects and facilities, and contributions to the North At-  
9 lantic Treaty Organization Security Investment program  
10 (and authorizations of appropriations therefor) shall ex-  
11 pire on the later of—

12 (1) October 1, 2002; or

13 (2) the date for the enactment of an Act au-  
14 thORIZING funds for military construction for fiscal  
15 year 2003.

16 (b) EXCEPTION.—Subsection (a) shall not apply to  
17 authorizations for military construction projects, land ac-  
18 quisition, family housing projects and facilities, and con-  
19 tributions to the North Atlantic Treaty Organization Se-  
20 curity Investment program (and authorizations of appro-  
21 priations therefor), for which appropriated funds have  
22 been obligated before the later of—

23 (1) October 1, 2002; or

24 (2) the date of the enactment of an Act author-  
25 izing funds for fiscal year 2003 for military con-  
26 struction projects, land acquisition, family housing

1 projects and facilities, or contributions to the North  
 2 Atlantic Treaty Organization Security Investment  
 3 program.

4 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 5 **FISCAL YEAR 1997 PROJECTS.**

6 (a) EXTENSIONS.—Notwithstanding section 2701 of  
 7 the Military Construction Authorization Act for Fiscal  
 8 Year 1997 (division B of Public Law 104–201, 110 Stat.  
 9 2782), authorizations for the projects set forth in the ta-  
 10 bles in subsection (b), as provided in sections 2101 and  
 11 2601 and subsection (a) of section 2202 of that Act, shall  
 12 remain in effect until October 1, 2000, or the date of the  
 13 enactment of an Act authorizing funds for military con-  
 14 struction for fiscal year 2001, whichever is later.

15 (b) TABLES.—The tables referred to in subsection (a)  
 16 are as follows:

**Army: Extension of 1997 Project Authorizations**

| State          | Installation or location | Project                               | Amount        |
|----------------|--------------------------|---------------------------------------|---------------|
| Colorado ..... | Pueblo Army Depot        | Ammunition Demilitarization Facility. | \$179,000,000 |

**Navy: Extension of 1997 Project Authorizations**

| State                | Installation or location | Project                                     | Amount       |
|----------------------|--------------------------|---|--------------|
| Florida .....        | Mayport .....            | FH New Construction—100 Units.              | \$10,000,000 |
| Maine .....          | Brunswick .....          | FH Replacement Construction, Ph I—72 Units. | 10,925,000   |
| North Carolina ..... | Camp Lejuene .....       | FH New Construction—94 Units.               | 10,110,000   |
| South Carolina ..... | Beaufort .....           | FH New Construction—140 Units.              | 14,000,000   |
| Texas .....          | Corpus Christi .....     | FH Replacement Construction—104 Units.      | 11,675,000   |

**Navy: Extension of 1997 Project Authorizations**—Continued

| State            | Installation or location | Project                                     | Amount     |
|------------------|--------------------------|---|------------|
| Washington ..... | Kingsville .....         | FH Replacement Construction, Ph I—48 Units. | 7,550,000  |
|                  | Everett .....            | FH New Construction—100 Units.              | 15,015,000 |

**Army: National Guard: Extension of 1997 Project Authorizations**

| State             | Installation or location | Project                    | Amount    |
|-------------------|--------------------------|----------------------------|-----------|
| Mississippi ..... | Camp Shelby .....        | Multi-Purpose Range (PHI). | 5,000,000 |

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
2 **FISCAL YEAR 1996 PROJECTS.**

3 (a) EXTENSIONS.—Notwithstanding section 2701 of  
4 the Military Construction Authorization Act for Fiscal  
5 Year 1996 (division B of Public Law 104–106, 110 Stat.  
6 541), authorizations for the projects set forth in the tables  
7 in subsection (a) as provided in section 2202 and sub-  
8 section (b), as provided in section 2601 of that Act, shall  
9 remain in effect until October 1, 2000, or the date of the  
10 enactment of an Act authorizing funds for military con-  
11 struction for fiscal year 2001, whichever is later.

12 (b) TABLES.—The tables referred to in subsection (a)  
13 are as follows:

**Navy: Extension of 1996 Project Authorizations**

| State            | Installation or location | Project                    | Amount       |
|------------------|--------------------------|----------------------------|--------------|
| California ..... | Camp Pendleton .....     | FH Construction—138 Units. | \$20,000,000 |

**Army National Guard: Extension of 1996 Project Authorizations**

| State          | Installation or location | Project             | Amount      |
|----------------|--------------------------|---------------------|-------------|
| Missouri ..... | Jefferson City .....     | Baffled Range ..... | \$2,236,000 |

1 **SEC. 2704. EFFECTIVE DATE.**

2 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI  
3 shall take effect on the later of—

4 (1) October 1, 1999; or

5 (2) the date of the enactment of this Act.

6 **TITLE XXVIII—GENERAL**  
7 **PROVISIONS**

8 **Subtitle A—Military Construction**  
9 **Program and Military Family**  
10 **Housing**

11 **SEC. 2801. LIMITATION ON CERTAIN PROJECTS; AUTHOR-**  
12 **ITY TO CARRY OUT SMALL PROJECTS WITH**  
13 **OPERATION AND MAINTENANCE FUNDS.**

14 (a) UNSPECIFIED MINOR CONSTRUCTION FUNDS  
15 FOR LIFE, HEALTH, OR SAFETY THREATS.—Subsection  
16 (a)(2) of Section 18233a of title 10, United States Code,  
17 is amended by adding the following subparagraph (C) at  
18 the end thereof:

19 “(C) Minor construction projects that have an ap-  
20 proved cost equal to or less than \$3,000,000, provided  
21 that they are intended solely to correct a deficiency that  
22 is life-threatening, health-threatening, or safety-threat-  
23 ening.”.

24 (b) OPERATION AND MAINTENANCE FUNDS FOR  
25 LIFE, HEALTH, OR SAFETY THREATS.—Paragraph (b) of  
26 Section 18233a of title 10, United States Code, is amend-

1 ed by inserting the following at the end thereof: “For  
 2 projects intended solely to correct a deficiency that is life-  
 3 threatening, health-threatening, or safety-threatening,  
 4 \$1,000,000 or less may be spent from available operations  
 5 and maintenance appropriations.”.

6 **SEC. 2802. PLANNING AND DESIGN FUNDS FOR MILITARY**  
 7 **CONSTRUCTION PROJECTS.**

8 Subsection (f)(1) of Section 18233 of title 10, United  
 9 States Code is amended by inserting “and design” imme-  
 10 diately following “planning”.

11 **Subtitle B—Real Property and**  
 12 **Facilities Administration**

13 **SEC. 2803. UTILITY PRIVATIZATION.**

14 Section 2688 of title 10, United States Code, is  
 15 amended by adding at the end the following new para-  
 16 graphs:

17 “(i) **EXTENDED CONTRACTS FOR UTILITY SERV-**  
 18 **ICES.**—Notwithstanding section 201(a)(3) of the Federal  
 19 Property and Administrative Services Act (40 U.S.C.  
 20 481(a)(3)), the Secretary may, in connection with a con-  
 21 veyance of a utility system under this section, enter into  
 22 a contract for utility services for a period not to exceed  
 23 fifty years.

24 “(j) **FUNDING SOURCES.**—Any Military Construction  
 25 funds authorized and appropriated for a construction, re-

1 pair, or replacement project of a utility system may be  
2 used, in place of such construction, repair, or replacement  
3 project, to facilitate the conveyance of such utility system  
4 under this section. Facilitating the conveyance of a utility  
5 system shall only consist of contributing to the cost of con-  
6 struction, repair, or replacement of the utility system by  
7 the entity to which it is being conveyed. Any such con-  
8 tribution shall be considered in the economic analysis re-  
9 quired under subsection (e)(1).”.

10 **SEC. 2804. AUTHORITY TO CARRY OUT FORMER MILITARY**  
11 **HOUSING PRIVATIZATION PROJECTS WITH**  
12 **FUNDS TRANSFERRED TO FAMILY HOUSING**  
13 **CONSTRUCTION.**

14 (a) IN GENERAL.—Subchapter II of Chapter 169,  
15 title 10, United States Code, is amended by inserting after  
16 section 2837 the following new section:

17 **“§ 2838. Authority to carry out former military hous-**  
18 **ing privatization projects**

19 “(a) AUTHORITY.—Subject to subsection (b), the  
20 Secretary concerned may construct or acquire family hous-  
21 ing units (including land acquisition) not otherwise au-  
22 thorized if (1) Congress had previously appropriated funds  
23 into the Family Housing Improvement Fund established  
24 by section 2883(a)(1) of this title, for such housing units  
25 and (2) funds for such units have been transferred, pursu-

1 ant to authority provided in an appropriations Act, from  
2 the Family Housing Improvement Fund into a Family  
3 Housing account.

4 “(b) CONGRESSIONAL NOTIFICATION.—When a deci-  
5 sion is made to construct or acquire family housing units  
6 under this section, the Secretary concerned shall submit  
7 a report in writing to the appropriate committees of Con-  
8 gress on that decision. Each such report shall include (1)  
9 the justification for the housing project and the current  
10 estimate of the cost of the project; and (2) the justification  
11 for carrying out the housing project under this section as  
12 opposed to under the Military Housing Privatization Ini-  
13 tiative (10 U.S.C. §§ 2871–2885). The housing project  
14 may then be carried out only after the end of the 21-day  
15 period beginning on the date the notification is received  
16 by such committees.”.

17 (b) CLERICAL AMENDMENT.—The table of sections  
18 at the beginning of such Subchapter is amended by insert-  
19 ing after the item relating to section 2837 the following  
20 new item:

“2838. Authority to Carry Out Former Military Housing Privatization  
Projects.”.

1     **Subtitle C—Defense Base Closure**  
2                     **and Realignment**

3     **SEC. 2805. ESTABLISHMENT OF ENVIRONMENTAL RES-**  
4                     **TORATION ACCOUNTS FOR BASE CLOSURE**  
5                     **INSTALLATIONS AND FORMERLY USED DE-**  
6                     **FENSE SITES.**

7             (a) ENVIRONMENTAL RESTORATION ACCOUNT FOR  
8     FORMERLY USED DEFENSE SITES.—Section 2703 of title  
9     10, United States Code, is amended by adding at the end  
10    of subsection (a) the following new paragraph (5):

11                     “(5) An account to be known as the “Environ-  
12             mental Restoration Account, Formerly Used Defense  
13             Sites.”.

14             (b) ENVIRONMENTAL RESTORATION ACCOUNT FOR  
15     BASE CLOSURE INSTALLATIONS.—Section 2703 of title  
16     10, United States Code, is amended—

17                     (1) by adding at the end of subsection (a) the  
18             following new paragraph (6):

19                     “(6) An account to be known as the “Environ-  
20             mental Restoration Account, Base Realignment and  
21             Closure.”; and

22                     (2) by adding at the end the following new sub-  
23             sections:

24                     “(f) BASE REALIGNMENT AND CLOSURE AC-  
25     COUNT.—The Environmental Restoration Account, Base



1 Realignment and Closure shall be the exclusive source of  
2 funds for carrying out environmental restoration and miti-  
3 gation activities required as the result of a closure or re-  
4 alignment of a military installation pursuant to a base clo-  
5 sure law.

6 “(g) BASE CLOSURE LAW DEFINED.—For purposes  
7 of this section, the term “base closure law” means the fol-  
8 lowing:

9 “(1) The Defense Base Closure and Realign-  
10 ment Act of 1990, as amended (Div. B. title XXIX  
11 of Public Law 101–510; 10 U.S.C. § 2687 note).”.

12 “(2) Title II of the Defense Authorization  
13 Amendments and Base Closure and Realignment  
14 Act, as amended (Public Law 100–526; 10 U.S.C.  
15 § 2687 note).”.

16 (c) TRANSFER OF FUNDS.—The Secretary of De-  
17 fense may transfer from the Department of Defense Base  
18 Closure Account 1990, established in section 2906 of the  
19 Defense Base Closure and Realignment Act of 1990, as  
20 amended (Div. B. title XXIX of Public Law 101–510; 10  
21 U.S.C. § 2687 note), into the Environmental Restoration  
22 Account, Base Realignment and Closure, established in  
23 subsection (b) of this provision, such amounts as he deter-  
24 mines to be necessary in order to carry out activities de-

1 scribed in subsection 2703(f) of title 10, United States  
2 Code, as added by this section.

3 (d) FUNDING OF ADMINISTRATIVE EXPENSES AND  
4 TECHNICAL ASSISTANCE.—Section 2705(g) is amended to  
5 read as follows:

6 “(g) FUNDING.—(1) Except as provided in para-  
7 graph (2), the accounts established in section 2703(a)  
8 shall be available for administrative expenses and technical  
9 assistance under this section.

10 “(2) In the case of an installation approved for re-  
11 alignment or closure under a base closure law, to the ex-  
12 tent that such base closure law provides for the funding  
13 of environmental restoration costs at such installation  
14 from an account established for purposes of carrying out  
15 base realignments and closures, such account shall also  
16 be available for administrative expenses and technical as-  
17 sistance under this section with respect to such installa-  
18 tion.”.

19 (e) CONFORMING AMENDMENT.—Section 2906(e) of  
20 the Defense Base Closure and Realignment Act of 1990,  
21 as amended (Div. B. title XXIX of Public Law 101–510;  
22 10 U.S.C. § 2687 note) is repealed.

1           (f) EFFECTIVE DATE.—This section shall take effect  
2 upon enactment, except that subsections (b), (c), and (e)  
3 shall become effective on October 1, 2000.

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