

106TH CONGRESS
2D SESSION

H. R. 4205

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2000

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

A BILL

To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 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 Year 2001”.

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

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

Sec. 1. Short Title.

Sec. 2. Table of Contents.

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 Sec. 2806. Revision of limitations on space by pay grade.
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1 **DIVISION A—DEPARTMENT OF**
 2 **DEFENSE AUTHORIZATIONS**
 3 **TITLE I—PROCUREMENT**
 4 **Subtitle A—Authorization of**
 5 **Appropriations**

6 **SEC. 101. ARMY.**

7 Funds are hereby authorized to be appropriated for
 8 fiscal year 2001 for procurement for the Army as follows:

- 9 (1) For aircraft, \$1,323,262,000.
 10 (2) For missiles, \$1,295,728,000.
 11 (3) For weapons and tracked combat vehicles,
 12 \$1,874,638,000.
 13 (4) For ammunition, \$1,131,323,000.
 14 (5) For other procurement, \$3,795,870,000.

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

2 (a) NAVY.—Funds are hereby authorized to be appro-
3 priated for fiscal year 2001 for procurement for the Navy
4 as follows:

5 (1) For aircraft, \$7,963,858,000.

6 (2) For weapons, including missiles and tor-
7 pedoes, \$1,434,250,000.

8 (3) For shipbuilding and conversion,
9 \$12,296,919,000.

10 (4) For procurement of ammunition for the
11 Navy and the Marine Corps, \$429,649,000.

12 (5) For other procurement, \$3,334,611,000.

13 (b) MARINE CORPS.—Funds are hereby authorized to
14 be appropriated for fiscal year 2001 for procurement for
15 the Marine Corps in the amount of \$1,171,935,000.

16 **SEC. 103. AIR FORCE.**

17 Funds are hereby authorized to be appropriated for
18 fiscal year 2001 for procurement for the Air Force as fol-
19 lows:

20 (1) For aircraft, \$9,539,602,000.

21 (2) For missiles, \$3,061,715,000.

22 (3) For procurement of ammunition,
23 \$638,808,000.

24 (4) For other procurement, \$7,699,127,000.

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

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2001 for defense-wide procurement in the
4 amount of \$2,275,308,000.

5 **SEC. 105. DEFENSE INSPECTOR GENERAL.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 2001 for procurement for the Defense Inspec-
8 tor General in the amount of \$3,300,000.

9 **SEC. 106. DEFENSE HEALTH PROGRAM.**

10 Funds are hereby authorized to be appropriated for
11 fiscal year 2001 for the Department of Defense for pro-
12 curement for carrying out health care programs, projects,
13 and activities of the Department of Defense in the total
14 amount of \$290,006,000.

15 **SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.**

16 There is hereby authorized to be appropriated for fis-
17 cal year 2001 in the amount of \$1,003,500,000 for—

18 (1) the destruction of lethal chemical weapons
19 in accordance with section 1412 of the Department
20 of Defense Authorization Act, 1986 (50 U.S.C.
21 1521); and

22 (2) the destruction of chemical warfare material
23 of the United States that is not covered by section
24 1412 of such Act.

1 **Subtitle B—Multi-Year Contract**
2 **Authorizations**

3 **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR**
4 **CERTAIN ARMY PROGRAMS.**

5 Beginning with the fiscal year 2001 program year,
6 the Secretary of the Army may, in accordance with section
7 2306b of title 10, United States Code, enter into multi-
8 year contracts for procurement of the following:

9 (1) The M2A3 Bradley Fighting Vehicle.

10 (2) The UH/60–CH/60 helicopter.

11 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR THE**
12 **DDG–51.**

13 Beginning with the fiscal year 2001 program year,
14 the Secretary of the Navy may, in accordance with section
15 2306b of title 10, United States Code, enter into a multi-
16 year contract for procurement of the DDG–51.

17 **TITLE II—RESEARCH, DEVELOP-**
18 **MENT, TEST, AND EVALUA-**
19 **TION**

20 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

21 Funds are hereby authorized to be appropriated for
22 fiscal year 2001 for the use of the Armed Forces for re-
23 search, development, test, and evaluation, as follows:

24 (1) For the Army, \$5,260,346,000.

25 (2) For the Navy, \$8,476,677,000.

1 (3) For the Air Force, \$13,685,576,000.

2 (4) For Defense-wide research, development,
3 test, and evaluation, \$10,439,802,000, of which
4 \$201,560,000 is authorized for the Director of Oper-
5 ational Test and Evaluation.

6 (5) For the Defense Health Program,
7 \$65,880,000.

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

10 **Subtitle A—Authorization of**
11 **Appropriations**

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

13 Funds are hereby authorized to be appropriated for
14 fiscal year 2001 for the use of the Armed Forces of the
15 United States and other activities and agencies of the De-
16 partment of Defense, for expenses, not otherwise provided
17 for, for operation and maintenance, in amounts as follows:

18 (1) For the Army, \$19,123,731,000.

19 (2) For the Navy, \$23,300,154,000.

20 (3) For the Marine Corps, \$2,705,658,000.

21 (4) For the Air Force, \$22,346,977,000.

22 (5) For the Defense-wide activities,
23 \$11,920,069,000.

24 (6) For the Army Reserve, \$1,521,418,000.

25 (7) For the Naval Reserve, \$960,946,000.

1 (8) For the Marine Corps Reserve,
2 \$133,959,000.

3 (9) For the Air Force Reserve, \$1,885,859,000.

4 (10) For the Army National Guard,
5 \$3,182,335,000.

6 (11) For the Air National Guard,
7 \$3,446,375,000.

8 (12) For the Defense Inspector General,
9 \$144,245,000.

10 (13) For the United States Court of Appeals
11 for the Armed Forces, \$8,574,000.

12 (14) For Environmental Restoration, Army,
13 \$389,932,000.

14 (15) For Environmental Restoration, Navy,
15 \$294,038,000.

16 (16) For Environmental Restoration, Air Force,
17 \$376,300,000.

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

20 (18) For Environmental Restoration, Formerly
21 Used Defense Sites, \$186,499,000.

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

24 (20) For Drug Interdiction and Counter-drug
25 Activities, Defense-wide, \$836,300,000.

1 (21) For the Kaho'olawe Island Conveyance,
2 Remediation, and Environmental Restoration Trust
3 Fund, \$25,000,000.

4 (22) For the Defense Health Program,
5 \$11,244,543,000.

6 (23) For Cooperative Threat Reduction pro-
7 grams, \$458,400,000.

8 (24) For Overseas Contingency Operations
9 Transfer Fund, \$4,100,577,000.

10 **SEC. 302. WORKING CAPITAL FUNDS.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2001 for the use of the Armed Forces of the
13 United States and other activities and agencies of the De-
14 partment of Defense for providing capital for working cap-
15 ital and revolving funds in amounts as follows:

16 (1) For the Defense Working Capital Funds,
17 \$916,276,000.

18 (2) For the National Defense Sealift Fund,
19 \$388,158,000.

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

21 There is hereby authorized to be appropriated for fis-
22 cal year 2001 from the Armed Forces Retirement Home
23 Trust Fund the sum of \$69,832,000 for the operation of
24 the Armed Forces Retirement Home, including the United
25 States Soldiers' and Airmen's Home and the Naval Home.

1 **SEC. 304. TRANSFERS FROM THE NATIONAL DEFENSE**
2 **STOCKPILE TRANSACTION FUND.**

3 (a) **TRANSFER AUTHORITY.**—To the extent provided
4 in appropriations Acts not more than \$150,000,000 is au-
5 thorized to be transferred from the National Defense
6 Stockpile Transaction Fund to operation and maintenance
7 accounts for fiscal year 2001 in amounts as follows:

8 (1) For the Army, \$50,000,000.

9 (2) For the Navy, \$50,000,000.

10 (3) For the Air Force, \$50,000,000.

11 (b) **TREATMENT OF TRANSFERS.**—Amounts trans-
12 ferred under this section—

13 (1) shall be merged with, and be available for
14 the same purposes and the same period as, the
15 amounts in the accounts to which transferred; and

16 (2) may not be expended for an item that has
17 been denied authorization of appropriations by Con-
18 gress.

19 **Subtitle B—Environmental**
20 **Provisions**

21 **SEC. 311. REIMBURSEMENT FOR CERTAIN COSTS IN CON-**
22 **NECTION WITH THE FORMER NANSEMOND**
23 **ORDNANCE DEPOT SITE, IN SUFFOLK, VIR-**
24 **GINIA.**

25 (a) **AUTHORITY TO REIMBURSE EPA.**—The Sec-
26 retary of Defense may pay not more than \$98,210,00,

1 using funds described in subsection (b), to the Former
2 Nansemond Ordnance Depot Site Special Account within
3 the Hazardous Substance Superfund established by sec-
4 tion 9507 of the Internal Revenue Code of 1986 (26
5 U.S.C. 9507) to reimburse the Environmental Protection
6 Agency for costs incurred by the agency in overseeing a
7 time critical removal action (TCRA) under CERCLA
8 being performed by DoD under the Defense Environ-
9 mental Restoration Program (10 U.S.C. 2701) for ord-
10 nance and explosive safety hazards at the Former
11 Nansemond Ordnance Depot Site in Suffolk, Virginia,
12 pursuant to an Interagency Agreement, entered into by
13 the Department of the Army and the Environmental Pro-
14 tection Agency on January 3, 2000.

15 (b) SOURCE OF FUNDS.—Any payment under sub-
16 section (a) shall be made using amounts authorized to be
17 appropriated by section 301 to Environmental Restora-
18 tion, Formerly Used Defense Sites.

19 (c) CERCLA DEFINED.—In this section, the term
20 “CERCLA” means the Comprehensive Environmental Re-
21 sponse, Compensation and Liability Act of 1980 (42
22 U.S.C. 9601 et seq.).

1 **SEC. 312. PAYMENT OF FINES OR PENALTIES IMPOSED FOR**
2 **ENVIRONMENTAL VIOLATIONS.**

3 The Secretary of the Military Department concerned
4 may pay from funds otherwise available for such purposes
5 not more than the following amounts at the locations and
6 for the purposes indicated below:

7 (1) For the Department of the Army:

8 (A) \$993,000 for Walter Reed Army Med-
9 ical Center, Washington, D.C., under the Re-
10 source Conservation and Recovery Act, in satis-
11 faction of a fine imposed by Environmental
12 Protection Agency Region 3, for a Supple-
13 mental Environmental Project.

14 (B) \$377,250 for Fort Campbell, Ken-
15 tucky, under the Resource Conservation and
16 Recovery Act, in satisfaction of a fine imposed
17 by Environmental Protection Agency Region 4,
18 for a Supplemental Environmental Project.

19 (C) \$20,701 for Fort Gordon, Georgia,
20 under the Resource Conservation and Recovery
21 Act, in satisfaction of a fine imposed by the
22 State of Georgia, for a Supplemental Environ-
23 mental Project.

24 (D) \$78,500 for Pueblo Chemical Depot,
25 Colorado, under the Resource Conservation and
26 Recovery Act, in satisfaction of a fine imposed

1 by the State of Colorado, for Supplemental En-
2 vironmental Projects.

3 (E) \$20,000 for Deseret Chemical Depot,
4 Utah, under the Resource Conservation and Re-
5 covery Act, in satisfaction of a fine imposed by
6 the State of Utah, for a Supplemental Environ-
7 mental Project.

8 (2) For the Department of the Navy:

9 (A) \$108,800 for Allegany Ballistics Lab-
10 oratory, West Virginia, under the Resource
11 Conservation and Recovery Act, to the West
12 Virginia Division of Environmental Protection
13 to pay a cash penalty.

14 (B) \$5,000 for Naval Air Station, Corpus
15 Christi, Texas, under the Clean Air Act, to En-
16 vironmental Protection Agency Region 6, to pay
17 a cash penalty.

18 **Subtitle C—Other Matters**

19 **SEC. 321. REIMBURSEMENT BY CIVIL AIR CARRIERS FOR** 20 **SUPPORT PROVIDED AT JOHNSTON ATOLL.**

21 (a) IN GENERAL.—Chapter 949 of title 10, United
22 States Code, is amended by adding at the end the fol-
23 lowing new section:

1 **“§ 9783. Reimbursement by civil air carriers for sup-**
2 **port provided at Johnston Atoll**

3 “(a) AUTHORITY OF THE SECRETARY.—Subject to
4 subsection (b), the Secretary of the Air Force may issue
5 regulations requiring payment by civil air carriers for sup-
6 port provided to them at Johnston Atoll.

7 “(b) TYPES OF CHARGES.—Any regulations issued
8 under subsection (a)—

9 “(1) may charge, but not exceed, the actual
10 costs, including indirect costs, of support provided
11 by the United States to the civil air carrier;

12 “(2) may only include charges for support re-
13 quested by the civil air carrier or required to accom-
14 modate the civil air carrier’s use of Johnston Atoll;
15 and

16 “(3) shall provide that charges under them
17 shall be in lieu of any otherwise collectable landing
18 fees.

19 “(c) SUPPORT DEFINED.—In this section, the term
20 “support” includes the costs of construction, repairs, serv-
21 ices, or supplies, including, but not limited to, fuel, fire
22 rescue, use of facilities, improvements required to accom-
23 modate use by civil air carriers, police, safety, housing,
24 food, air traffic control, and suspension of military oper-
25 ations on the island (including operations at the Johnston
26 Atoll Chemical Agent Demilitarization System).

1 “(d) DISPOSITION OF PAYMENTS.—Notwithstanding
2 any other provision of law, amounts collected from a civil
3 air carrier under this section shall be credited to the ap-
4 propriations under which the costs associated with the
5 support were incurred. Amounts so credited shall be avail-
6 able for obligation for the same period as the appropria-
7 tion to which credited.

8 “(e) PAY-AS-YOU-GO SCORING.—From the cash pro-
9 ceeds resulting from services provided to civil air carriers
10 at Johnston Atoll under the authorities provided by this
11 section, for which the Air Force does not have existing
12 authority to retain, up to the following amounts shall be
13 transferred to Miscellaneous Receipts in the Treasury:

14 “(1) In FY 2001, \$219,000;

15 “(2) In FY 2002, \$219,000;

16 “(3) In FY 2003, \$219,000;

17 “(4) In FY 2001, \$219,000; and

18 “(5) In FY 2001, \$219,000.”.

19 (b) CLERICAL AMENDMENTS.—The table of sections
20 at the beginning of chapter 949, United States Code, is
21 amended by adding at the end the following new item:

“9783. Reimbursement by civil air carriers for support provided at Johnston
Atoll.”.

1 **SEC. 322. USE OF EXCESS TITANIUM SPONGE IN THE NA-**
2 **TIONAL DEFENSE STOCKPILE FOR MANUFAC-**
3 **TURING DEPARTMENT OF DEFENSE EQUIP-**
4 **MENT.**

5 (a) **TRANSFER AUTHORIZED.**—Upon the request of
6 the Secretary of a Military Department or the Director
7 of a Defense Agency, the Secretary of Defense may trans-
8 fer excess titanium sponge from the stocks of the National
9 Defense Stockpile for use in manufacturing defense equip-
10 ment.

11 (b) **NON-REIMBURSABLE.**—Transfer under this sec-
12 tion shall be without a requirement to reimburse the Na-
13 tional Defense Stockpile Transaction Fund. The recipient
14 Military Department shall pay all transportation and re-
15 lated costs incurred in connection with the transfer.

16 (c) **RELATIONSHIP TO OTHER DISPOSAL AUTHOR-**
17 **ITY.**—The quantity of titanium sponge transferred under
18 this section may not exceed the amount identified as ex-
19 cess in section 3304 of the National Defense Authorization
20 Act for Fiscal Year 1998 (Public Law 105–85, 111 Stat.
21 2057). Transfers to the Secretary of the Army pursuant
22 to section 3305 of the National Defense Authorization Act
23 for Fiscal Year 1996 (Public Law 104–106, 110 Stat.
24 630) take precedence over transfers under this section.

1 **SEC. 323. CLARIFICATION AND EXTENSION OF PILOT PRO-**
2 **GRAM FOR ACCEPTANCE AND USE OF LAND-**
3 **ING FEES CHARGED FOR USE OF DOMESTIC**
4 **MILITARY AIRFIELDS BY CIVIL AIRCRAFT.**

5 Section 377 of the Strom Thurmond National De-
6 fense Authorization Act for Fiscal Year 1999, Public Law
7 105–261, is amended as follows:

8 (1) in subsection (a)—

9 (A) by striking “1999 and 2000” and in-
10 serting “2001, 2002, and 2003”; and

11 (B) by striking the last sentence of such
12 subsection and inserting “Authority to carry
13 out a pilot program under this section shall ter-
14minate September 30, 2003.”;

15 (2) by amending subsection (b) to read as fol-
16 lows:

17 “(b) **LANDING FEES DEFINED.**—For purposes of
18 this section, the term ‘landing fees’ shall mean any fee
19 established under or in accordance with regulations of the
20 military department concerned, whether prescribed by fee
21 schedule or imposed under a joint-use agreement, to re-
22 cover costs for civil aircraft use of the department’s air-
23 fields in the United States, its territories and posses-
24 sions.”;

25 (3) in subsection (c), by striking “Amounts re-
26 ceived for a fiscal year in payment of landing fees

1 imposed” and inserting “Landing fees collected.”;
2 and

3 (4) in subsection (d)—

4 (A) by striking “March 31, 2000”, and in-
5 serting “March 31, 2003.”; and

6 (B) by striking “December 31, 1999” and
7 inserting “December 31, 2002.”.

8 **SEC. 324. ECONOMIC DISTRIBUTION OF DISTILLED SPIRITS.**

9 Subsection 2488(c) of title 10, United States Code,
10 is amended—

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

12 (2) by redesignating paragraph (3) as para-
13 graph (2).

14 **TITLE IV—MILITARY**
15 **PERSONNEL AUTHORIZATIONS**
16 **Subtitle A—Active Forces**

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

18 The Armed Forces are authorized strengths for active
19 duty personnel as of September 30, 2001, as follows:

20 (1) The Army, 480,000.

21 (2) The Navy, 372,000.

22 (3) The Marine Corps, 172,600.

23 (4) The Air Force, 357,000.

1 **Subtitle B—Reserve Forces**

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

3 (a) IN GENERAL.—The Armed Forces are authorized
4 strengths for Selected Reserve personnel of the reserve
5 components as of September 30, 2001, as follows:

6 (1) The Army National Guard of the United
7 States, 350,000.

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

9 (3) The Naval Reserve, 88,900.

10 (4) The Marine Corps Reserve, 39,500.

11 (5) The Air National Guard of the United
12 States, 108,000.

13 (6) The Air Force Reserve, 74,300.

14 (7) The Coast Guard Reserve, 8,000.

15 (b) ADJUSTMENTS.—The end strengths prescribed by
16 subsection (a) for the Selected Reserve of any reserve com-
17 ponent shall be proportionately reduced by—

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

22 (2) the total number of individual members not
23 in units organized to serve as units of the Selected
24 Reserve of such component who are on active duty
25 (other than for training or for unsatisfactory partici-

1 pation in training) without their consent at the end
2 of the fiscal year.

3 Whenever such units or such individual members are re-
4 leased from active duty during any fiscal year, the end
5 strength prescribed for such fiscal year for the Selected
6 Reserve of such reserve component shall be increased pro-
7 portionately by the total authorized strengths of such
8 units and by the total number of such individual members.

9 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
10 **DUTY IN SUPPORT OF THE RESERVES.**

11 Within the end strengths prescribed in section
12 411(a), the reserve components of the Armed Forces are
13 authorized, as of September 30, 2001, the following num-
14 ber of Reserves to be serving on full-time active duty or,
15 in the case of members of the National Guard, full-time
16 National Guard duty for the purpose of organizing, ad-
17 ministering, recruiting, instructing, or training the reserve
18 components:

19 (1) The Army National Guard of the United
20 States, 22,448.

21 (2) The Army Reserve, 12,806.

22 (3) The Naval Reserve, 14,649.

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

24 (5) The Air National Guard of the United
25 States, 11,148.

1 (6) The Air Force Reserve, 1,278.

2 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS.**

3 The Reserve Components of the Army and the Air
 4 Force are authorized strengths for military technicians as
 5 of September 30, 2001, as follows:

6 (1) For the Army Reserve, 6,444.

7 (2) For the Army National Guard of the United
 8 States, 23,957.

9 (3) For the Air Force Reserve, 9,733.

10 (4) For the Air National Guard of the United
 11 States, 22,547.

12 **SEC. 414. INCREASE IN NUMBER OF MEMBERS IN CERTAIN**
 13 **GRADES AUTHORIZED TO BE ON ACTIVE**
 14 **DUTY IN SUPPORT OF THE RESERVES.**

15 (a) OFFICERS.—The table in section 12022(a) of title
 16 10, United States Code, is amended to read as follows:

“Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander ..	3,227	1,071	998	140
Lieutenant Colonel or Commander	1,611	520	818	90
Colonel or Navy Captain	471	188	300	30”

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

“Grade	Army	Navy	Air Force	Marine Corps
E-9	645	202	473	20
E-8	2,593	429	1,108	94”

1 **SEC. 415. ACTIVE DUTY END STRENGTH EXEMPTION FOR**
2 **PERFORMING FUNERAL HONORS FUNC-**
3 **TIONS.**

4 Section 115(d) of title 10, United States Code, is
5 amended by adding at the end the following new para-
6 graphs:

7 “(9) Members of reserve components on active
8 duty to prepare for and to perform funeral honors
9 functions for funerals of veterans in accordance with
10 section 1491 of this title.

11 “(10) Members on full-time National Guard
12 duty to prepare for and to perform funeral honors
13 functions for funerals of veterans in accordance with
14 section 1491 of this title.”.

15 **SEC. 416. EXCLUDING CERTAIN RESERVE COMPONENT**
16 **MEMBERS ON ACTIVE DUTY FOR 181 DAYS OR**
17 **MORE FROM ACTIVE COMPONENT END**
18 **STRENGTHS.**

19 Section 115(d) of title 10, United States Code, is
20 amended by adding at the end the following new para-
21 graph:

1 “(9) Members of reserve components on active
2 duty for 181 days or more to perform special work
3 in support of the armed forces (other than the Coast
4 Guard) and the combatant commands not to exceed
5 two tenths of one percent of authorized active duty
6 personnel.”.

7 **TITLE V—MILITARY PERSONNEL**
8 **POLICY**

9 **Subtitle A—Officer Personnel**
10 **Policy**

11 **SEC. 501. AUTHORITY TO RETAIN CHAPLAINS AND OFFI-**
12 **CERS IN MEDICAL SPECIALTIES UNTIL SPECI-**
13 **FIED AGE.**

14 Section 14703(a)(3) of title 10, United States Code,
15 is amended to read as follows:

16 “(3) The Secretary of the Air Force may, with
17 the officer’s consent, retain in an active status any
18 reserve officer who is designated as a medical offi-
19 cer, dental officer, Air Force nurse, Medical Service
20 Corps officer, biomedical sciences officer or chap-
21 lain.”.

22 **SEC. 502. CLARIFICATION OF AUTHORITY FOR POST-**
23 **HUMOUS COMMISSIONS.**

24 Section 1521(a)(3) of title 10, United States Code,
25 is amended by inserting “(whether before or after the

1 member's death)" after "was approved by the Secretary
2 concerned".

3 **SEC. 503. RELEASE OF OFFICER PROMOTION SELECTION**
4 **BOARD REPORTS.**

5 (a) ACTIVE-DUTY LIST OFFICER BOARDS.—Section
6 618(e) of title 10, United States Code, is amended by
7 striking the first sentence and inserting the following:
8 "Upon transmittal to the President of the report of a se-
9 lection board that considered officers for promotion to a
10 grade below brigadier general or rear admiral (lower half),
11 the names of the officers recommended for promotion by
12 the selection board (other than any name deferred from
13 transmittal) may be disseminated to the armed force con-
14 cerned."

15 (b) RESERVE ACTIVE-STATUS LIST OFFICER
16 BOARDS.—Section 14112 of title 10, United States Code,
17 is amended by striking the first sentence and inserting the
18 following: "Upon transmittal to the President of the re-
19 port of a selection board that considered officers for pro-
20 motion to a grade below brigadier general or rear admiral
21 (lower half), the names of the officers recommended for
22 promotion by the selection board (other than any name
23 deferred from transmittal) may be disseminated to the
24 armed force concerned."

1 **Subtitle B—Reserve Component**
2 **Personnel Policy**

3 **SEC. 511. EXEMPTION OF CERTAIN RESERVE COMPONENT**
4 **GENERAL AND FLAG OFFICERS, SERVING IN**
5 **JOINT DUTY ASSIGNMENTS, FROM THE AC-**
6 **TIVE DUTY LIST FOR PROMOTION PURPOSES.**

7 Section 641(1)(B) of title 10 is amended by inserting
8 “526(b)(2)(A),” after “section” the first time such term
9 appears in the subparagraph.

10 **SEC. 512. AUTHORITY TO TEMPORARILY INCREASE THE**
11 **NUMBER OF OFFICERS SERVING ON ACTIVE**
12 **DUTY OR FULL-TIME NATIONAL GUARD DUTY**
13 **IN CERTAIN CONTROLLED GRADES.**

14 Section 12011 of title 10, United States Code, is
15 amended by adding at the end the following new sub-
16 section:

17 “(c) Upon a determination by the Secretary of De-
18 fense that such action is in the national interest, the Sec-
19 retary may increase the number of officers serving in any
20 grade for a fiscal year pursuant to subsection (a) by not
21 more than the percent authorized by the Secretary under
22 section 115(c)(2) of this title.”.

1 **SEC. 513. AUTHORITY TO TEMPORARILY INCREASE THE**
2 **NUMBER OF ENLISTED PERSONNEL SERVING**
3 **ON ACTIVE DUTY OR FULL-TIME NATIONAL**
4 **GUARD DUTY IN CERTAIN CONTROLLED**
5 **GRADES.**

6 Section 12012 of title 10, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(c) Upon determination by the Secretary of Defense
10 that such action is in the national interest, the Secretary
11 may increase the number of enlisted members serving in
12 any grade for a fiscal year pursuant to subsection (a) by
13 not more than the percent authorized by the Secretary
14 under section 115(c)(2) of this title.”.

15 **SEC. 514. EXEMPTION OF MEDICAL AND DENTAL OFFICERS**
16 **FROM COUNTING IN GRADE STRENGTHS.**

17 Section 12005(a)(1) of title 10, United States Code,
18 is amended by adding at the end the following: “Medical
19 officers and dental officers shall be excluded in computing
20 and determining the authorized strengths under this sub-
21 section.”.

22 **SEC. 515. RESERVE OFFICER PROMOTION AUTHORITY.**

23 Section 641(1) of title 10, United States Code, is
24 amended:

1 (1) by redesignating subparagraphs (D)
2 through (G) as subparagraphs (E) through (H), re-
3 spectively; and

4 (2) by inserting after subparagraph (C) the fol-
5 lowing new subparagraph:

6 “(D) who is currently on the Reserve Ac-
7 tive Status List and is ordered to active duty
8 under section 12301(d) of this title, other than
9 as provided in subparagraph (C), for a period
10 of three years or less;”.

11 **SEC. 516. CONTINUATION OF OFFICERS ON THE RESERVE**
12 **ACTIVE STATUS LIST.**

13 Section 14701(a) of title 10, United States Code, is
14 amended by striking “Upon application, a reserve officer”
15 and inserting “A reserve officer”.

16 **SEC. 517. TECHNICAL CORRECTION TO RETIRED GRADE**
17 **RULE.**

18 (a) ARMY.—Section 3961(a) of title 10, United
19 States Code, is amended by striking “or for nonregular
20 service under chapter 1223 of this title,”.

21 (b) AIR FORCE.—Section 8961(a) of title 10, United
22 States Code, is amended by striking “or for nonregular
23 service under chapter 1223 of this title,”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 subsections (a) and (b) shall apply to Reserve commis-

1 sioned officers who are promoted to a higher grade as a
2 result of selection for promotion under chapter 36 or chap-
3 ter 1405 of title 10, United States Code, or having been
4 found qualified for federal recognition in a higher grade
5 under chapter 3 of title 32, United States Code, after Oc-
6 tober 5, 1994.

7 **Subtitle C—Education and** 8 **Training**

9 **SEC. 521. REPEAL OF CONTINGENT FUNDING FOR JUNIOR** 10 **RESERVE OFFICERS TRAINING CORPS.**

11 (a) IN GENERAL.—Section 2033 of title 10, United
12 States Code, is repealed.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of such chapter is amended by striking
15 the item relating to section 2033.

16 **SEC. 522. NATIONAL GUARD CHALLENGE PROGRAM.**

17 Section 509(b) of title 32, United States Code, is
18 amended by striking “, except that Federal expenditures
19 under the program may not exceed \$50,000,000 for any
20 fiscal year”.

1 **Subtitle D—Medal of Honor**
2 **Recipients**

3 **SEC. 531. AUTHORITY FOR AWARD OF THE MEDAL OF**
4 **HONOR TO ED W. FREEMAN FOR VALOR DUR-**
5 **ING VIETNAM.**

6 (a) **WAIVER OF TIME LIMITATIONS.**—Notwith-
7 standing the time limitations specified in section 3744 of
8 title 10, United States Code, or any other time limitation
9 with respect to the awarding of certain medals to persons
10 who served in the military service, the President may
11 award the Medal of Honor under section 3741 of that title
12 to Ed W. Freeman, of Boise, Idaho, for the acts of valor
13 referred to in subsection (b).

14 (b) **ACTION DESCRIBED.**—The acts of valor referred
15 to in subsection (a) are the actions of Ed W. Freeman
16 on November 14, 1965, as a flight leader and second in
17 command of a 16-helicopter lift unit, serving in the grade
18 of Captain at landing zone X-Ray in the battle of the
19 IaDrang Valley, Republic of Vietnam, with Alpha Com-
20 pany, 229 Assault Helicopter Battalion, 101st Cavalry Di-
21 vision (Airmobile).

1 **SEC. 532. AUTHORITY FOR AWARD OF THE MEDAL OF**
2 **HONOR TO ANDREW J. SMITH FOR VALOR**
3 **DURING THE CIVIL WAR.**

4 (a) **WAIVER OF TIME LIMITATIONS.**—Notwith-
5 standing the time limitations specified in section 3744 of
6 title 10, United States Code, or any other time limitation
7 with respect to the awarding of certain medals to persons
8 who served in the military service, the President may
9 award the Medal of Honor, posthumously, under section
10 3741 of that title to Andrew J. Smith, for the acts of valor
11 referred to in subsection (b).

12 (b) **ACTION DESCRIBED.**—The acts of valor referred
13 to in subsection (a) are the actions of Andrew J. Smith
14 on November 30, 1864, as an infantry corporal serving
15 in the United States Army in South Carolina with the
16 55th Massachusetts Voluntary Infantry during a combat
17 operation in the Civil War Battle of Honey Hill, South
18 Carolina.

19 **Subtitle E—Joint Management**

20 **SEC. 541. CHANGES TO THE JOINT SPECIALTY OFFICER**
21 **PROGRAM TO IMPROVE UTILITY AND**
22 **STREAMLINE MANAGEMENT.**

23 (a) **MANAGEMENT POLICIES FOR JOINT SPECIALTY**
24 **OFFICERS.**—Section 661 of title 10, United States Code,
25 is amended—

1 (1) in subsection (a), by striking “, or having
2 been nominated for, ‘the joint specialty’.” and in-
3 serting “the ‘joint specialty officer’ designation.
4 Joint specialty officers are intended to provide a
5 quickly identifiable, ready source of officers with
6 joint experience and education to meet special re-
7 quirements on any organizational staff and/or joint
8 task force operation.”;

9 (2) in subsection (b), by amending the sub-
10 section to read as follows:

11 “(b) NUMBERS AND SELECTIONS.—Officers will be
12 designated with a joint specialty officer identifier upon
13 completion of the requirements stipulated in paragraph (c)
14 below. Designation of officers with the joint specialty offi-
15 cer identifier can only be made among officers—

16 “(1) who meet qualifications prescribed by the
17 Secretary of Defense; and

18 “(2) who complete their joint duty assignment
19 when the officer is serving in a grade not less than
20 major or, in the case of the Navy, lieutenant com-
21 mander.”;

22 (3) in subsection (c)—

23 (A) by amending paragraph (1) to read as
24 follows:

1 “(1) An officer will be designated with a joint
2 specialty officer identifier after the officer—

3 “(A) successfully completes a Chairman of
4 the Joint Chiefs of Staff accredited program
5 from a joint professional military education in-
6 stitution and successfully completes a full tour
7 of duty in a joint duty assignment (not nec-
8 essarily in this order); or,

9 “(B) successfully completes two full tours
10 of duty in joint duty assignments.”;

11 (B) in paragraph (2), by striking subpara-
12 graph (A) and the designator “(B)” at the be-
13 ginning of subparagraph (B); and

14 (C) by striking paragraph (4).

15 (4) subsection (d) is amended to read as fol-
16 lows:

17 “(d) **AUTHORITY TO GRANT WAIVERS.**—The Sec-
18 retary of a military department may request the Secretary
19 of Defense to waive the provisions of subparagraphs (A)
20 or (B) of section (e)(1) for a particular officer for unusual
21 circumstances. The requesting Secretary must justify the
22 request and relate how the officer’s situation equates to
23 the established joint experience and educational standards
24 expected for the joint specialty officer designation. In the
25 case of a general or flag officer, the Secretary of Defense

1 may grant a waiver only for a critical need of the armed
2 forces. The authority of the Secretary of Defense to grant
3 a waiver under this subsection may be delegated only to
4 the Deputy Secretary of Defense or Chairman of the Joint
5 Chiefs of Staff.”;

6 (5) subsection (e) is amended to read as fol-
7 lows:

8 “(e) JSO DESIGNATION FOR GENERAL AND FLAG
9 POSITIONS.—The Secretary shall ensure that, of joint
10 duty assignments filled by general or flag officers, those
11 positions that require, or could be enhanced by, a joint
12 specialty officer will be designated as requiring a joint spe-
13 cialty officer. Once a position is designated as requiring
14 a joint specialty officer, a non-joint specialty officer can
15 be assigned to the position under a waiver of the require-
16 ment only if deemed necessary by the Secretary of De-
17 fense.”; and

18 (6) subsection (f) is amended to read as follows:

19 “(f) DESIGNATION OF JOINT PROFESSIONAL MILI-
20 TARY EDUCATION INSTITUTIONS.—For purposes of this
21 chapter, an educational institution may not be construed
22 to be a joint professional military education institution un-
23 less it is accredited by the Chairman of the Joint Chiefs
24 of Staff as such.”.

1 **SEC. 542. PROMOTION POLICY OBJECTIVES FOR JOINT OF-**
2 **FICERS.**

3 Section 662 of title 10, United States Code is
4 amended—

5 (1) by amending subsection (a) to read as fol-
6 lows:

7 “(a) **QUALIFICATIONS.**—(1) The Secretaries of each
8 military department shall establish an internal procedure
9 and process necessary to validate the qualifications of ac-
10 tive duty list officers assigned to joint duty activities, as
11 defined in section 668 of this title. Such internal require-
12 ments shall ensure an adequate number of senior colonels,
13 or in the case of the Navy, captains, are eligible for pro-
14 motion to brigadier general/rear admiral (lower half) to
15 meet the requirements of section 619a of this title.

16 “(2) The Secretary of Defense shall ensure that the
17 qualifications of officers assigned to joint duty assign-
18 ments are such that officers who are serving in joint duty
19 assignments are expected, as a group, to be promoted to
20 the next higher grade at a rate not less than the rate for
21 all officers of the same armed force in the same grade
22 and competitive category.

23 “(3) The Secretary of Defense shall develop policies
24 to ensure that the Secretaries of the military departments
25 provide appropriate consideration to joint service officers
26 eligible for promotion selection boards. Such policies shall

1 ensure that an officer currently serving in a joint assign-
2 ment be appointed as a member of a military department
3 promotion board. Such officer shall first be approved by
4 the Chairman of the Joint Chiefs of Staff. Such policies
5 also shall ensure that the Chairman of the Joint Chiefs
6 of Staff have an opportunity to review and comment on
7 each promotion selection board to the Secretary of De-
8 fense and the Secretary of the military department con-
9 cerned prior to action on the board by the Secretary of
10 the military department concerned.”; and

11 (2) in subsection (b) by striking “, or have
12 served in”.

13 **SEC. 543. CHANGES TO ELIGIBILITY FOR CAPSTONE, POST-**
14 **EDUCATION PLACEMENT REQUIREMENTS,**
15 **AND LENGTH OF ARMED FORCES STAFF COL-**
16 **LEGE COURSES AND ARMED FORCES STAFF**
17 **COLLEGE PROVISION OF INSTRUCTION AT**
18 **OTHER SITES AND IN OTHER DIMENSION.**

19 Section 663 of title 10, United States Code, is
20 amended—

21 (1) in section (a)(2)(C), by striking “scientific
22 and technical” and inserting “career field specialty”;

23 (2) by striking subsection (d);

24 (3) by redesignating subsection (e) as sub-
25 section (d); and

1 (4) by amending subsection (d), as redesignated
2 by this section—

3 (A) by striking the catchline for the sub-
4 section and inserting “PRINCIPAL COURSES OF
5 INSTRUCTION PROVIDED BY THE ARMED
6 FORCES STAFF COLLEGE.—”;

7 (B) in paragraphs (1) and (2), by striking
8 “course of instruction offered at the Armed
9 Forces Staff College” each time such phrase oc-
10 curs in each paragraph and inserting in each
11 instance “course of instruction provided by the
12 Armed Forces Staff College”;

13 (C) in paragraph (2), by striking “three”
14 and inserting “two”; and

15 (D) by inserting before the period at the
16 end of paragraph (2) “, whether taught at the
17 Armed Forces Staff College or taught by the
18 Armed Forces Staff College at another appro-
19 priate location”.

20 **SEC. 544. MODIFICATION TO THE LENGTH OF JOINT DUTY**
21 **ASSIGNMENTS.**

22 Section 664 of title 10, United States Code is
23 amended—

24 (1) by amending subsection (a) to read as fol-
25 lows:

1 “(a) LENGTH OF JOINT DUTY ASSIGNMENTS.—The
2 length of a joint duty assignment will mirror the standard
3 tour length the Secretary of Defense establishes for each
4 installation or location at which joint duty assignments are
5 authorized. Joint duty credit is awarded as provided by
6 paragraph (d). Duty at a qualified joint task force head-
7 quarters requires one year of total service credited in the
8 manner specified in paragraph (g)(4)(B).”;

9 (2) in subsection (b)—

10 (A) by striking “subsection (a) in the case
11 of any officer” and inserting thereof: “this sec-
12 tion when it is considered critical for military
13 personnel management”; and

14 (B) by adding at the end the following new
15 sentence: “Such a waiver may be granted only
16 on a case-by-case basis in the case of any offi-
17 cer.”;

18 (3) by striking subsection (c);

19 (4) by amending subsection (d) to read as fol-
20 lows:

21 “(d) EXCLUSIONS FROM TOUR LENGTH.—The Sec-
22 retary of a military department may request the joint ac-
23 tivity to which an officer is assigned to curtail the officer’s
24 joint assignment. The Secretary of Defense may authorize
25 such a joint service tour curtailment from the standards

1 prescribed in subsection (a), provided the officer serving
2 the tour has served at least 24 months in a joint position
3 with a tour length of greater than 24 months.”;

4 (5) by striking subsection (e);

5 (6) in subsection (f)—

6 (A) by inserting “, (c), or (e); or” after
7 “that meets the standards prescribed in sub-
8 section (a)”;

9 (B) by striking paragraphs (2) through (5)
10 and inserting the following new paragraphs:

11 “(2) Accumulation of partial credit earned by
12 service in one or more joint task force headquarters
13 as specified in paragraph (a), or as prescribed by the
14 Secretary of Defense.

15 “(3) A joint duty assignment with respect to
16 which the Secretary of Defense has granted a waiver
17 under subsection (b), but only in a case in which the
18 Secretary determines that the service completed by
19 that officer in that duty assignment shall be consid-
20 ered to be a full tour of duty in a joint duty assign-
21 ment.

22 “(4) The joint duty assignment was completed
23 when the officer was serving in a grade not less than
24 major, or, in the case of the Navy, lieutenant com-
25 mander.”; and

1 (C) by redesignating paragraph (6) as
2 paragraph (5).

3 (7) by amending subsection (g) to read as fol-
4 lows:

5 “(g) ACTIVITY OF ASSIGNMENT TO RECEIVE JOINT
6 DUTY CREDIT.—Officers must serve in a permanent posi-
7 tion considered a joint duty assignment as determined by
8 the Secretary of Defense where significant experience in
9 joint matters is obtained.”;

10 (8) by amending subsection (h) to read as fol-
11 lows:

12 “(h) JOINT FULL TOUR CREDIT REQUIREMENT FOR
13 PROMOTION TO GENERAL OR FLAG GRADE.—Officers
14 must serve a full joint tour of duty under subsection (d)
15 to meet the eligibility requirements set forth in section
16 619a of this title.”;

17 (9) in subsection (i)—

18 (A) in paragraph (4)(E), by striking “com-
19 bat or combat related” and inserting “as ap-
20 proved by the Secretary of Defense”; and

21 (B) in paragraph (5), by striking “section
22 661(d)(1), section 662(a)(3), section 662(b),
23 subsection (a) of this section, and paragraphs
24 (7), (8), (9), (11), and (12) of section 667” and

1 inserting “section 662 and section 667(a)(2),
2 (4), and (7).”; and

3 (C) by striking paragraph (6); and

4 (10) by redesignating subsections (d) through
5 (i) as subsections (c) through (h), respectively.

6 **SEC. 545. CHANGE TO THE JOINT STAFF ROLE IN MONI-**
7 **TORING JOINT OFFICERS TO ADD FLEXI-**
8 **BILITY.**

9 (a) IN GENERAL.—Section 665 of title 10, United
10 States Code is amended to read as follows:

11 **§ 665. Monitoring careers of joint officers**

12 “The Secretary of Defense shall take such action as
13 necessary to enhance the capabilities of the Joint Staff
14 so that it can monitor the personnel issues of officers with
15 the joint specialty officer designation and of other officers
16 who serve or have served in joint duty assignments, as
17 required.”; and

18 (b) CONFORMING AMENDMENT.—The table of sec-
19 tions at the beginning of such chapter 38 is amended by
20 amending the item relating to section 665 to read as fol-
21 lows:

“665. Monitoring careers of joint officers.”.

1 **SEC. 546. MODIFICATIONS TO THE ANNUAL REPORT TO**
2 **CONGRESS TO HIGHLIGHT KEY INDICATORS**
3 **OF COMPLIANCE.**

4 Section 667 of title 10, United States Code is amend-
5 ed by striking paragraphs (1) through (18) and inserting
6 the following new paragraphs:

7 “(1) The number of joint specialty officers re-
8 ported by grade, and branch or specialty.

9 “(2) An analysis of how well the Secretary of
10 each military department is assigning personnel to
11 joint positions.

12 “(3) The number of good of the service waivers
13 by the number of brigadier generals/rear admirals
14 (lower half) selected, per year.

15 “(4) The percent of officers departed from joint
16 duty before earning full tour credit.

17 “(5) The percent of National Defense Univer-
18 sity class seats filled, by course.

19 “(6) A listing of joint task force headquarters
20 currently approved for joint duty credit and their
21 mission descriptions.

22 “(7) Promotion comparison statistics for all
23 promotion selection boards.

24 “(8) Such other significant information as de-
25 termined by the Secretary of Defense.”.

1 **SEC. 547. MODIFICATIONS TO DEFINITION OF QUALIFYING**
2 **JOINT SERVICE TO IMPROVE MANAGEMENT**
3 **OF OFFICERS IN JOINT ACTIVITIES.**

4 Section 668(e) of title 10, United States Code, is
5 amended to read as follows:

6 “(C) CLARIFICATION OF ‘TOUR OF
7 DUTY’.—For purposes of this chapter, a single
8 tour of duty for the purpose of awarding joint
9 duty credit is defined as one in which the offi-
10 cer serves consecutive tours in joint duty as-
11 signment positions that award joint duty credit,
12 or service as otherwise prescribed by the Sec-
13 retary of Defense.”.

14 **SEC. 548. MODIFICATIONS TO WAIVERS AND EXCEPTIONS**
15 **TO THE REQUIREMENT FOR A JOINT DUTY**
16 **ASSIGNMENT BEFORE PROMOTION TO GEN-**
17 **ERAL OR FLAG GRADE TO REDUCE WAIVERS.**

18 Section 619a(b) is amended—

19 (1) in paragraph (2) by striking scientific and
20 technical qualifications and inserting “career field
21 specialty qualifications”;

22 (2) in paragraph (4), by striking subparagraphs
23 (A) and (B) and the dash at the end of the remain-
24 ing text of the paragraph, and inserting in lieu
25 thereof a period.

1 **Subtitle F—Selection Board**
2 **Appeals**

3 **SEC. 551. REMEDY IN CASES INVOLVING CERTAIN SELEC-**
4 **TION BOARDS.**

5 (a) Chapter 79 of title 10, United States Code, is
6 amended by adding after section 1557 a new section 1558,
7 to read as follows:

8 **§ 1558. Remedy in cases involving selection boards**

9 “(a) Notwithstanding any other provision of law, the
10 remedies prescribed by this section shall be the sole and
11 exclusive remedies available to a person challenging for
12 any reason the action or recommendation of a selection
13 board.

14 “(b) A person challenging for any reason the action
15 or recommendation of a selection board, shall not be enti-
16 tled to relief in any judicial proceeding unless he has first
17 been considered by a special board under this section, or
18 has been denied such consideration by the Secretary con-
19 cerned. A decision by the Secretary concerned to deny
20 such consideration shall be subject to judicial review only
21 for procedural error or on the basis that such decision is
22 arbitrary, capricious or otherwise contrary to law. A rec-
23 ommendation by a special board or a decision resulting
24 from such recommendation shall be subject to judicial re-

1 view only for procedural error or on the basis that such
2 decision is contrary to law.

3 “(c) If consideration by a special board results in a
4 decision favorable to a person considered thereby, the Sec-
5 retary concerned may correct such person’s military
6 records to reflect that favorable decision, retroactive to the
7 effective date of the action of the original selection board.
8 In effecting such correction, the Secretary shall ensure
9 that a person who, as a result of consideration by a special
10 board, becomes entitled to retention on or restoration to
11 active duty or active status in a reserve component,
12 shall—

13 “(1) with his consent, be retroactively and pro-
14 spectively restored to the same status, rights and en-
15 titlements (less appropriate offsets against back pay
16 and allowances) in his armed force as he would have
17 had if he had not been selected to be separated, re-
18 tired or transferred to the retired reserve or to inac-
19 tive status in a reserve component as a result of the
20 recommendation of the original selection board, pro-
21 vided that nothing herein shall be construed to per-
22 mit the retention of such person on active duty or
23 in an active status in a reserve component beyond
24 the date on which he would have been separated, re-
25 tired or transferred to the retired reserve or to inac-

1 tive status in a reserve component if he had not
2 been selected to be separated, retired or transferred
3 to the retired reserve or to inactive status in a re-
4 serve component as a result of the recommendation
5 of the original selection board; or

6 “(2) if he does not consent to such restoration,
7 receive back pay and allowances (less appropriate
8 offsets) and service credit from the date of his sepa-
9 ration, retirement or transfer to the retired reserve
10 or to inactive status in a reserve component until the
11 earlier of (A) the date he would have been restored
12 under clause (1) of this subsection, as determined by
13 the Secretary concerned, or (B) the date on which
14 he would have been separated, retired or transferred
15 to the retired reserve or to inactive status in a re-
16 serve component if he had not been selected to be
17 separated, retired or transferred to the retired re-
18 serve or to inactive status in a reserve component as
19 a result of the recommendation of the original selec-
20 tion board.

21 “(d) If consideration by a special board results in a
22 decision unfavorable to a person considered thereby, such
23 decision shall be deemed to confirm the action of the origi-
24 nal selection board with respect to that person, retroactive

1 to the effective date of such action of the original selection
2 board.

3 “(e) The Secretary concerned may prescribe regula-
4 tions to implement this section. Such regulations may pre-
5 scribe the circumstances under which the consideration
6 may be provided under this section, including the cir-
7 cumstances under which such consideration is contingent
8 upon application for such consideration, and time limits
9 within which a person must make such application in
10 order to receive such consideration. Such regulations
11 issued by the Secretary of a Military Department must
12 be approved by the Secretary of Defense.

13 “(f) INAPPLICABILITY TO THE COAST GUARD.—This
14 section does not apply to the Coast Guard when it is not
15 operating as a service in the Department of the Navy.

16 “(g) DEFINITIONS.—As used in this section:

17 “(1) ‘Special board’ means a board convened by
18 the Secretary concerned under any authority to con-
19 sider whether to recommend a person for appoint-
20 ment, enlistment, reenlistment, assignment, pro-
21 motion, retention, separation, retirement or transfer
22 to inactive status in a reserve component, in place
23 of consideration by a prior selection board which
24 considered or should have considered that person,
25 but does not include a promotion special selection

1 board convened under section 628 or 14502 of this
2 title. A board for correction of military or naval
3 records convened under section 1552 of this title is
4 a special board if so designated by the Secretary
5 concerned.

6 “(2) ‘Selection board’ means a selection board
7 convened under section 573, 580, 580a, 581, 611,
8 637, 638, 638a, 14101, 14701, 14704 or 14705 of
9 this title, and any other board (except a special
10 board or a board convened under section 1552 of
11 this title) convened by the Secretary concerned
12 under any authority to recommend persons for ap-
13 pointment, enlistment, reenlistment, assignment,
14 promotion or retention in the armed forces; or for
15 separation, retirement or transfer to inactive status
16 in a reserve component for the purpose of reducing
17 the number of persons serving in the armed forces.
18 However, for the purposes of this section, ‘selection
19 board’ does not include a promotion selection board
20 convened under sections 573(a), 611(a), or 14101(a)
21 of this title.

22 “(3) ‘Secretary concerned’ means the Secretary
23 of a military department. It does not include the
24 Secretary of Transportation.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for such chapter is amended by adding after the item re-
3 lated to section 1557 the following new item:

“1558. Remedy in cases involving certain selection boards.”.

4 **SEC. 552. EXISTING JURISDICTION.**

5 (a) Nothing in this Act shall limit the existing juris-
6 diction of any Federal court to determine the validity of
7 any statute, regulation, or policy relating to selection
8 boards, provided that, in the event any such statute, regu-
9 lation or policy is found to be invalid, the remedies pre-
10 scribed in this Act shall be the sole and exclusive remedies
11 available to any person challenging the recommendation
12 of a selection board on the basis of such invalidity.

13 (b) Nothing in this Act shall limit the existing author-
14 ity of the Secretary of a military department (or with re-
15 spect to the Coast Guard, the Secretary of Transpor-
16 tation) to correct any military record of the Secretary’s
17 department under section 1552 of title 10, United States
18 Code.

19 **SEC. 553. EFFECTIVE DATE.**

20 The amendments made by section 551 of this Act are
21 retroactive without limitation and shall be construed to
22 apply to any proceeding pending on the date of enactment
23 of this Act, or hereafter brought, in any court.

1 **Subtitle G—Other Matters**

2 **SEC. 561. EXEMPTION OF RETIREE COUNCIL MEMBERS** 3 **FROM RECALLED RETIREE LIMITS.**

4 Section 690 (b)(2) of title 10, United States Code,
5 is amended by adding at the end the following new para-
6 graph:

7 “(D) Any officer assigned to duty as a
8 member of the Army, Navy, or Air Force Re-
9 tiree Council for the period of active duty to
10 which ordered.”.

11 **SEC. 562. TENURE REQUIREMENT FOR CRITICAL ACQUI-** 12 **SION POSITIONS.**

13 Section 1734(a) of title 10, United States Code, is
14 amended—

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

22 (2) in paragraph (2), by striking “critical acqui-
23 sition position” and inserting in lieu thereof “pro-
24 gram manager or deputy program manager position
25 for a significant nonmajor defense acquisition pro-

1 gram, program executive officer position, general or
2 flag officer position or civilian position equivalent
3 thereto, or senior contracting official position”.

4 **TITLE VI—COMPENSATION AND**
5 **PERSONNEL BENEFITS**

6 **Subtitle A—Bonuses and Special**
7 **and Incentive Pays**

8 **SEC. 601. AVIATION CAREER INCENTIVE PAY; DELEGATION**
9 **OF AUTHORITY TO WAIVE OPERATIONAL FLY-**
10 **ING DUTY REQUIREMENTS.**

11 Section 301a (a)(5) of title 37, United States Code,
12 is amended by striking the third sentence and inserting
13 “The Secretary concerned may delegate the authority in
14 the preceding sentence, but not below the Service Per-
15 sonnel Chief, to permit the payment of incentive pay under
16 this paragraph.”.

17 **SEC. 602. IMPROVED CONSISTENCY OF SPECIAL PAY FOR**
18 **RESERVE MEDICAL AND DENTAL OFFICERS.**

19 (a) RESERVE MEDICAL OFFICERS SPECIAL PAY
20 AMENDMENT.—Section 302(h)(1) of title 37, United
21 States Code, is amended by adding at the end: “, including
22 active duty in the form of annual training, active duty for
23 training, and active duty for special work”.

1 (b) RESERVE DENTAL OFFICERS SPECIAL PAY
2 AMENDMENT.—Section 302f(d) of title 37, United States
3 Code, is amended to read as follows:

4 “(d) SPECIAL RULE FOR RESERVE MEDICAL AND
5 DENTAL OFFICERS.—While a reserve medical or dental
6 officer receives a special pay under section 302 or 302b
7 (whichever applies) of this title by reason of subsection
8 (a), the officer shall not be entitled to special pay under
9 subsection (h) of such section 302 or 302b.”.

10 **SEC. 603. FUNERAL HONORS DUTY COMPENSATION.**

11 (a) COMPENSATION OF MEMBERS OF THE NATIONAL
12 GUARD FOR FUNERAL HONORS DUTY.—Section
13 115(b)(2) of title 32, United States Code, is amended by
14 adding before the period at the end: “or compensation at
15 the rate prescribed in section 206 of title 37”.

16 (b) COMPENSATION OF MEMBERS OF A RESERVE
17 COMPONENT GUARD FOR FUNERAL HONORS DUTY.—
18 Section 12503(b)(2) of title 10, United States Code, is
19 amended by adding before the period at the end: “or com-
20 pensation at the rate prescribed in section 206 of title 37”.

21 (c) CONFORMING AMENDMENT.—Subsection 435(c)
22 of title 37 is repealed.

1 **SEC. 604. EXTENSION OF AUTHORITIES RELATING TO PAY-**
2 **MENT OF OTHER BONUSES AND SPECIAL**
3 **PAYS.**

4 (a) AVIATION OFFICER RETENTION BONUS.—Sec-
5 tion 301b(a) of title 37, United States Code, is amended
6 by striking “December 31, 2000” and inserting “Sep-
7 tember 30, 2002”.

8 (b) REENLISTMENT BONUS FOR ACTIVE MEM-
9 BERS.—Section 308(g) of title 37, United States Code, is
10 amended by striking “December 31, 2000” and inserting
11 “September 30, 2002”.

12 (c) ENLISTMENT BONUSES FOR MEMBERS WITH
13 CRITICAL SKILLS.—Sections 308a(d) of title 37, United
14 States Code, is amended by striking “December 31, 2000”
15 and inserting “September 30, 2002”.

16 (d) ARMY ENLISTMENT BONUS.—Section 308f(e) of
17 title 37, United States Code, is amended by striking “De-
18 cember 31, 2000” and inserting “September 30, 2002”.

19 **SEC. 605. EXTENSION OF CERTAIN BONUSES AND SPECIAL**
20 **PAY AUTHORITIES FOR RESERVE FORCES.**

21 (a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN
22 CRITICALLY SHORT WARTIME SPECIALTIES.—Section
23 302g(f) of title 37, United States Code, is amended by
24 striking “December 31, 2000” and inserting “September
25 30, 2002”.

1 (b) SELECTED RESERVE REENLISTMENT BONUS.—
2 Section 308b(f) of title 37, United States Code, is amend-
3 ed by striking “December 31, 2000” and inserting “Sep-
4 tember 30, 2002”.

5 (c) SELECTED RESERVE ENLISTMENT BONUS.—Sec-
6 tion 308c(e) of title 37, United States Code is amended
7 by striking “December 31, 2000” and inserting “Sep-
8 tember 30, 2002”.

9 (d) SPECIAL PAY FOR ENLISTED MEMBERS AS-
10 SIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section
11 308d(c) of title 37, United States Code is amended by
12 striking “December 31, 2000” and inserting “September
13 30, 2002”.

14 (e) SELECTED RESERVE AFFILIATION BONUS.—Sec-
15 tion 308e(e) of title 37, United States Code is amended
16 by striking “December 31, 2000” and inserting “Sep-
17 tember 30, 2002”.

18 (f) READY RESERVE ENLISTMENT AND REENLIST-
19 MENT BONUS.—Section 308h(g) of title 37, United States
20 Code is amended by striking “December 31, 2000” and
21 inserting “September 30, 2002”.

22 (g) PRIOR SERVICE ENLISTMENT BONUS.—Section
23 308i(f) of title 37, United States Code is amended by
24 striking “December 31, 2000” and inserting “September
25 30, 2002”.

1 (h) REPAYMENT OF EDUCATION LOANS FOR CER-
2 TAIN HEALTH PROFESSIONALS WHO SERVE ON THE SE-
3 LECTED RESERVES.—Section 16302(d) of title 10, United
4 States Code, is amended by striking “January 1, 2001”
5 and inserting “January 1, 2002”.

6 **SEC. 606. EXTENSION OF CERTAIN BONUSES AND SPECIAL**
7 **PAY AUTHORITIES FOR NURSE OFFICER CAN-**
8 **DIDATES, REGISTERED NURSES, AND NURSE**
9 **ANESTHETISTS.**

10 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-
11 GRAM.—Section 2130a(a)(1) of title 10, United States
12 Code, is amended by striking “December 31, 2000” and
13 inserting “September 30, 2002”.

14 (b) ACCESSION BONUS FOR REGISTERED NURSES.—
15 Section 302d(a)(1) of title 37, United States Code, is
16 amended by striking “December 31, 2000” and inserting
17 “September 30, 2002”.

18 (c) INCENTIVE SPECIAL PAY FOR NURSE ANES-
19 THETISTS.—Section 302e(a)(1) of title 37, United States
20 Code, is amended by striking “December 31, 2000” and
21 inserting “September 30, 2002”.

1 **Subtitle B—Travel and**
2 **Transportation Allowances**

3 **SEC. 611. REVISION TO THE TRAVEL MANAGEMENT ALLOW-**
4 **ANCE FOR TEMPORARY LODGING EXPENSES.**

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

7 (1) in the first sentence, by striking “actually
8 incurred”; and

9 (2) by adding at the end the following new sen-
10 tences: “Allowances and entitlements authorized
11 under this section may be paid in advance. When
12 paid in advance, such payments may be based on an
13 average number of days specified by the Service Sec-
14 retaries.”.

15 **SEC. 612. CHANGES IN THE ADMINISTRATION OF BAGGAGE**
16 **AND HOUSEHOLD GOODS MOVES PAYMENT**
17 **FOR SAVINGS IN SHIPPING LESS THAN**
18 **AUTHORIZED WEIGHTS.**

19 Section 406(b)(1) of title 37, United States Code, is
20 amended by adding at the end the following new subpara-
21 graph:

22 “(F) A member entitled to transportation
23 of baggage and household effects under sub-
24 paragraph (A) may be paid an amount that
25 represents a prorated share of savings achieved

1 by such member's shipping/storage weight for
2 baggage and household effects being less than
3 the established average for the member's cat-
4 egory as described in subparagraph (C). Estab-
5 lished averages for the categories designated in
6 subparagraph (C) and the prorated shares of
7 savings that are related to shipping/or storing
8 less than such established averages shall be de-
9 termined annually through averages arrived at
10 through the Personal Property Shipping Pro-
11 gram.”.

12 **SEC. 613. ADVANCE PAYMENT OF TEMPORARY LODGING**
13 **ALLOWANCE.**

14 Section 405(a) of title 37, United States Code, is
15 amended by striking “the Secretaries concerned may au-
16 thorize the payment of a per diem, considering” and in-
17 serting “the Secretary concerned may pay a per diem in
18 advance and, if such a payment is authorized, shall con-
19 sider”.

20 **SEC. 614. CHANGES IN THE ADMINISTRATION OF MOTOR**
21 **VEHICLE TRANSPORTATION OR STORAGE.**

22 Section 2634 of title 10, United States Code, is
23 amended—

24 (1) in subsection (a)—

1 (A) by inserting the designator “(1)” after
2 the subsection designator at the beginning of
3 the subsection;

4 (B) by redesignating paragraphs (1)
5 through (4) as subparagraphs (A) through (D),
6 respectively; and

7 (C) by adding at the end the following new
8 paragraph:

9 “(2) A member of an armed force authorized
10 the transportation of a motor vehicle under para-
11 graph (1) may be paid an amount that represents a
12 prorated share, as determined annually by the Sec-
13 retary of Defense, of savings achieved by the mem-
14 ber not sending the vehicle to the new duty station.
15 Such payment may be made in advance of the mem-
16 ber’s change of permanent station.”;

17 (2) in subsection (b)—

18 (A) by redesignating paragraph (3) as
19 paragraph (4), and

20 (B) by inserting after paragraph (2) the
21 following new paragraph (3):

22 “(3) In lieu of transportation authorized by this
23 section, if a member is ordered to make a permanent
24 change of station to an area where command-spon-
25 sored dependents are not authorized, the member

1 may elect to have a motor vehicle as described in
 2 subsection (a) stored at a location approved by the
 3 Secretary concerned. The Secretary concerned may
 4 pay for the costs of such storage that do not exceed
 5 the cost of shipping the vehicle to and from the
 6 member's new duty station. The member must pay
 7 any storage costs exceeding that amount.”; and

8 (C) by adding at the end the following new
 9 paragraph:

10 “(5) A member of an armed force authorized
 11 the storage of a motor vehicle at the expense of the
 12 United States under this subsection may be paid an
 13 amount that represents a prorated share, as deter-
 14 mined annually by the Secretary of Defense, of sav-
 15 ings achieved by the member not storing the vehicle.
 16 Such payment may be made in advance of the mem-
 17 ber's change of permanent station.”.

18 **Subtitle C—Other Matters**

19 **SEC. 631. ELIGIBILITY FOR PRESIDENTIAL APPOINTMENT** 20 **TO A SERVICE ACADEMY FOR CHILDREN OF** 21 **RESERVE PERSONNEL.**

22 (a) ARMY.—Paragraph (1) of section 4342(b) of ti-
 23 tled 10, United States Code, is amended—

24 (1) in subparagraph (B), by striking “, other
 25 than those granted retired pay under section 12731

1 of this title (or under section 1331 of this title as
2 in effect before the effective date of the Reserve Of-
3 ficer Personnel Management Act)”; and

4 (2) by adding at the end the following new sub-
5 paragraphs (C) and (D):

6 “(C) are serving as a member of a reserve
7 component and have earned at least 2,880 re-
8 tirement points credited for purposes of section
9 12733 of this title; or

10 “(D) are, or who died while they were, eli-
11 gible for retired pay under chapter 1223 of this
12 title, but had not yet reached age 60;”.

13 (b) NAVY.—Paragraph (1) of section 6954(b) of title
14 10, United States Code, is amended—

15 (1) 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 (2) 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.—Paragraph (1) of section 9342(b)
5 of title 10, United States Code, is amended—

6 (1) in subparagraph (B), by striking “, other
7 than those granted retired pay under section 12731
8 of this title (or under section 1331 of this title as
9 in effect before the effective date of the Reserve Of-
10 ficer Personnel Management Act)”; and

11 (2) by adding at the end the following new sub-
12 paragraphs (C) and (D):

13 “(C) are serving as a member of a reserve
14 component and who have earned at least 2,880
15 retirement points countable for purposes of sec-
16 tion 12733 of this title; or

17 “(D) are, or who died while they were, eli-
18 gible for retired pay under chapter 1223 of this
19 title, but had not yet reached age 60;”.

20 **SEC. 632. PERSONAL MONEY ALLOWANCE FOR SENIOR**
21 **ENLISTED MEMBERS.**

22 Section 414(a) of title 37, United States Code, is
23 amended—

24 (1) by redesignating clauses (3), (4), and (5) as
25 clauses (4), (5), and (6), respectively; and

1 (2) by inserting after clause (2) the following:

2 “(3) \$2,000 a year, while serving as the senior
3 enlisted member of one of the armed forces;”.

4 **SEC. 633. INCREASE IN UNIFORM ALLOWANCE FOR**
5 **OFFICERS.**

6 (a) OFFICERS; INITIAL ALLOWANCE.—Section
7 415(a) of title 37, United States Code, is amended by de-
8 leting “\$200” and inserting “\$400”.

9 (b) OFFICERS; ADDITIONAL ALLOWANCE.—Section
10 416(a) of title 37, United States Code, is amended by de-
11 leting “\$100” and inserting “\$200”.

12 **SEC. 634. REVISION OF AUTHORITY TO PRESCRIBE THE**
13 **QUANTITY AND KIND OF CLOTHING TO BE**
14 **FURNISHED ANNUALLY TO ENLISTED MEM-**
15 **BERS (OR ALLOWANCE IN LIEU THEREOF).**

16 Section 418 of title 37, United States Code, is
17 amended—

18 (1) in subsection (a), by striking “The Presi-
19 dent” and inserting “The Secretary of Defense and
20 the Secretary of Transportation, with respect to the
21 Coast Guard when it is not operating as a service
22 in the Navy,”; and

23 (2) in subsection (b), by striking “the Presi-
24 dent” and inserting “the Secretary of Defense”.

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**

3 **SEC. 701. MEDICAL AND DENTAL CARE FOR MEDAL OF**
4 **HONOR RECIPIENTS.**

5 (a) IN GENERAL.—Chapter 55, title 10, United
6 States Code, is amended by inserting after section 1074g
7 the following new section:

8 **“§ 1074h. Medical and dental care: Medal of Honor re-**
9 **ipients**

10 “A person awarded a medal of honor pursuant to sec-
11 tions 3741, 6241, 8741 of this title, or pursuant to section
12 491 of title 14, is entitled to the medical and dental bene-
13 fits authorized by this chapter in the same manner as if
14 such person were a person described in section 1074(b)
15 of this title. The spouse, unremarried widow, unremarried
16 widower, and child (as such terms are defined in sections
17 1072(2) (A), (B), (C), and (D), respectively, of this title)
18 of such person are entitled to such medical and dental ben-
19 efits as are authorized by this chapter for a person de-
20 scribed in section 1076(b) of this title.”.

21 (b) CONFORMING AMENDMENT.—The table of sec-
22 tions at the beginning of such chapter is amended by in-
23 serting after the item relating to section 1074g the fol-
24 lowing new item:

“1074h. Medical and dental care: Medal of Honor recipients.”.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Amendments to Gen-**
6 **eral Contracting Authorities,**
7 **Procedures, and Limitations**

8 **SEC. 801. MULTIYEAR CONTRACT: ACQUISITION OF**
9 **PROPERTY.**

10 Section 2306b(1)(4) of title 10, United States Code,
11 is amended by inserting “that is subject to paragraph (3)”
12 after “The head of an agency may not enter into a
13 multiyear contract (or extend an existing multiyear con-
14 tract)”.

15 **SEC. 802. ELIMINATION OF THE REQUIREMENT TO FUR-**
16 **NISH WRITTEN ASSURANCES OF TECHNICAL**
17 **DATA CONFORMITY.**

18 Section 2320(b) of title 10, United States Code, is
19 amended—

20 (1) by striking paragraph (b)(7); and

21 (2) by redesignating paragraphs (b)(8) and
22 (b)(9) as (b)(7) and (b)(8), respectively.

1 **SEC. 803. ELIMINATION OF SUBCONTRACT NOTIFICATION**
2 **REQUIREMENTS.**

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

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

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

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

14 “(A) the simplified acquisition threshold;

15 or

16 “(B) five percent of the estimated cost of
17 the prime contract.”.

18 **SEC. 804. CERTAINTY IN APPLICATION OF COST PRIN-**
19 **CIPLES.**

20 Section 2324(l)(1)(A) is amended—

21 (1) by inserting after “cost incentives” the fol-
22 lowing: “(including fixed price modifications thereto
23 without cost incentives)”; and

24 (2) by inserting before the period at the end of
25 the subsection “(including commercial items fixed
26 price modifications thereto without cost incentives)”.

1 **SEC. 805. AUTHORIZATION FOR CONTRACTOR PARTICIPA-**
2 **TION IN TESTING DEFENSE ACQUISITION**
3 **PROGRAMS.**

4 Section 2399 of title 10, United States Code, is
5 amended—

6 (1) by amending paragraph (a)(1) to read as
7 follows:

8 “(1) The Secretary of Defense shall provide
9 that a major system may not proceed beyond low-
10 rate initial production until initial operational test
11 and evaluation of the system is complete.”;

12 (2) in paragraph (a)(2), by striking “defense
13 acquisition program” and inserting in lieu thereof
14 “system”;

15 (3) in subsection (d)—

16 (A) by inserting “(1)” at the beginning of
17 the first sentence;

18 (B) by striking “defense acquisition pro-
19 gram” and inserting in lieu thereof “system”;

20 (C) by making the second sentence a para-
21 graph and inserting “(2)” at the beginning of
22 such new paragraph;

23 (D) in the newly designated paragraph (2), by
24 striking “the preceding sentence” and inserting in
25 lieu thereof “paragraph (1)”; and

1 (E) by adding at the end the following new
2 paragraphs (3) and (4):

3 “(3) The limitation in paragraph (1) does not
4 apply to the extent that the Secretary of Defense
5 has authorized, as prescribed in regulation, involve-
6 ment by persons employed by that contractor in the
7 analytic and logistic support for the operational test
8 and evaluation.

9 “(4) Exceptions authorized under paragraphs
10 (2) and (3) shall require steps to ensure the impar-
11 tiality of such employees and the integrity of the
12 testing and evaluation. In any case in which the Sec-
13 retary authorizes involvement by such employees
14 under this subsection, the Secretary shall include in
15 the test and evaluation master plan for the program
16 concerned and the operational test and evaluation
17 plan the following:

18 “(A) An identification of the specific in-
19 volvement of such employees in the operational
20 test and evaluation.

21 “(B) The steps taken to ensure the impar-
22 tiality of such employees or to ensure that such
23 employees could not affect the integrity of the
24 test and evaluation.”;

25 (4) in subsection (e)—

1 (A) by striking “development, production,
2 or testing” and inserting in lieu thereof “devel-
3 opment or production”; and

4 (B) by amending paragraph (3) to read as
5 follows:

6 “(3) A contractor that has participated in (or
7 is participating in) the development or production of
8 a system for a military department or Defense Agen-
9 cy (or for another contractor of the Department of
10 Defense) may not be involved (in any way) in the es-
11 tablishment of operational test and evaluation cri-
12 teria:

13 “(A) for data collection;

14 “(B) for performance assessment; or

15 “(C) for evaluation activities.”.

16 **SEC. 808. USE OF INDEFINITE-DELIVERY CONTRACTS.**

17 (a) IN GENERAL.—Chapter 141 of title 10, United
18 States Code, is amended by adding at the end the fol-
19 lowing new section:

20 **“§ 2410q. Use of indefinite-delivery contracts**

21 “(a) INDEFINITE DELIVERY CONTRACTS.—The Sec-
22 retary of Defense may authorize orders to be made, either
23 directly or through the contracting officer, from Depart-
24 ment of Defense indefinite-delivery contracts, established
25 in support of either the military services or Department

1 of Defense activities, for gloves, boots, humanitarian and
2 operational rations, and toxicological agent protection
3 clothing, including chemical protective gloves by any of the
4 following entities upon request—

5 “(1) a State or United States territory, any de-
6 partment or agency of a State or territory, and any
7 political subdivision of a State or territory, including
8 a local government;

9 “(2) the Commonwealth of Puerto Rico;

10 “(3) the government of an Indian tribe (as de-
11 fined in section 450b(e) of title 25);

12 “(4) the District of Columbia; and

13 “(5) qualified, non-profit agencies for the blind
14 and severely handicapped under the Javits-Wagner-
15 O’Day Act (41 U.S.C. 46 et seq.).

16 “(b) EXISTING STOCK OR INVENTORY.—Paragraph
17 (a) shall not be construed to authorize an entity referred
18 to in that paragraph to order existing stock or inventory
19 from Department of Defense owned and operated, or De-
20 partment of Defense owned and contractor operated, sup-
21 ply depots, warehouses, or similar facilities.

22 “(c) REIMBURSEMENT.—In any case in which an en-
23 tity listed in paragraph (a) makes an order against a De-
24 partment of Defense indefinite-delivery contract, the Sec-
25 retary of Defense may require the entity to reimburse the

1 Department of Defense for any administrative costs asso-
2 ciated with making an order.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 141 of title 10, United States
5 Code, is amended by adding at the end the following new
6 item:

“2410q. Use of indefinite-delivery contracts.”.

7 **Subtitle B—Other Matters**

8 **SEC. 811. PRICE PREFERENCE ADJUSTMENTS IN SELECTED** 9 **INDUSTRY CATEGORIES.**

10 Section 2323(e)(3)(B) of title 10, United States
11 Code, is amended by redesignating clause “(iii)” as clause
12 “(iv)” and by inserting after clause (ii) the following new
13 clause (iii):

14 “(iii) No suspension shall be issued in
15 an industry category under this paragraph
16 if the President, or his designee, deter-
17 mines in writing that contracts for a price
18 exceeding fair market cost are necessary to
19 remedy demonstrated discrimination in
20 such industry category. Any such deter-
21 mination shall be published in the Federal
22 Register not less than 60 days before be-
23 coming effective. Any person or entity ad-
24 versely affected by the application of such

1 designation may seek judicial review in the
2 appropriate United States District Court.”.

3 **SEC. 812. REVISION TO DEFINITION OF CONVENTIONAL**
4 **AMMUNITION FOR SINGLE MANAGER PRO-**
5 **CUREMENT.**

6 Section 806(c) of the Strom Thurmond National De-
7 fense Authorization Act for Fiscal Year 1999 is amended
8 to read as follows:

9 “(c) CONVENTIONAL AMMUNITION DEFINED.—For
10 purposes of this section, the term ‘conventional ammuni-
11 tion’ is that ammunition managed by the Department’s
12 Single Manager for Conventional Ammunition, including:

13 “(1) Small arms, mortar, automatic cannon, ar-
14 tillery, and ship gun ammunition.

15 “(2) Bombs (cluster, fuel air explosive, general
16 purpose, and incendiary).

17 “(3) Unguided rockets, projectiles, and sub-
18 munitions.

19 “(4) Chemical ammunition with various fillers
20 (incendiary, riot control, smoke, toxic agents, burster
21 igniters, peptizers, and thickeners for flame fuel).

22 “(5) Land mines (ground-to-ground and air-to-
23 ground delivered).

24 “(6) Demolition materiel.

25 “(7) Grenades.

1 “(8) Flares and pyrotechnics.

2 “(9) All components of items included in para-
3 graphs (1) through (8), above, such as explosives,
4 propellants, chemical agents, cartridges, propelling
5 charges, projectiles, warheads (with various fillers
6 such as high explosive, illuminating, incendiary,
7 antimateriel, and antipersonnel), fuzes, boosters, and
8 safe and arm devices in bulk, combination, or sepa-
9 rately packaged items of issue for complete round
10 assembly.

11 “(10) Related ammunition containers and pack-
12 ing items of issue for complete round assembly.”.

13 **SEC. 813. TECHNICAL DATA RIGHTS FOR ITEMS DEVEL-**
14 **OPED EXCLUSIVELY AT PRIVATE EXPENSE.**

15 Section 2320(a)(2) of title 10, United States Code,
16 is amended

17 (1) in subparagraph (C), by striking “(iii) is
18 necessary for operation, maintenance, installation, or
19 training (other than detailed manufacturing or proc-
20 ess data); or” and inserting “(iii) is necessary for
21 normal operation, maintenance, or installation (other
22 than detailed manufacturing or process data) when
23 such services are to be provided by other than the
24 contractor or its subcontractor; in such cases, the
25 provision of the rights involved shall be subject to

1 negotiations between the government and the con-
2 tractor(s) involved;”;

3 (2) by striking “or” at the end of clause
4 (C)(iii):

5 (3) by redesignating clause (C)(iv) as (C)(v);

6 (4) by inserting after clause (C)(iii) the fol-
7 lowing new clause (C)(iv):

8 “(iv) is necessary for critical oper-
9 ation, maintenance, or installation of de-
10 ployed equipment, when such services are
11 to be provided by other than the contractor
12 or its subcontractor; or”; and

13 (5) in clause (F)(i)—

14 (A) in subclause (I), by striking “(C)” and
15 inserting “(C)(i), (C)(ii), (C)(iv), or (C)(v)”;
16 and

17 (B) by adding at the end the following new
18 subclause:

19 “(III) under the conditions de-
20 scribed in subparagraph (a)(2)(C)(iii),
21 reaching agreement in negotiations
22 concerning provision of the rights in-
23 volved may not be required as a condi-
24 tion of being responsive to a sollicita-

1 tion, but may be a condition for the
2 award of a contract; or”.

3 **SEC. 814. WAIVER OF LIVE-FIRE SURVIVABILITY TESTING**
4 **MH-47E/MH-60K HELICOPTER MODIFICATION**
5 **PROGRAMS.**

6 (a) **WAIVER.**—Notwithstanding the requirement of
7 section 2366(e)(1) of title 10, United States Code, that
8 any waiver by the Secretary of Defense of the application
9 of the survivability tests to a covered system occur before
10 the system or program enters engineering and manufac-
11 turing development, and notwithstanding the requirements
12 of section 142 of the National Defense Authorization Act
13 for Fiscal Year 1993 (Public Law 102–484; 106 Stat.
14 2338) that operational test and evaluation and surviv-
15 ability testing of the MH–47E helicopters and MH–60K
16 helicopters be completed prior to full materiel release of
17 the helicopters for operational use, the Secretary may
18 waive the application of the survivability tests to the MH–
19 47E and MH–60K helicopter modification programs be-
20 fore full material release of the MH–47E and MH–60K
21 helicopters for operational use.

22 (b) **REPORT.**—Except as provided in subsection (a)
23 above, any waiver by the Secretary of Defense of the appli-
24 cation of the survivability tests to the MH–47E and MH–
25 60K helicopters shall comply with all other requirements

1 of subsection (c) of section 2366 of title 10, United States
2 Code.

3 **SEC. 815. REPEAL OF CERTIFICATION OF FUNDING FOR**
4 **SUPPORT COSTS IN THE FIVE YEAR DEFENSE**
5 **PROGRAM.**

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

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

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

11 (3) by striking “(B) The” and inserting “the”.

12 **TITLE IX—DEPARTMENT OF DE-**
13 **FENSE ORGANIZATION AND**
14 **MANAGEMENT**

15 **Subtitle A—Department of Defense**
16 **Organization**

17 **SEC. 901. CHANGE OF NAME FOR CERTAIN OFFICIALS OF**
18 **THE HEADQUARTERS, MARINE CORPS.**

19 (a) INSTITUTION OF POSITIONS AS DEPUTY COM-
20 MANDANTS.—Section 5041(b) of title 10, United States
21 Code, is amended—

22 (1) by striking paragraphs (3) through (5) and
23 inserting the following:

24 “(3) The Deputy Commandants.”; and

1 (2) by redesignating paragraphs (6) and (7) as
2 paragraphs (4) and (5), respectively.

3 (b) DESIGNATION OF DEPUTY COMMANDANTS.—Sec-
4 tion 5045 of title 10, United States Code, is amended—

5 (1) in the catchline for such section by striking
6 “Chief of Staff: Deputy and Assistant Chiefs of
7 Staff” and inserting “Deputy Commandants”; and

8 (2) in the first sentence, by striking “a Chief of
9 Staff, not more than five Deputy Chiefs of Staff,”
10 and not more than three Assistant Chiefs of Staff,”
11 and inserting “not more than five Deputy Com-
12 mandants,”.

13 (c) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 506 of title 10, United States
15 Code, is amended by revising the item relating to section
16 5045 to read as follows:

“5045. Deputy Commandants.”.

17 (d) CONFORMING AMENDMENT.—Section 1502
18 (7)(D) of the Armed Forces Retirement Home Act of
19 1991 (24 U.S.C. 401) is amended to read as follows:

20 “(D) the Deputy Commandant of the Ma-
21 rine Corps responsible for personnel matters.”.

1 **SEC. 902. AMENDMENT TO BROADEN THE DEFINITION OF**
2 **INSPECTOR GENERAL AND TO CLARIFY RE-**
3 **SPONSIBILITIES.**

4 (a) CLARIFICATION OF RESPONSIBILITIES.—Para-
5 graph 1034(e)(3)(A) of title 10, United States Code, is
6 amended by inserting “, in accordance with regulations
7 prescribed under subsection (h),” after “shall expedi-
8 tiously determine”.

9 (b) REDEFINITION OF “INSPECTOR GENERAL”.—
10 Paragraph 1034 (i)(2) of title 10, United States Code, is
11 amended by striking subparagraphs (C), (D), (E), (F) and
12 (G) and inserting after subparagraph (B) the following
13 new subparagraph (C):

14 “(C) An officer of the armed forces or em-
15 ployee assigned or detailed to serve as an In-
16 spector General at any level in the Department
17 of Defense.”.

18 **Subtitle B—Other Matters**

19 **SEC. 911. TO CONSOLIDATE VARIOUS DEPARTMENT OF THE**
20 **NAVY TRUST AND GIFT FUNDS.**

21 (a) CONSOLIDATION OF NAVAL ACADEMY GENERAL
22 GIFT FUND AND THE NAVAL ACADEMY MUSEUM
23 FUND.—Section 6973 of title 10, United States Code, is
24 amended—

25 (1) by amending subsection 6973(a) to read as
26 follows:

1 “(a)(1) The Secretary of the Navy may accept, hold,
2 administer, and spend gifts and bequests of personal prop-
3 erty, and loans of personal property other than money,
4 made on the condition that it be used for the benefit of,
5 or for use in connection with, the Naval Academy or the
6 Naval Academy Museum, its collection, or its services.
7 Gifts or bequests of money and the proceeds from the sales
8 of property received as gifts shall be deposited in the
9 Treasury in the fund called United States Naval Academy
10 Gift and Museum Fund. The Secretary may disburse
11 funds deposited under this subsection for the benefit or
12 use of the Naval Academy or the Naval Academy Museum
13 subject to the terms of the gift or bequest.

14 “(2) The Secretary shall develop written guidelines
15 to be used in determining whether the acceptance of
16 money, personal property or loans of personal property
17 under paragraph (1) would reflect unfavorably upon the
18 ability of the Department of the Navy or any employee
19 of the Department of the Navy to carry out its responsibil-
20 ities or his or her official duties in a fair and objective
21 manner, or would compromise the integrity, or the appear-
22 ance of the integrity, of its programs or any official in-
23 volved in those programs.”; and

24 (2) in subsection 6973(c), by striking “United
25 States Naval Academy general gift fund” both times

1 such phrase appears in the subsection and by insert-
2 ing in lieu thereof, in each instance, “United States
3 Naval Academy Gift and Museum Fund.”.

4 (b) REPEAL OF NAVAL ACADEMY MUSEUM FUND.—
5 Section 6974 of such title 10, is hereby repealed.

6 (c) REPEAL OF NAVAL HISTORICAL CENTER
7 FUND.—Section 7222 of such title 10, is hereby repealed.

8 (d) TRANSFER OF FUNDS.—

9 (1) UNITED STATES GIFT AND MUSEUM
10 FUND.—All funds currently deposited or held in the
11 United States Naval Academy Museum Fund estab-
12 lished pursuant to section 6974 of such title 10,
13 shall be transferred to the United States Naval
14 Academy Gift and Museum Fund authorized by sub-
15 section (a).

16 (2) NAVY GENERAL GIFT FUND.—All funds cur-
17 rently deposited or held in the Naval Historical Cen-
18 ter Fund, established pursuant to section 7222 of
19 such title 10, shall be transferred to the Department
20 of the Navy General Gift Fund authorized by section
21 2601 of such title 10.

22 (e) CLERICAL AMENDMENTS.—

23 (1) CHAPTER 603.—The Table of Sections at
24 the beginning of Chapter 603 of such title 10 is

1 amended by striking the item relating to section
2 6974.

3 (2) CHAPTER 631.—The Table of Sections at
4 the beginning of Chapter 631 of such title 10 is
5 amended by striking the item relating to section
6 7222.

7 **SEC. 912. DISPOSITION OF GIFTS TO THE NAVAL ACADEMY.**

8 Notwithstanding section 6973 of title 10, United
9 States Code, during fiscal year 2000 the Secretary of the
10 Navy may dispose of the current cash value of a previously
11 accepted gifts to the Naval Academy Gift Fund by trans-
12 fer to an entity designated by the donor.

13 **SEC. 913. PILOT PROGRAM FOR PAYMENT OF RETRAINING**
14 **AND RELOCATION EXPENSES.**

15 (a) IN GENERAL.—Chapter 141 of title 10, United
16 States Code, is amended by adding at the end the fol-
17 lowing new section:

18 **“§ 2410o. Pilot Program for Payment of Retraining**
19 **and Relocation Expenses**

20 “(a) AUTHORITY.—The Secretary of Defense may es-
21 tablish a pilot program for the payment of retraining and
22 relocation expenses in accordance with this section to fa-
23 cilitate the reemployment of eligible employees of the De-
24 partment of Defense who are being involuntarily separated
25 due to a reduction-in-force or a transfer of functions of

1 the facility or military installation where such persons are
2 employed. Under the pilot program, the Secretary may pay
3 retraining and relocation incentives to encourage non-Fed-
4 eral employees to hire and retain such employees.

5 “(b) ELIGIBLE EMPLOYEES.—For purposes of this
6 section, an eligible employee is an employee of the Depart-
7 ment of Defense, serving under an appointment without
8 time limitation, who has been employed by the Depart-
9 ment of Defense for a continuous period of at least 12
10 months and who has been given notice of separation pur-
11 suant to a reduction in force, except that such term does
12 not include—

13 “(1) a reemployed annuitant under subchapter
14 III of chapter 83 of title 5, chapter 84 of title 5, or
15 another retirement system for employees of the Gov-
16 ernment;

17 “(2) an employee who, upon separation from
18 Federal service, is eligible for an immediate annuity
19 under subchapter III of chapter 83 of title 5 or sub-
20 chapter II of chapter 84 of title 5; or

21 “(3) an employee who is eligible for disability
22 retirement under any of the retirement systems re-
23 ferred to in paragraph (1).

24 “(c) RETRAINING INCENTIVE.—(1) Under the pilot
25 program, the Secretary may enter into an agreement with

1 a non-Federal employer under which the non-Federal em-
2 ployer agrees—

3 “(A) to employ a person referred to in sub-
4 section (a) for at least 12 months for a salary that
5 is mutually agreeable to the employer and such per-
6 son; and

7 “(B) to certify to the Secretary the cost in-
8 curred by the employer for any necessary training
9 provided to such person in connection with the em-
10 ployment by that employer.

11 “(2) The Secretary shall pay a retraining incentive
12 to the non-Federal employer upon the employee’s comple-
13 tion of 12 months of continuous employment with that em-
14 ployer. Subject to subsection (f), the Secretary shall pre-
15 scribe the amount of the incentive.

16 “(3) The Secretary shall pay a prorated amount of
17 the full retraining incentive to the non-Federal employer
18 for an employee who does not remain employed by the
19 non-Federal employer for at least 12 months.

20 “(4) In no event may the amount of retraining incen-
21 tive paid for the training of any one person under the pilot
22 program exceed the amount certified for that person under
23 paragraph (1).

24 “(d) APPROVAL OF THE SECRETARY OF DEFENSE.—
25 The Secretary of a military department or the head of a

1 Defense Agency may offer an incentive under the pilot
2 program with the prior approval of the Secretary of De-
3 fense or pursuant to a delegation of authority by the Sec-
4 retary of Defense.

5 “(e) LIMITATION.—The total amount of incentives
6 paid in the case of a person under the pilot program may
7 not exceed \$10,000.

8 “(f) DURATION.—No incentive may be paid under the
9 pilot program for training or relocations commenced after
10 September 30, 2003.

11 “(g) DEFINITIONS.—In this section:

12 “(1) The term ‘non-Federal employer’ means
13 an employer that is not an Executive Agency, as de-
14 fined in section 105 of title 5, or the legislative or
15 judicial branch of the Federal Government.

16 “(2) The term ‘Defense Agency’ has the mean-
17 ing given such term in section 101(a)(11) of this
18 title.

19 “(h) OMB A-76 COST COMPARISON.—For purposes
20 of this program, any costs incurred shall not be added as
21 one-time costs for the purposes of any cost comparisons
22 pursuant to the Office of Management and Budget Cir-
23 cular A-76.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such Chapter 141 is amended by add-
3 ing at the end the following new item:

“§ 2410o. Pilot program for payment of retraining and relocation expenses.”.

4 **TITLE X—GENERAL PROVISIONS**

5 **Subtitle A—Financial Matters**

6 **SEC. 1001. ADMINISTRATIVE OFFSETS FOR TRANSPOR-** 7 **TATION OVERPAYMENTS.**

8 (a) OFFSETS FOR OVERPAYMENTS.—Section 2636 of
9 title 10, United States Code, is amended—

10 (1) by striking the section heading and sub-
11 stituting in lieu thereof:

12 **“§ 2636. Deductions from carriers supporting the De-**
13 **partment of Defense”;**

14 (2) by inserting “or as an administrative offset
15 for overpayments previously paid to the carrier or
16 liquidated damages due under Department of De-
17 fense contracts for transportation services” after
18 “for a military department”; and

19 (3) by striking the period at the end of the sec-
20 tion and inserting “or, in the case of overcharges or
21 liquidated damages, the appropriation or account
22 that funded the transportation services. The con-
23 tracting officer may offset amounts less than the
24 simplified acquisition threshold after providing the
25 notice required by section 3716(a) of title 31.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for Chapter 157, title 10, United States Code, is amended
3 by amending the item relating to section 2636 to read as
4 follows:

“2636. Deductions from carriers supporting the Department of Defense.”.

5 **SEC. 1002. DATE FOR SUBMISSION OF JOINT REPORT ON**
6 **SCORING OF BUDGET OUTLAYS.**

7 Section 226 of title 10, United States Code is
8 amended—

9 (1) in subsection (a), by striking “Not later
10 than December 15 of each year” and inserting “Not
11 later than the day on which the budget for any fiscal
12 year is submitted to Congress pursuant to section
13 1105 of title 31”;

14 (2) in paragraph (a)(1), by striking “major
15 functional category 050” and all that follows
16 through “section 1105 of title 31;”, and inserting
17 “subfunctional category 051 (Department of De-
18 fense—Military) for that budget;”;

19 (3) in the catchline to subsection (b), by strik-
20 ing “USE OF AVERAGES.—” and inserting “USE OF
21 DIFFERENCES.—”; and

22 (4) in subsection (b), by striking “, the report
23 shall reflect the average of the relevant outlay rates
24 or assumptions used by the two offices.” and insert-
25 ing “, the report shall reflect the differences between

1 the relevant outlay rates or assumptions used by the
2 two offices. For each account where a difference ex-
3 ists, the report also shall display the budget year
4 budget authority (BA), the rates, and the outlays es-
5 timated by both offices.”.

6 **SEC. 1003. CODIFICATION OF ANNUAL RECURRING APPRO-**
7 **PRIATIONS ACT GENERAL PROVISION FOR**
8 **REIMBURSEMENTS RELATED TO CERTAIN**
9 **RESERVE INTELLIGENCE OR COUNTERINTEL-**
10 **LIGENCE SUPPORT.**

11 Section 2241 of title 10, United States Code, is
12 amended by adding the following new subsection at the
13 end thereof:

14 “(c) OPERATION AND MAINTENANCE REIMBURSE-
15 MENTS.—Amounts appropriated for operation and main-
16 tenance of the Military Departments, the Combatant Com-
17 mands and Defense Agencies shall be available for reim-
18 bursement of pay, allowances and other expenses which
19 would otherwise be incurred against appropriations for the
20 National Guard and Reserve when members of the Na-
21 tional Guard and Reserve provide intelligence or counter-
22 intelligence support to Combatant Commands, Defense
23 Agencies and Joint Intelligence Activities, including the
24 activities and programs included within the National For-
25 eign Intelligence Program (NFIP), the Joint Military In-

1 telligence Program (JMIP), and the Tactical Intelligence
 2 and Related Activities (TIARA) aggregate. Nothing in this
 3 subsection authorizes deviation from established Reserve
 4 and National Guard personnel and training procedures.”.

5 **Subtitle B—Humanitarian and** 6 **Civic Assistance**

7 **SEC. 1011. CLARIFICATION OF AUTHORITY TO PROVIDE** 8 **HUMANITARIAN AND CIVIC ASSISTANCE.**

9 Section 401(e)(1) of title 10, United States Code, is
 10 amended by inserting “or under served” after in rural.

11 **SEC. 1012. AUTHORITY TO PAY CERTAIN EXPENSES RELAT-** 12 **ING TO HUMANITARIAN AND CIVIC ASSIST-** 13 **ANCE FOR CLEARANCE OF LANDMINES.**

14 Section 401(e) of title 10, United States Code, is
 15 amended—

16 (1) in paragraph (3), by striking “\$5,000,000”
 17 and inserting “\$10,000,000”; and

18 (2) by adding at the end the following new
 19 paragraph (5):

20 “(5) Not more than ten percent of funds avail-
 21 able for the activities described in subsection (e)(5)
 22 may be used to pay for the pay and allowances of
 23 Reserve Component Special Operations Force per-
 24 sonnel performing duty in connection with training

1 and activities related to the clearing of landmines for
2 humanitarian purposes.”.

3 **Subtitle C—Miscellaneous Reporting**
4 **Requirements and Repeals**

5 **SEC. 1015. REPEAL OF REPORTING REQUIREMENT FOR**
6 **B-2.**

7 Section 112 of the National Defense Authorization
8 Act for Fiscal Years 1990 and 1991 (Public Law 101–
9 189), as amended by section 141(b) of the National De-
10 fense Authorization Act for Fiscal Year 1996 (Public Law
11 104–106), is hereby repealed.

12 **SEC. 1016. AMENDMENT TO NATIONAL GUARD AND RE-**
13 **SERVE COMPONENT EQUIPMENT: ANNUAL**
14 **REPORT TO CONGRESS.**

15 The text of section 10541 of title 10, United States
16 Code, is amended to read as follows:

17 “(a) The Secretary of Defense shall submit to the
18 Congress each year, not later than March 1, a written re-
19 port concerning the equipment of the National Guard and
20 the reserve components of the armed forces, to include the
21 Coast Guard Reserve. This report shall cover the current
22 fiscal year and three succeeding years. The focus should
23 be on major items of equipment which address large dol-
24 lar-value requirements, critical reserve component short-
25 ages and major procurement items. Specific major items

1 of equipment shall include ships, aircraft, combat vehicles
2 and key combat support equipment.

3 “(b) Each annual report under this section should in-
4 clude the following:

5 “(1) Major items of equipment required and on-
6 hand in the inventories of each reserve component.

7 “(2) Major items of equipment which are ex-
8 pected to be procured from commercial sources or
9 transferred from the Active component to the re-
10 serve components of each military department.

11 “(3) Major items of equipment in the inven-
12 tories of each reserve component which are sub-
13 stitutes for a required major item of equipment.

14 “(4) A narrative explanation of the plan of the
15 Secretary concerned to equip each reserve compo-
16 nent, including an explanation of the plan to equip
17 units of the reserve components that are short major
18 items of equipment at the outset of war or a contin-
19 gency operation.

20 “(5) A narrative discussing the current status
21 of the compatibility and interoperability of equip-
22 ment between the reserve components and the reg-
23 ular components, the effect of that level of compat-
24 ibility or interoperability on combat effectiveness,

1 and a plan to achieve full equipment compatibility
2 and interoperability.

3 “(6) A narrative discussing modernization
4 shortfalls and maintenance backlogs within the re-
5 serve components and the effect of those shortfalls
6 on combat effectiveness.

7 “(7) A narrative discussing the overall age and
8 condition of equipment currently in the inventory of
9 each reserve component.

10 “(c) Each report under this section shall be expressed
11 in the same format and with the same level of detail as
12 the information presented in the Future Years Defense
13 Program Procurement Annex prepared by the Secretary
14 of Defense.”.

15 **Subtitle D—Other Matters**

16 **SEC. 1021. RECOGNITION OF MILITARY TESTAMENTARY** 17 **INSTRUMENTS.**

18 (a) IN GENERAL.—Chapter 53 of title 10, United
19 States Code, is amended by inserting after section 1044c
20 the following new section:

21 **“§ 1044d. Military wills and codicils; recognition**

22 “(a) INSTRUMENTS TO BE GIVEN LEGAL EFFECT.—
23 A military will or codicil, executed in accordance with reg-
24 ulations prescribed by the Secretary of Defense and the
25 Secretary of Transportation, with respect to the Coast

1 Guard when it is not operating as a service in the Depart-
2 ment of the Navy, by a person who is eligible for legal
3 assistance under the provisions of section 1044 of this title

4 “(1) is exempt from any requirement of form,
5 formality, or recording that is provided for wills or
6 codicils under State law;

7 “(2) has the same legal effect as a will prepared
8 and executed in accordance with the laws of the
9 State concerned; and

10 “(3) shall be deemed valid for probate in the
11 courts of the State concerned.

12 “(b) GENERAL REQUIREMENTS FOR MILITARY
13 WILLS AND CODICILS.—Military wills and codicils include
14 all revocable instruments that meet the following require-
15 ments:

16 “(1) The instrument must be executed by a
17 person (testator) who is eligible for legal assistance
18 under the provisions of section 1044 of this title, or
19 in the presence and by the direction of such testator.

20 “(2) The instrument must make a disposition
21 of property, to take effect after the testator’s death.

22 “(3) The instrument must be executed in the
23 presence of at least two disinterested witnesses.

24 “(4) The instrument must be executed before a
25 judge advocate, as defined in section 801(13) of this

1 title, or a civilian attorney serving as a legal assist-
2 ance officer, under the provisions of section 1044 of
3 this title.

4 “(5) The instrument must be prepared and exe-
5 cuted in accordance with regulations prescribed by
6 the Secretary of Defense and the Secretary of
7 Transportation, with respect to the Coast Guard
8 when it is not operating as a service in the Depart-
9 ment of the Navy.

10 “(c) SELF-PROOF OF MILITARY WILLS AND CODI-
11 CILS.—A military will or codicil executed in conformity
12 with this section may be made self-proved at the time of
13 its execution, or at any subsequent time, by the testator’s
14 acknowledgment of it and by affidavits of the witnesses.
15 Such self-proving clauses, acknowledgments and affidavits
16 shall be executed in accordance with regulations pre-
17 scribed by the Secretary of Defense and the Secretary of
18 Transportation, with respect to the Coast Guard when it
19 is not operating as a service in the Department of the
20 Navy. Such self-proving clauses shall consist of a certifi-
21 cate of the testator, attesting witnesses and the official
22 administering the oath, that is attached to, or follows the
23 will or codicil. The specific form and content of such self-
24 proving clauses shall be set forth in regulations prescribed
25 by the Secretary of Defense and the Secretary of Trans-

1 portation, with respect to the Coast Guard when it is not
2 operating as a service in the Department of the Navy. The
3 signature of the testator, attesting witnesses and presiding
4 attorney, together with their respective titles, is prima
5 facie evidence that the signatures are genuine, that the
6 testator, witnesses and presiding attorney held the respec-
7 tive designated title at the time of the execution, and that
8 the will or codicil was executed in compliance with the re-
9 quirements for form as prescribed by the Secretaries of
10 Defense and Transportation.

11 “(d) VALIDITY OF OTHER TESTAMENTARY INSTRU-
12 MENTS.—Nothing herein shall invalidate testamentary in-
13 struments, to include holographic and nuncupative wills
14 that are prepared and executed by, or at the direction of,
15 testators who although eligible for legal assistance under
16 the provisions of section 1044 of this title, either elect not
17 to avail themselves of such legal assistance, or by reason
18 of circumstance are unable to obtain such legal assistance.
19 The validity of such testamentary instruments shall be de-
20 termined by the appropriate court in accordance with its
21 rules and procedures.

22 “(e) STATE DEFINED.—For purposes of this section,
23 the term ‘State’ includes the fifty States of the United
24 States, the District of Columbia, the Commonwealth of
25 Puerto Rico, the Commonwealth of the Northern Mariana

1 Islands, and each territory and possession of the United
 2 States, to include Guam, American Samoa, the Trust Ter-
 3 ritory of the Pacific Islands, and the Virgin Islands.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
 5 at the beginning of such chapter is amended by inserting
 6 after the item relating to section 1044c the following:

“1044d. Military wills and codicils; requirement for recognition.”.

7 **SEC. 1022. COOPERATIVE MILITARY AIRLIFT AGREEMENTS:**

8 **ALLIED COUNTRIES.**

9 Section 2350c of Chapter 138 of title 10, United
 10 States Code, is amended—

11 (1) by striking subsection (d); and

12 (2) by redesignating subsection (e) as sub-
 13 section (d).

14 **SEC. 1023. CHEMICAL WEAPONS DESTRUCTION FACILITY IN**

15 **RUSSIA.**

16 Section 1305 of the National Defense Authorization
 17 Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat.
 18 794) is repealed.

19 **DIVISION B—MILITARY CON-**
 20 **STRUCTION AUTHORIZA-**
 21 **TIONS**

22 **SEC. 2001. SHORT TITLE.**

23 This division may be cited as the “Military Construc-
 24 tion Authorization Act for Fiscal Year 2001”.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Redstone Arsenal	\$23,400,000
Alaska	Fort Richardson	\$3,000,000
Arizona	Fort Huachuca	\$1,250,000
California	Fort Irwin	\$31,000,000
Georgia	Fort Benning	\$15,800,000
Hawaii	Wheeler Army Air Field	\$43,800,000
Maryland	Aberdeen Proving Ground	\$3,100,000
Missouri	Fort Leonard Wood	\$61,200,000
North Carolina	Fort Bragg	\$222,200,000
	Sunny Point Army Terminal	\$2,300,000
Ohio	Columbus	\$1,832,000
Pennsylvania	Carlisle Barracks	\$10,500,000
	New Cumberland Army Depot	\$3,700,000
Texas	Fort Bliss	\$26,000,000
	Fort Hood	\$26,000,000
	Red River Army Depot	\$800,000
	Total:	\$475,882,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Area Support Group, Bamberg	\$11,650,000
	Area Support Group, Darmstadt	\$11,300,000
	Kaiserslautern	\$3,400,000
	Mannheim	\$4,050,000
Korea	Camp Humphreys	\$14,200,000
	Camp Page	\$19,500,000
Kwajalein	Kwajalein Atoll	\$18,000,000
	Total:	\$82,100,000

1 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
2 propriated pursuant to the authorization of appropriations
3 in section 2104(a)(3), the Secretary of the Army may ac-
4 quire real property and carry out military construction
5 projects for the installation and location, and in the
6 amount, set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Classified Location	\$11,500,000

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)(6)(A), the Secretary of the
11 Army may construct or acquire family housing units (in-
12 cluding land acquisition) at the installations, for the pur-
13 poses, and in the amounts set forth in the following table:

Army: Family Housing

State or County	Installation or loca- tion	Purpose	Amount
Arizona	Fort Huachuca	110 Units	\$16,224,000
Hawaii	Schofield Barracks	72 Units	\$15,500,000
Kentucky	Fort Campbell	56 Units	\$7,800,000
Maryland	Fort Detrick	48 Units	\$5,600,000
North Carolina	Fort Bragg	112 Units	\$14,600,000
South Carolina	Fort Jackson	1 Unit	\$250,000
Texas	Fort Bliss	64 Units	\$10,200,000

Army: Family Housing—Continued

State or County	Installation or location	Purpose	Amount
Korea	Camp Humphreys	60 Units	\$21,800,000
	Total:	\$91,974,000

1 (b) **PLANNING AND DESIGN.**—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2104(a)(6)(A), the Secretary of the Army may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of family housing units in an amount not
7 to exceed \$6,542,000.

8 **SEC. 2103. 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 2104(a)(6)(A),
13 the Secretary of the Army may improve existing military
14 family housing units in an amount not to exceed
15 \$63,590,000.

16 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

17 (a) **IN GENERAL.**—Funds are hereby authorized to
18 be appropriated for fiscal years beginning after September
19 30, 2000, for military construction, land acquisition, and
20 military family housing functions of the Department of the
21 Army in the total amount of \$2,038,319,000 as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2101(a),
3 \$305,282,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2101(b),
6 \$82,100,000.

7 (3) For military construction projects at un-
8 specified worldwide locations authorized by section
9 2101(c), \$11,500,000.

10 (4) For unspecified minor construction projects
11 authorized by section 2805 of title 10, United States
12 Code, \$15,000,000.

13 (5) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$94,706,000.

16 (6) 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, \$162,106,000.

20 (B) For support of military family housing
21 (including the functions described in section
22 2833 of title 10, United States Code),
23 \$978,275,000.

24 (7) For the construction of the Ammunition
25 Demilitarization Facility, Pine Bluff Arsenal, Arkan-

1 sas, authorized in section 2401(a) of the Military
2 Construction Authorization Act for Fiscal Year 1995
3 (division B of Public Law 103–337; 108 Stat.
4 3040), as amended by section 2407 of the Military
5 Construction Authorization Act for Fiscal Year 1996
6 (division B of Public Law 104–106; 110 Stat. 539),
7 section 2408 of the Military Construction Authoriza-
8 tion Act for Fiscal Year 1998 (division B of Public
9 Law 105–85; 111 Stat. 1982), and section 2406 of
10 the Military Construction Authorization Act for Fis-
11 cal Year 1999 (division B of Public Law 105–261;
12 112 Stat. 2197), \$43,600,000.

13 (8) For the construction of the Ammunition
14 Demilitarization Facility Phase 6, Umatilla Army
15 Depot, Oregon, authorized in section 2401(a) of the
16 Military Construction Authorization Act for Fiscal
17 Year 1995, as amended by section 2407 of the Mili-
18 tary Construction Authorization Act for Fiscal Year
19 1996, section 2408 of the Military Construction Au-
20 thorization Act for Fiscal Year 1998, and section
21 2406 of the Military Construction Authorization Act
22 for Fiscal Year 1999, \$9,400,000.

23 (9) For the construction of the Ammunition
24 Demilitarization Facility Phase 2, Pueblo Army
25 Depot, Colorado, authorized in section 2401(a) of

1 the Military Construction Authorization Act for Fis-
2 cal Year 1997 (division B of Public Law 104–201;
3 110 Stat. 2775), as amended by section 2406 of the
4 Military Construction Authorization Act for Fiscal
5 Year 2000 (division B of Public Law 106–65; 113
6 Stat. 839), \$10,700,000.

7 (10) For the construction of a Barracks Com-
8 plex—Hunter Army Airfield, Phase 1C, Fort Stew-
9 art, Georgia, authorized in section 2101(a) of the
10 Military Construction Authorization Act for Fiscal
11 Year 1998 (111 Stat. 1967), \$26,000,000.

12 (11) For the construction of the Ammunition
13 Demilitarization Facility Phase 3, Newport Army
14 Depot, Indiana, authorized in section 2401(a) of the
15 Military Construction Authorization Act for Fiscal
16 Year 1999 (112 Stat. 2193), \$54,400,000.

17 (12) For the construction of a Barracks Com-
18 plex—Infantry Drive Phase 1C, Fort Riley, Kansas,
19 authorized in section 2101(a) of the Military Con-
20 struction Act for Fiscal Year 1999 (112 Stat. 2182),
21 \$15,000,000.

22 (13) For the construction of a Barracks Com-
23 plex—Market Garden Road Phase 2C, Fort Camp-
24 bell, Kentucky, authorized in section 2101(a) of the

1 Military Construction Authorization Act for Fiscal
2 Year 1999, \$9,400,000.

3 (14) For the construction of a Multipurpose
4 Digital Range Phase 3, Fort Knox, Kentucky, au-
5 thORIZED in section 2101(a) of the Military Construc-
6 tion Act for Fiscal Year 1999, \$8,450,000.

7 (15) For the construction of the Ammunition
8 Demilitarization Facility phase 3, Aberdeen Proving
9 Ground, Maryland, authorized in section 2401(a) of
10 the Military Construction Authorization Act for Fis-
11 cal Year 1999, \$45,700,000.

12 (16) For the construction of the Cadet Physical
13 Development Center Phase 2A, United States Mili-
14 tary Academy, West Point, New York, authorized in
15 section 2101(a) of the Military Construction Act for
16 Fiscal Year 1999, \$13,600,000.

17 (17) For the construction of the railhead facil-
18 ity, Fort Hood, Texas, authorized in section 2101(a)
19 of the Military Construction Authorization Act for
20 Fiscal Year 1999, as amended by section 2105 of
21 this Act, \$9,800,000.

22 (18) For the construction of the Chemical De-
23 fense Qualification Facility, Pine Bluff Arsenal, Ar-
24 kansas, authorized in section 2101(a) of the Military

1 Construction Authorization Act for Fiscal Year 2000
2 (113 Stat. 825), \$15,500,000.

3 (19) For the construction of a Barracks Com-
4 plex—Kelley Hill, Phase 3B, Fort Benning, Georgia,
5 authorized in section 2101(a) of the Military Con-
6 struction Act for Fiscal Year 2000 (113 Stat. 825),
7 \$24,000,000.

8 (20) For the construction of a Barracks Com-
9 plex—Wilson St, Phase 1B, Schofield Barracks, Ha-
10 waii, authorized in section 2101(a) of the Military
11 Construction Authorization Act for Fiscal Year
12 2000, \$46,400,000.

13 (21) For the construction of the Ammunition
14 Demilitarization Support Phase 2, Blue Grass Army
15 Depot, Kentucky, authorized in section 2401(a) the
16 Military Construction Act for Fiscal Year 2000 (113
17 Stat. 836), \$8,500,000.

18 (22) For the construction of a Consolidated
19 Soldier Support Center Phase 2, Fort Drum, New
20 York, authorized in section 2101(a) of the Military
21 Construction Authorization Act for Fiscal Year
22 2000, \$10,300,000.

23 (23) For the construction of a Barracks Com-
24 plex—Tagaytay Street Phase 2B, Fort Bragg,
25 North Carolina, authorized in section 2101(a) of the

1 Military Construction Act for Fiscal Year 2000,
2 \$38,600,000.

3 (b) ADVANCE AUTHORIZATION OF APPROPRIA-
4 TIONS.—(1) Funds are hereby authorized to be appro-
5 priated for fiscal years beginning after September 30,
6 2001, for completion of military construction projects au-
7 thorized under sections 2101(a) and 2401(a) of the Mili-
8 tary Construction Authorization Act for Fiscal Year 1999
9 (division B of Public Law 105–261; 112 Stat. 2182, 2193)
10 and subject to the same terms, as follows:

11 (A) For completion of a Chemical Demilitariza-
12 tion Facility, Newport Army Depot, Indiana,
13 \$78,000,000.

14 (B) For completion of a Chemical Demilitariza-
15 tion Facility, Aberdeen Proving Grounds, Maryland,
16 \$51,750,000.

17 (2)(A) Funds are hereby authorized to be appro-
18 priated for fiscal years beginning after September 30,
19 2001, for completion of the military construction project
20 described in subparagraph (B), as authorized under sec-
21 tion 2401(a) of the Military Construction Authorization
22 Act for Fiscal Year 1997 (division B of Public Law 104–
23 210; 110 Stat. 2775) and amended by section 2406 of
24 the Military Construction Authorization Act for Fiscal
25 Year 2000 (division B of Public Law 106–65; 113. Stat.

1 839), and subject to the same terms, in the amount of
2 \$174,790,000.

3 (B) The project described in this subparagraph is a
4 project for the completion of a Chemical Demilitarization
5 Facility at Pueblo Army Depot, Colorado.

6 (c) LIMITATION ON TOTAL COST OF CONSTRUCTION
7 PROJECTS.—Notwithstanding the cost variations author-
8 ized by section 2853 of title 10, United States Code, and
9 any other cost variations authorized by law, the total cost
10 of all projects carried out under section 2101 of this Act
11 may not exceed—

12 (1) the total amount authorized to be appro-
13 priated under paragraphs (1) and (2) of subsection
14 (a);

15 (2) \$22,600,000 (the balance of the amount au-
16 thorized under section 2101(a) for the construction
17 of a Basic Training Complex at Fort Leonard Wood,
18 Missouri);

19 (3) \$10,000,000 (the balance of the amount au-
20 thorized under section 2101(a) for construction of a
21 Multipurpose Digital Training Range at Fort Hood,
22 Texas);

23 (4) \$34,000,000 (the balance of the amount au-
24 thorized under section 2101(a) for construction of a

1 barracks complex, Longstreet Road Phase I at Fort
2 Bragg, North Carolina); and

3 (5) \$104,000,000 (the balance of the amount
4 authorized under section 2101(a) for the construc-
5 tion of a barracks complex, Bunter Road Phase I at
6 Fort Bragg, North Carolina).

7 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
8 **CERTAIN FISCAL YEAR 1999 PROJECT.**

9 (a) MODIFICATION.—The table in section 2101 of the
10 Military Construction Authorization Act for Fiscal Year
11 1999 (division B of Public Law 105–261; 112 Stat. 2182)
12 is amended—

13 (1) in the item relating to Fort Hood, Texas,
14 by striking “\$32,500,000” in the amount column
15 and inserting “\$45,300,000”; and

16 (2) by striking the amount identified as the
17 total in the amount column and inserting
18 “\$781,581,000”.

19 (b) CONFORMING AMENDMENTS.—Section 2104(a)
20 of that Act (112 Stat. 2184) is amended—

21 (1) in the matter preceding paragraph (1), by
22 striking “\$2,098,713,000” and inserting
23 “\$2,111,513,000”; and

24 (2) in paragraph (1), by striking
25 “\$609,076,000” and inserting “\$622,581,000” .

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	\$8,200,000
	Navy Detachment, Camp Navajo	\$2,940,000
California	Marine Corps Air Station, Miramar	\$7,350,000
	Marine Corps Air-Ground Combat Center, Twentynine Palms.	\$2,100,000
	Marine Corps Base, Camp Pendleton	\$8,100,000
	Naval Air Station, Lemoore	\$8,260,000
	Naval Air Warfare Center Weapons Division, Point Mugu.	\$11,400,000
	Naval Aviation Depot, North Island	\$4,340,000
	Naval Facility, San Clemente Island	\$8,860,000
	Naval Ship Weapons Systems Engineering Station, Port Hueneme.	\$10,200,000
	Naval Station, San Diego	\$53,200,000
Connecticut	Naval Submarine Base, New London	\$3,100,000
CONUS Various	CONUS Various	\$11,500,000
District of Columbia	Marine Corps Barracks	\$17,197,000
	Naval District, Washington	\$2,450,000
	Naval Research Laboratory, Washington	\$12,390,000
Florida	Naval Air Station, Whiting Field, Milton	\$5,130,000
	Naval Surface Warfare Center Detachment, Ft. Lauderdale.	\$3,570,000
Georgia	Marine Corps Logistics Base, Albany	\$1,100,000
	Trident Refit Facility, Kings Bay	\$5,200,000
Hawaii	Fleet Industrial Supply Center, Pearl Harbor.	\$12,000,000
	Naval Undersea Weapons Station Detachment, Lualualei.	\$2,100,000
	Marine Corps Air Station, Kaneohe	\$18,400,000
	Naval Station, Pearl Harbor	\$30,700,000
Illinois	Naval Training Center, Great Lakes	\$121,400,000
Maine	Naval Air Station, Brunswick	\$2,450,000
Maryland	Naval Explosive Ordnance Disposal Technology Center, Indian Head.	\$6,430,000
Mississippi	Naval Air Station, Meridian	\$4,700,000
New Jersey	Naval Weapons Station, Earle	\$2,420,000
North Carolina	Marine Corps Air Station, Cherry Point	\$8,480,000

Navy: Inside the United States—Continued

State	Installation or location	Amount	
Rhode Island	Marine Corps Air Station, New River	\$3,400,000	
	Marine Corps Base, Camp Lejeune	\$45,870,000	
	Naval Aviation Depot, Cherry Point	\$7,540,000	
	Naval Undersea Warfare Center Division, Newport.	\$4,150,000	
South Carolina	Marine Corps Air Station, Beaufort	\$3,140,000	
	Marine Corps Recruit Depot, Parris Island.	\$2,660,000	
Texas	Naval Air Station, Kingsville	\$2,670,000	
Virginia	AEGIS Combat Systems Center, Wallops Island.	\$3,300,000	
	Marine Corps Combat Development Command, Quantico.	\$8,590,000	
	Naval Air Station, Norfolk	\$31,450,000	
	Naval Air Station, Oceana	\$5,250,000	
	Naval Amphibious Base, Little Creek	\$2,830,000	
	Naval Shipyard, Norfolk, Portsmouth	\$16,100,000	
	Naval Station, Norfolk	\$4,700,000	
	Naval Surface Warfare Center, Dahlgren	\$11,300,000	
	Puget Sound Naval Shipyard, Bremerton	\$78,460,000	
	Strategic Weapons Facility Pacific, Bremerton.	\$1,400,000	
	Washington		
		Total:	\$628,477,000

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
5 projects for the locations outside the United States, and
6 in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Bahrain	Administrative Support Unit	\$19,400,000
Italy	Naval Air Station, Sigonella	\$32,969,000
	Naval Support Activity, Naples	\$15,000,000
Various Locations	Host Nation Infrastructure Support	\$142,000
		Total:

7 SEC. 2202. FAMILY HOUSING.

8 (a) CONSTRUCTION AND ACQUISITION.—Using
9 amounts appropriated pursuant to the authorization of ap-
10 propriations in section 2204(a)(5)(A), the Secretary of the

1 Navy may construct or acquire family housing units (in-
 2 cluding land acquisition) at the installations, for the pur-
 3 poses, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or location	Purpose	Amount
California	Marine Corps Air-Ground Combat Center, Twentynine Palms.	79 Units	\$13,923,000
	Naval Air Station, Lemoore.	160 Units	\$27,768,000
Hawaii	Commander Naval Base, Pearl Harbor.	112 Units	\$23,654,000
	Commander Naval Base, Pearl Harbor.	62 Units	\$14,237,000
	Commander Naval Base, Pearl Harbor.	98 Units	\$22,230,000
	Marine Corps Air Station, Kaneohe Bay.	84 Units	\$21,910,000
Maine	Naval Air Station, Brunswick.	168 Units	\$18,722,000
Washington	Naval Air Station, Whidbey Island.	98 Units	\$16,873,000
Total:			\$159,317,000

4 (b) **PLANNING AND DESIGN.**—Using amounts appro-
 5 priated pursuant to the authorization of appropriations in
 6 section 2204(a)(5)(A), the Secretary of the Navy may
 7 carry out architectural and engineering services and con-
 8 struction design activities with respect to the construction
 9 or improvement of military family housing units in an
 10 amount not to exceed \$19,958,000.

11 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 12 **UNITS.**

13 Subject to section 2825 of title 10, United States
 14 Code, and using amounts appropriated pursuant to the
 15 authorization of appropriations in section 2204(a)(5)(A),

1 the Secretary of the Navy may improve existing military
2 family housing units in an amount not to exceed
3 \$183,547,000.

4 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

5 (a) IN GENERAL.—Funds are hereby authorized to
6 be appropriated for fiscal years beginning after September
7 30, 2000, for military construction, land acquisition, and
8 military family housing functions of the Department of the
9 Navy in the total amount of \$1,998,882,000 as follows:

10 (1) For military construction projects inside the
11 United States authorized by section 2201(a),
12 \$567,457,000.

13 (2) For military construction projects outside
14 the United States authorized by section 2201(b),
15 \$66,571,000.

16 (3) For unspecified minor construction projects
17 authorized by section 2805 of title 10, United States
18 Code, \$7,659,000.

19 (4) For architectural and engineering services
20 and construction design under section 2807 of title
21 10, United States Code, \$63,335,000.

22 (5) For military family housing functions:

23 (A) For construction and acquisition, plan-
24 ning and design, and improvement of military
25 family housing and facilities, \$362,822,000.

1 (B) For support of military housing (in-
2 cluding functions described in section 2833 of
3 title 10, United States Code), \$882,638,000.

4 (6) For construction of a berthing wharf at
5 Naval Air Station, North Island, California, author-
6 ized by section 2201(a) of the Military Construction
7 Authorization Act for Fiscal Year 2000 (division B
8 of Public Law 106–65; 113 Stat. 828), \$12,800,000.

9 (7) For construction of the Commander-in-
10 Chief Headquarters, Pacific Command, Camp H.M.
11 Smith, Hawaii, authorized by section 2201(a) of the
12 Military Construction Authorization Act for Fiscal
13 Year 2000, \$35,600,000.

14 (b) ADVANCE AUTHORIZATION OF APPROPRIA-
15 TION.—(1) Funds are hereby authorized to be appro-
16 priated for fiscal years beginning after September 30,
17 2001, for completion of military construction projects au-
18 thorized by section 2201(a) and subject to the same terms,
19 as follows:

20 (A) For the repair of a pier, Naval Station, San
21 Diego, California, \$14,813,000.

22 (B) For replacement of a pier at Naval Ship
23 Yard, Bremerton, Puget Sound, Washington,
24 \$23,587,000.

1 (2)(A) Funds are hereby authorized to be appro-
2 priated for fiscal years beginning after September 30,
3 2001, for completion of the military construction project
4 described in subparagraph (B), as authorized by section
5 2201(a) of the Military Construction Authorization Act
6 for Fiscal Year 2000 and subject to the same terms, in
7 the amount of \$30,664,000.

8 (B) The project described in this subparagraph is the
9 project for completion of the Commander-in-Chief Head-
10 quarters, Pacific Command, Camp H.M. Smith, Hawaii.

11 (c) LIMITATION ON TOTAL COST OF CONSTRUCTION
12 PROJECTS.—Notwithstanding the cost variations author-
13 ized by section 2853 of title 10, United States Code, and
14 any other cost variation authorized by law, the total cost
15 of all projects carried out under section 2201 of this Act
16 may not exceed—

17 (1) the total amount authorized to be appro-
18 priated under paragraphs (1) and (2) of subsection
19 (a);

20 (2) \$17,500,000 (the balance of the amount au-
21 thorized under section 2201(a) for repair of a pier
22 at Naval Station, San Diego, California);

23 (3) \$12,390,000 (the balance of the amount au-
24 thorized under section 2201(a) for construction of a

1 Nano Science Research Laboratory, Washington,
2 District of Columbia);

3 (4) \$4,000,000 (the balance of the amount au-
4 thorized under section 2201(a) for construction of
5 armories at Marine Corps Base, Camp Lejeune,
6 North Carolina);

7 (5) \$2,670,000 (the balance of the amount au-
8 thorized under section 2201(a) for construction of
9 an aircraft parking apron at Naval Air Station,
10 Kingsville, Texas);

11 (6) \$24,460,000 (the balance of the amount au-
12 thorized under section 2201(a) for replacement of a
13 pier at Naval Ship Yard, Bremerton, Puget Sound,
14 Washington); and

15 (7) \$940,000 (the balance of the amount au-
16 thorized under section 2201(b) for construction of
17 community facilities at Naval Air Station, Sigonella,
18 Italy).

19 **TITLE XXIII—AIR FORCE**

20 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND** 21 **LAND ACQUISITION PROJECTS.**

22 (a) **INSIDE THE UNITED STATES.**—Using amounts
23 appropriated pursuant to the authorization of appropria-
24 tions in section 2304(a)(1), the Secretary of the Air Force
25 may acquire real property and carry out military construc-

1 tion projects for the installations and locations inside the
 2 United States, and in the amounts, set forth in the fol-
 3 lowing table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	\$3,825,000
Alaska	Cape Romanzof	\$3,900,000
	Eielson Air Force Base	\$15,990,000
	Elmendorf Air Force Base	\$27,520,000
Arizona	Davis-Monthan Air Force Base	\$7,900,000
Arkansas	Little Rock Air Force Base	\$17,060,000
California	Beale Air Force Base	\$3,800,000
	Los Angeles Air Force Base	\$6,580,000
	Vandenberg Air Force Base	\$4,650,000
Colorado	Buckley Air National Guard Base ...	\$2,750,000
	Peterson Air Force Base	\$13,260,000
	Schriever Air Force Base	\$8,450,000
	United States Air Force Academy ...	\$18,960,000
CONUS Classified	Classified Location	\$1,810,000
District of Columbia	Bolling Air Force Base	\$4,520,000
Florida	Eglin Air Force Base	\$8,940,000
	Eglin Auxiliary Field 9	\$5,600,000
	Patrick Air Force Base	\$12,970,000
	Tyndall Air Force Base	\$25,300,000
Georgia	Fort Stewart/Hunter Army Air Field	\$4,920,000
	Moody Air Force Base	\$2,500,000
Hawaii	Hickam Air Force Base	\$4,620,000
Idaho	Mountain Home Air Force Base	\$10,125,000
Illinois	Scott Air Force Base	\$3,830,000
Louisiana	Barksdale Air Force Base	\$6,390,000
Mississippi	Keesler Air Force Base	\$15,040,000
Missouri	Whiteman Air Force Base	\$12,050,000
Montana	Malmstrom Air Force Base	\$5,300,000
New Jersey	McGuire Air Force Base	\$9,772,000
North Carolina	Pope Air Force Base	\$24,570,000
Ohio	Wright-Patterson Air Force Base ...	\$22,600,000
Oklahoma	Tinker Air Force Base	\$18,180,000
South Carolina	Charleston Air Force Base	\$2,500,000
	Shaw Air Force Base	\$2,850,000
Texas	Dyess Air Force Base	\$12,175,000
	Lackland Air Force Base	\$5,500,000
Utah	Hill Air Force Base	\$16,500,000
Virginia	Langley Air Force Base	\$7,470,000
Washington	McChord Air Force Base	\$10,250,000
Wyoming	F.E. Warren Air Force Base	\$25,720,000
	Total:	\$416,647,000

4 (b) OUTSIDE THE UNITED STATES.—Using amounts
 5 appropriated pursuant to the authorization of appropria-
 6 tions in section 2304(a)(2), the Secretary of the Air Force
 7 may acquire real property and carry out military construc-
 8 tion projects for the installations and locations outside the

1 United States, and in the amounts, set forth in the fol-
 2 lowing table:

Air Force: Outside the United States

Country	Installation or location	Amount
Diego Garcia	Diego Garcia	\$5,475,000
Italy	Aviano Air Base	\$8,000,000
Korea	Kunsan Air Base	\$6,400,000
	Osan Air Base	\$21,948,000
Spain	Naval Station Rota	\$5,052,000
Turkey	Incirlik Air Base	\$1,000,000
	Total:	\$47,875,000

3 **SEC. 2302. FAMILY HOUSING.**

4 (a) CONSTRUCTION AND ACQUISITION.—Using
 5 amounts appropriated pursuant to the authorization of ap-
 6 propriations in section 2304(a)(5)(A), the Secretary of the
 7 Air Force may construct or acquire family housing units
 8 (including land acquisition) at the installations, for the
 9 purposes, and in the amounts set forth in the following
 10 table:

Air Force: Family Housing

State	Installation or location	Purpose	Amount
District of Columbia	Bolling Air Force Base Cavalier Air Force Sta- tion. Minot Air Force Base	136 Units	\$17,137,000
		2 Units	\$443,000
		134 Units	\$19,097,000
		Total:	\$36,677,000

11 (b) PLANNING AND DESIGN.—Using amounts appro-
 12 priated pursuant to the authorization of appropriations in
 13 section 2304(a)(5)(A), the Secretary of the Air Force may
 14 carry out architectural and engineering services and con-
 15 struction design activities with respect to the construction

1 or improvement of military family housing units in an
2 amount not to exceed \$12,760,000.

3 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
4 **UNITS.**

5 Subject to section 2825 of title 10, United States
6 Code, and using amounts appropriated pursuant to the
7 authorization of appropriations in section 2304(a)(5)(A),
8 the Secretary of the Air Force may improve existing mili-
9 tary family housing units in an amount not to exceed
10 \$174,046,000.

11 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
12 **FORCE.**

13 (a) IN GENERAL.—Funds are hereby authorized to
14 be appropriated for fiscal years beginning after September
15 30, 2000, for military construction, land acquisition, and
16 military family housing functions of the Department of the
17 Air Force in the total amount of \$1,580,723,000 as fol-
18 lows:

19 (1) For military construction projects inside the
20 United States authorized by section 2301(a),
21 \$419,007,000.

22 (2) For military construction projects outside
23 the United States authorized by section 2301(b),
24 \$47,875,000.

1 (3) For unspecified minor construction projects
2 authorized by section 2805 of title 10, United States
3 Code, \$9,850,000.

4 (4) For architectural and engineering services
5 and construction design under section 2807 of title
6 10, United States Code, \$54,237,000.

7 (5) For military housing functions:

8 (A) For construction and acquisition, plan-
9 ning and design, and improvement of military
10 family housing and facilities, \$223,483,000.

11 (B) For support of military family housing
12 (including functions described in section 2833
13 of title 10, United States Code), \$826,271,000.

14 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
15 **PROJECTS.**—Notwithstanding the cost variations author-
16 ized by section 2853 of title 10, United States Code, and
17 any other cost variation authorized by law, the total cost
18 of all projects carried out under section 2301 of this Act
19 may not exceed the total amount authorized to be appro-
20 priated under paragraphs (1) and (2) of subsection (a).

**TITLE XXIV—DEFENSE
AGENCIES**

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount	
Defense Education Activity ..	Camp Lejeune, North Carolina	\$5,914,000	
	Laurel Bay, South Carolina	\$804,000	
Defense Logistics Agency	Defense Distribution Supply Point, New Cumberland, Pennsylvania ...	\$17,700,000	
	Defense Fuel Support Point, Cherry Point, North Carolina	\$5,700,000	
	Defense Fuel Support Point, MacDill Air Force Base, Florida ..	\$16,956,000	
	Defense Fuel Support Point, McConnell Air Force Base, Kansas	\$11,000,000	
	Defense Fuel Support Point, Naval Air Station, Fallon, Nevada	\$5,000,000	
	Defense Fuel Support Point, North Island, California	\$5,900,000	
	Defense Fuel Support Point, Oceana Naval Air Station, Virginia	\$2,000,000	
	Defense Fuel Support Point, Patuxent River, Maryland	\$8,300,000	
	Defense Fuel Support Point, Twentynine Palms, California	\$2,200,000	
	Defense Supply Center, Richmond, Virginia	\$4,500,000	
	National Security Agency	Fort Meade, Maryland	\$4,228,000
	Special Operations Command	Eglin Auxiliary Field 9, Florida	\$23,204,000
		Fleet Combat Training Center, Dam Neck, Virginia	\$5,500,000
		Fort Bragg, North Carolina	\$8,600,000
Fort Campbell, Kentucky		\$16,300,000	
Naval Air Station, North Island, California		\$1,350,000	
	Naval Air Station, Oceana, Virginia	\$3,400,000	
	Naval Amphibious Base, Coronado, California	\$4,300,000	

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
Tri-Care Management Activity.	Naval Amphibious Base, Little Creek, Virginia	\$5,400,000
	Edwards Air Force Base, California	\$17,900,000
	Marine Corps Base, Camp Pendleton, California	\$14,150,000
	Eglin Air Force Base, Florida	\$37,600,000
	Fort Drum, New York	\$1,400,000
	Patrick Air Force Base, Florida	\$2,700,000
	Tyndall Air Force Base, Florida	\$7,700,000
	Total:	\$239,706,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropri-
3 ations in section 2403(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

Agency	Installation or location	Amount
Defense Education Activity ..	Hanau, Germany	\$1,026,000
	Hohenfels, Germany	\$13,774,000
	Royal Air Force, Feltwell, United Kingdom	\$1,287,000
	Royal Air Force, Lakenheath, United Kingdom	\$3,086,000
	Schweinfurt, Germany	\$1,444,000
	Sigonella, Italy	\$971,000
	Wuerzburg, Germany	\$1,798,000
Defense Finance and Accounting Service.	Kleber Kaserne, Germany	\$7,500,000
Defense Logistics Agency	Defense Fuel Support Point, Andersen Air Force Base, Guam	\$36,000,000
	Defense Fuel Support Point, Marine Corps Air Station, Iwakuni, Japan	\$22,400,000
	Defense Fuel Support Point, Misawa Air Base, Japan	\$26,400,000
	Defense Fuel Support Point, Royal Air Force, Mildenhall, United Kingdom	\$10,000,000
	Defense Fuel Support Point, Sigonella, Italy	\$16,300,000
	Defense Threat Reduction Agency.	Darmstadt, Germany
Office of the Secretary of Defense.	Aruba, Curacao/Aruba	\$10,250,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
Special Operations Command Tri-Care Management Agency.	Curacao, Curacao/Aruba	\$43,900,000
	Manta, Ecuador	\$22,673,000
	Roosevelt Roads, Puerto Rico	\$1,241,000
	Taegu, Korea	\$1,450,000
	Kitzingen, Germany	\$1,400,000
	Naval Support Activity, Naples, Italy	\$43,850,000
	Wiesbaden Air Base, Germany	\$7,187,000
	Total:	\$276,387,000

1 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
2 propriated pursuant to the authorization of appropriations
3 in section 2403(a)(3), the Secretary of Defense may ac-
4 quire real property and carry out military construction
5 projects for the installations and locations, and in the
6 amounts, set forth in the following table:

Defense Agencies: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Unspecified Worldwide	\$451,135,000

7 **SEC. 2402. ENERGY CONSERVATION PROJECTS.**

8 Using amounts appropriated pursuant to the author-
9 ization of appropriations in section 2403(a)(7), the Sec-
10 retary of Defense may carry out energy conservation
11 projects under section 2865 of title 10, United States
12 Code, in the amount of \$33,570,000.

13 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS,**
14 **DEFENSE AGENCIES.**

15 (a) IN GENERAL.—Funds are hereby authorized to
16 be appropriated for fiscal years beginning after September
17 30, 2000, for military construction, land acquisition, and

1 military family housing functions of the Department of
2 Defense (other than the military departments), in the total
3 amount of \$2,004,008,000 as follows:

4 (1) For military construction projects inside the
5 United States authorized by section 2401(a),
6 \$239,706,000.

7 (2) For military construction projects outside
8 the United States authorized by section 2401(b),
9 \$276,387,000.

10 (3) For the military construction projects at
11 unspecified worldwide locations authorized by section
12 2401(c), \$85,095,000.

13 (4) For unspecified minor construction projects
14 under section 2805 of title 10, United States Code,
15 \$17,390,000.

16 (5) For contingency construction projects of the
17 Secretary of Defense under section 2804 of title 10,
18 United States Code, \$10,000,000.

19 (6) For architectural and engineering services
20 and construction design under section 2807 of title
21 10, United States Code, \$78,605,000.

22 (7) For energy conservation projects authorized
23 by section 2404 of this Act, \$33,570,000.

24 (8) For base closure and realignment activities
25 as authorized by the Defense Base Closure and Re-

1 alignment Act of 1990 (part A of title XXIX of
2 Public Law 101–510; 10 U.S.C. 2687 note),
3 \$1,174,369,000.

4 (9) For military family housing functions, for
5 support of military housing (including functions de-
6 scribed in section 2833 of title 10, United States
7 Code), \$44,886,000 of which not more than
8 \$38,478,000 may be obligated or expended for the
9 leasing of military family housing units worldwide.

10 (10) For construction of a replacement hospital
11 at Fort Wainwright, Alaska, authorized by section
12 2401(a) of the Military Construction Authorization
13 Act for Fiscal Year 2000 (division B of Public Law
14 106–65; 113 Stat. 836), \$44,000,000.

15 (b) ADVANCE AUTHORIZATION OF APPROPRIA-
16 TIONS.—(1)(A) Funds are hereby authorized to be appro-
17 priated for fiscal years beginning after September 30,
18 2001, for completion of the project described in subpara-
19 graph (B), as authorized by section 2401(c) and subject
20 to the same terms, in the amount of \$379,100,000.

21 (B) The project described in this subparagraph is the
22 project for the construction of National Missile Defense
23 Initial Deployment Facilities, Unspecified Worldwide loca-
24 tions.

1 (2)(A) Funds are hereby authorized to be appro-
2 priated for fiscal years beginning after September 30,
3 2001, for completion of military construction project de-
4 scribed in subparagraph (B), as authorized under section
5 2401(a) of the Military Construction Authorization Act
6 for Fiscal Year 2000 (division B of Public Law 106–65;
7 113 Stat. 825) and subject to the same terms, in the
8 amount of \$68,000,000.

9 (B) The project described in this subparagraph is the
10 project for the construction of a replacement hospital at
11 Fort Wainwright, Alaska.

12 (c) LIMITATION OF TOTAL COST OF CONSTRUCTION
13 PROJECTS.—Notwithstanding the cost variation author-
14 ized by section 2853 of title 10, United States Code, and
15 any other cost variations authorized by law, the total cost
16 of all projects carried out under section 2401 of this Act
17 may not exceed—

18 (1) the total amount authorized to be appro-
19 priated under paragraphs (1) and (2) of subsection
20 (a); and

21 (2) \$379,100,000 (the balance of the amount
22 authorized under section 2401(c) for construction of
23 National Missile Defense Initial Deployment Facili-
24 ties, Unspecified Worldwide locations).

1 **TITLE XXV—NORTH ATLANTIC**
2 **TREATY ORGANIZATION SE-**
3 **CURITY INVESTMENT PRO-**
4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
6 **ACQUISITION PROJECTS.**

7 The Secretary of Defense may make contributions for
8 the North Atlantic Treaty Organization Security Invest-
9 ment program as provided in section 2806 of title 10,
10 United States Code, in an amount not to exceed the sum
11 of the amount authorized to be appropriated for this pur-
12 pose in section 2502 and the amount collected from the
13 North Atlantic Treaty Organization as a result of con-
14 struction previously financed by the United States.

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 2000, for con-
18 tributions by the Secretary of Defense under section 2806
19 of title 10, United States Code, for the share of the United
20 States of the cost of projects for the North Atlantic Treaty
21 Organization Security Investment program authorized by
22 section 2501, in the amount of \$190,000,000.

1 **TITLE XXVI—GUARD AND**
2 **RESERVE FORCES FACILITIES**

3 **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**
4 **TION AND LAND ACQUISITION PROJECTS.**

5 There are authorized to be appropriated for fiscal
6 years beginning after September 30, 2000, for the costs
7 of acquisition, architectural and engineering services, and
8 construction of facilities for the Guard and Reserve
9 Forces, and for contributions therefor, under chapter
10 1803 of title 10, United States Code (including the cost
11 of acquisition of land for those facilities), the following
12 amounts:

13 (1) For the Department of the Army—

14 (A) for the Army National Guard of the
15 United States, \$59,130,000; and

16 (B) for the Army Reserve, \$81,713,000.

17 (2) For the Department of the Navy, for the
18 Naval and Marine Corps Reserve, \$16,103,000.

19 (3) For the Department of the Air Force—

20 (A) for the Air National Guard of the
21 United States, \$50,179,000; and

22 (B) for the Air Force Reserve,
23 \$14,851,000.

1 **TITLE XXVII—EXPIRATION AND**
2 **EXTENSION OF AUTHORIZA-**
3 **TIONS**

4 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
5 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
6 **LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
8 YEARS.—Except as provided in subsection (b), all author-
9 izations contained in titles XXI through XXVI for military
10 construction projects, land acquisition, family housing
11 projects and facilities, and contributions to the North At-
12 lantic Treaty Organization Security Investment program
13 (and authorizations of appropriations therefor) shall ex-
14 pire on the later of—

15 (1) October 1, 2003; or

16 (2) the date of the enactment of an Act author-
17 izing funds for military construction for fiscal year
18 2004.

19 (b) EXCEPTION.—Subsection (a) shall not apply to
20 authorizations for military construction projects, land ac-
21 quisition, family housing projects and facilities, and con-
22 tributions to the North Atlantic Treaty Organization Se-
23 curity Investment program (and authorizations of appro-
24 priations therefor) for which appropriated funds have been
25 obligated before the later of—

- 1 (1) October 1, 2003; or
- 2 (2) the date of the enactment of an Act author-
- 3 izing funds for fiscal year 2004 for military con-
- 4 struction projects, land acquisition, family housing
- 5 projects and facilities, or contributions to the North
- 6 Atlantic Treaty Organization Security Investment
- 7 program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 1998 PROJECTS.**

10 (a) **EXTENSION.**—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 1998 (division B of Public Law 105–85; 111 Stat.
 13 1984), authorizations set forth in the tables in subsection
 14 (b), as provided in section 2102, 2202, or 2302 of that
 15 Act, shall remain in effect until October 1, 2001, or the
 16 date of the enactment of an Act authorizing funds for mili-
 17 tary construction for fiscal year 2002, whichever is later.

18 (b) **TABLES.**—The tables referred to in subsection (a)
 19 are as follows:

Army: Extension of 1998 Project Authorizations

State	Installation or loca- tion	Project	Amount
Maryland	Fort Meade	Family Housing Construction (56 units).	\$7,900,000
Texas	Fort Hood	Family Housing Construction (130 units).	\$18,800,000

Navy: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
California	Naval Complex, San Diego.	Replacement Family Housing Construction (94 units).	\$13,500,000
California	Marine Corps Air Station, Miramar.	Family Housing Construction (166 units).	\$28,881,000
California	Marine Corps Air-Ground Combat Center, Twentynine Palms.	Replacement Family Housing Construction (132 units).	\$23,891,000
Louisiana	Naval Complex, New Orleans.	Replacement Family Housing Construction (100 units).	\$11,930,000
Texas	Naval Air Station, Corpus Christi.	Family Housing Construction (212 units).	\$22,250,000
Washington	Naval Air Station, Whidbey Island.	Replacement Family Housing Construction (102 units).	\$16,000,000

Air Force: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
Georgia	Robins Air Force Base	Replace Family Housing (60 units).	\$6,800,000
Idaho	Mountain Home Air Force Base.	Replace Family Housing (60 units).	\$11,032,000
New Mexico	Kirtland Air Force Base.	Replace Family Housing (180 units).	\$20,900,000
Texas	Dyess Air Force Base	Construct Family Housing (70 units).	\$10,503,000

1 SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**2 FISCAL YEAR 1997 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 1997 (division B of Public Law 104–201; 110 Stat.
6 2782), authorizations set forth in the table in subsection

1 (b), as provided in section 2201 or 2202 of that Act and
 2 extended by section 2702 of the Military Construction Au-
 3 thorization Act for Fiscal Year 2000 (division B of Public
 4 Law 106–65; 113 Stat. 842), shall remain in effect until
 5 October 1, 2001, or the date of the enactment of an Act
 6 authorizing funds for military construction for fiscal year
 7 2002, whichever is later.

8 (b) TABLE.—The table referred to in subsection (a)
 9 is as follows:

Navy: Extension of 1997 Project Authorizations

State	Installation or loca- tion	Project	Amount
Florida	Navy Station, Mayport	Family Housing Construction (100 units).	\$10,000,000
North Carolina	Marine Corps Base, Camp Lejeune.	Family Housing Construction (94 units).	\$10,110,000
South Carolina	Marine Corps Air Station, Beaufort.	Family Housing Construction (140 units).	\$14,000,000
Texas	Naval Complex, Corpus Christi.	Family Housing Replacement (104 units).	\$11,675,000
	Naval Air Station, Kingsville.	Family Housing Replacement (48 units).	\$7,550,000
Virginia	Marine Corps Combat Development Command, Quantico.	Sanitary Landfill.	\$8,900,000
Washington	Naval Station, Everett	Family Housing Construction (100 units).	\$15,015,000

10 **SEC. 2704. EFFECTIVE DATE.**

11 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI
 12 shall take effect on the later of—

- 13 (1) October 1, 2000; or
- 14 (2) the date of the enactment of this Act.

1 **TITLE XVIII—GENERAL**
2 **PROVISIONS**

3 **SEC. 2801. REAL PROPERTY TRANSACTIONS: REPORTS TO**
4 **CONGRESSIONAL COMMITTEES.**

5 Section 2662 of title 10, United States Code, is
6 amended by striking out “\$200,000” each place it appears
7 and inserting in lieu thereof “\$500,000”.

8 **SEC. 2802. DEFINITION OF AN ARMORY.**

9 Section 18232(3) of title 10, United States Code, is
10 amended by inserting “or readiness center” after “ar-
11 mory”.

12 **SEC. 2803. EXTENSION OF AUTHORITY FOR MILITARY**
13 **HOUSING PRIVATIZATION INITIATIVE.**

14 Section 2885 of title 10, United States Code, is
15 amended by striking out “2001” and inserting in lieu
16 thereof “2006”.

17 **SEC. 2804. REIMBURSEMENT FOR SERVICES PROVIDED**
18 **UNDER HOUSING PRIVATIZATION AGREE-**
19 **MENTS.**

20 Section 2872 of title 10, United States Code, is
21 amended—

22 (1) by inserting “(a) GENERAL AUTHORI-
23 TY.—” before “In addition”; and

24 (2) by adding at the end the following new sub-
25 section:

1 “(b) REIMBURSABLE SERVICES.—The Secretary con-
2 cerned may provide utilities or services to eligible entities,
3 on a reimbursable basis, as a part of any project for the
4 acquisition or construction of military family housing units
5 or military unaccompanied housing units under this sub-
6 chapter, when such housing units are located on a military
7 installation. Payments for such utilities or services shall
8 be credited to the appropriation account or working cap-
9 ital fund from which the cost of furnishing the utilities
10 and services was paid, and are hereby available for obliga-
11 tion until expended.”.

12 **SEC. 2805. LEASING OF MILITARY FAMILY HOUSING,**
13 **UNITED STATES SOUTHERN COMMAND,**
14 **MIAMI, FLORIDA.**

15 (a) FIVE-YEAR LEASE.—Subsection (b)(4) of section
16 2828 of title 10, United States Code, is amended by strik-
17 ing “and no lease on any individual housing unit may ex-
18 ceed \$60,000 per year” and inserting the following new
19 sentence: “Leases under this paragraph may be written
20 for any period not in excess of five years, and the costs
21 of such leases for any year may be paid out of annual
22 appropriations for that year.”.

23 (b) HOUSING ADJUSTMENT.—Section 2828(b) of
24 such title 10 is further amended—

1 (1) in paragraph (5) by striking “(2), (3), and
2 (4)” and inserting “(2) and (3)”; and

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

5 “(6) At the beginning of each fiscal year, the
6 Secretary of the Army shall adjust the maximum
7 amount provided for leases under paragraph (4) for
8 the previous fiscal year by the percentage (if any) by
9 which the Department of Defense Basic Allowance
10 for Housing (BAH) for the Miami metropolitan area
11 during the preceding fiscal year exceeded such Basic
12 Allowance for Housing for the fiscal year before
13 such preceding year.”.

14 **SEC. 2806. REVISION OF LIMITATIONS ON SPACE BY PAY**
15 **GRADE.**

16 Section 2826 of title 10, United States Code, is
17 amended—

18 (1) in subsection (a)—

19 (A) by striking the designator “(a)”; and

20 (B) by striking “the following are the
21 space limitations” and all that follows through
22 the end of the subsection, and inserting “the
23 Secretary concerned shall ensure that the room
24 patterns and floor areas are generally com-
25 parable to the room patterns and floor areas of

1 similar housing units in the locality con-
2 cerned.”; and

3 (2) by striking subsections (b) through (i).

4 **SEC. 2807. MODIFICATION TO AUTHORITY FOR LAND CON-**
5 **VEYANCE, MARINE CORPS AIR STATION, EL**
6 **TORO, CALIFORNIA.**

7 Section 2811(a)(2) of Public Law 101–189, the Na-
8 tional Defense Authorization Act for Fiscal Years 1990
9 and 1991 is amended by striking out “of additional mili-
10 tary family housing units at Marine Corps Air Station,
11 Tustin, California.” and inserting in lieu thereof “and re-
12 pair of roads and development of Aerial Port of Embar-
13 kation facilities at Marine Corps Air Station, Miramar,
14 California.”.

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