

In the Senate of the United States,

July 28, 1999.

Resolved, That the bill from the House of Representatives (H.R. 2561) entitled “An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *fiscal year ending September 30, 2000, for military func-*
4 *tions administered by the Department of Defense, and for*
5 *other purposes, namely:*

6 *TITLE I*

7 *MILITARY PERSONNEL*

8 *MILITARY PERSONNEL, ARMY*

9 *For pay, allowances, individual clothing, subsistence,*
10 *interest on deposits, gratuities, permanent change of sta-*

1 *tion travel (including all expenses thereof for organiza-*
2 *tional movements), and expenses of temporary duty travel*
3 *between permanent duty stations, for members of the Army*
4 *on active duty (except members of reserve components pro-*
5 *vided for elsewhere), cadets, and aviation cadets; and for*
6 *payments pursuant to section 156 of Public Law 97–377,*
7 *as amended (42 U.S.C. 402 note), to section 229(b) of the*
8 *Social Security Act (42 U.S.C. 429(b)), and to the Depart-*
9 *ment of Defense Military Retirement Fund;*
10 *\$22,041,094,000.*

11 *MILITARY PERSONNEL, NAVY*

12 *For pay, allowances, individual clothing, subsistence,*
13 *interest on deposits, gratuities, permanent change of sta-*
14 *tion travel (including all expenses thereof for organiza-*
15 *tional movements), and expenses of temporary duty travel*
16 *between permanent duty stations, for members of the Navy*
17 *on active duty (except members of the Reserve provided for*
18 *elsewhere), midshipmen, and aviation cadets; and for pay-*
19 *ments pursuant to section 156 of Public Law 97–377, as*
20 *amended (42 U.S.C. 402 note), to section 229(b) of the So-*
21 *cial Security Act (42 U.S.C. 429(b)), and to the Depart-*
22 *ment of Defense Military Retirement Fund;*
23 *\$17,236,001,000.*

1 *MILITARY PERSONNEL, MARINE CORPS*

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

13 *MILITARY PERSONNEL, AIR FORCE*

14 *For pay, allowances, individual clothing, subsistence,*
15 *interest on deposits, gratuities, permanent change of sta-*
16 *tion travel (including all expenses thereof for organiza-*
17 *tional movements), and expenses of temporary duty travel*
18 *between permanent duty stations, for members of the Air*
19 *Force on active duty (except members of reserve compo-*
20 *nents provided for elsewhere), cadets, and aviation cadets;*
21 *and for payments pursuant to section 156 of Public Law*
22 *97–377, as amended (42 U.S.C. 402 note), to section*
23 *229(b) of the Social Security Act (42 U.S.C. 429(b)), and*
24 *to the Department of Defense Military Retirement Fund;*
25 *\$17,873,759,000.*

1 *United States Code; and for payments to the Department*
2 *of Defense Military Retirement Fund; \$1,450,788,000.*

3 *RESERVE PERSONNEL, MARINE CORPS*

4 *For pay, allowances, clothing, subsistence, gratuities,*
5 *travel, and related expenses for personnel of the Marine*
6 *Corps Reserve on active duty under section 10211 of title*
7 *10, United States Code, or while serving on active duty*
8 *under section 12301(d) of title 10, United States Code, in*
9 *connection with performing duty specified in section*
10 *12310(a) of title 10, United States Code, or while under-*
11 *going reserve training, or while performing drills or equiv-*
12 *alent duty, and for members of the Marine Corps platoon*
13 *leaders class, and expenses authorized by section 16131 of*
14 *title 10, United States Code; and for payments to the De-*
15 *partment of Defense Military Retirement Fund;*
16 *\$410,650,000.*

17 *RESERVE PERSONNEL, AIR FORCE*

18 *For pay, allowances, clothing, subsistence, gratuities,*
19 *travel, and related expenses for personnel of the Air Force*
20 *Reserve on active duty under sections 10211, 10305, and*
21 *8038 of title 10, United States Code, or while serving on*
22 *active duty under section 12301(d) of title 10, United*
23 *States Code, in connection with performing duty specified*
24 *in section 12310(a) of title 10, United States Code, or*
25 *while undergoing reserve training, or while performing*

1 *drills or equivalent duty or other duty, and for members*
2 *of the Air Reserve Officers' Training Corps, and expenses*
3 *authorized by section 16131 of title 10, United States*
4 *Code; and for payments to the Department of Defense*
5 *Military Retirement Fund; \$884,794,000.*

6 *NATIONAL GUARD PERSONNEL, ARMY*

7 *For pay, allowances, clothing, subsistence, gratuities,*
8 *travel, and related expenses for personnel of the Army Na-*
9 *tional Guard while on duty under section 10211, 10302,*
10 *or 12402 of title 10 or section 708 of title 32, United*
11 *States Code, or while serving on duty under section*
12 *12301(d) of title 10 or section 502(f) of title 32, United*
13 *States Code, in connection with performing duty specified*
14 *in section 12310(a) of title 10, United States Code, or*
15 *while undergoing training, or while performing drills or*
16 *equivalent duty or other duty, and expenses authorized by*
17 *section 16131 of title 10, United States Code; and for pay-*
18 *ments to the Department of Defense Military Retirement*
19 *Fund; \$3,622,479,000.*

20 *NATIONAL GUARD PERSONNEL, AIR FORCE*

21 *For pay, allowances, clothing, subsistence, gratuities,*
22 *travel, and related expenses for personnel of the Air Na-*
23 *tional Guard on duty under section 10211, 10305, or*
24 *12402 of title 10 or section 708 of title 32, United States*
25 *Code, or while serving on duty under section 12301(d) of*

1 *title 10 or section 502(f) of title 32, United States Code,*
2 *in connection with performing duty specified in section*
3 *12310(a) of title 10, United States Code, or while under-*
4 *going training, or while performing drills or equivalent*
5 *duty or other duty, and expenses authorized by section*
6 *16131 of title 10, United States Code; and for payments*
7 *to the Department of Defense Military Retirement Fund;*
8 *\$1,494,496,000.*

9 **TITLE II**

10 **OPERATION AND MAINTENANCE**

11 **OPERATION AND MAINTENANCE, ARMY**

12 **(INCLUDING TRANSFER OF FUNDS)**

13 *For expenses, not otherwise provided for, necessary for*
14 *the operation and maintenance of the Army, as authorized*
15 *by law; and not to exceed \$10,624,000 can be used for*
16 *emergencies and extraordinary expenses, to be expended on*
17 *the approval or authority of the Secretary of the Army,*
18 *and payments may be made on his certificate of necessity*
19 *for confidential military purposes; \$19,161,852,000 and,*
20 *in addition, \$50,000,000 shall be derived by transfer from*
21 *the National Defense Stockpile Transaction Fund: Pro-*
22 *vided, That of the funds appropriated in this paragraph,*
23 *not less than \$355,000,000 shall be made available only for*
24 *conventional ammunition care and maintenance.*

1 *OPERATION AND MAINTENANCE, NAVY*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For expenses, not otherwise provided for, necessary for*
4 *the operation and maintenance of the Navy and the Ma-*
5 *rine Corps, as authorized by law; and not to exceed*
6 *\$5,155,000 can be used for emergencies and extraordinary*
7 *expenses, to be expended on the approval or authority of*
8 *the Secretary of the Navy, and payments may be made on*
9 *his certificate of necessity for confidential military pur-*
10 *poses; \$22,841,510,000 and, in addition, \$50,000,000 shall*
11 *be derived by transfer from the National Defense Stockpile*
12 *Transaction Fund.*

13 *OPERATION AND MAINTENANCE, MARINE CORPS*

14 *For expenses, not otherwise provided for, necessary for*
15 *the operation and maintenance of the Marine Corps, as*
16 *authorized by law; \$2,758,139,000.*

17 *OPERATION AND MAINTENANCE, AIR FORCE*18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For expenses, not otherwise provided for, necessary for*
20 *the operation and maintenance of the Air Force, as au-*
21 *thorized by law; and not to exceed \$7,882,000 can be used*
22 *for emergencies and extraordinary expenses, to be expended*
23 *on the approval or authority of the Secretary of the Air*
24 *Force, and payments may be made on his certificate of ne-*
25 *cessity for confidential military purposes; \$20,760,429,000*

1 *and, in addition, \$50,000,000 shall be derived by transfer*
2 *from the National Defense Stockpile Transaction Fund.*

3 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

4 *For expenses, not otherwise provided for, necessary for*
5 *the operation and maintenance of activities and agencies*
6 *of the Department of Defense (other than the military de-*
7 *partments), as authorized by law; \$11,537,333,000, of*
8 *which not to exceed \$25,000,000 may be available for the*
9 *CINC initiative fund account; and of which not to exceed*
10 *\$32,300,000 can be used for emergencies and extraordinary*
11 *expenses, to be expended on the approval or authority of*
12 *the Secretary of Defense, and payments may be made on*
13 *his certificate of necessity for confidential military pur-*
14 *poses.*

15 *OPERATION AND MAINTENANCE, ARMY RESERVE*

16 *For expenses, not otherwise provided for, necessary for*
17 *the operation and maintenance, including training, orga-*
18 *nization, and administration, of the Army Reserve; repair*
19 *of facilities and equipment; hire of passenger motor vehi-*
20 *cles; travel and transportation; care of the dead; recruit-*
21 *ing; procurement of services, supplies, and equipment; and*
22 *communications; \$1,438,776,000.*

23 *OPERATION AND MAINTENANCE, NAVY RESERVE*

24 *For expenses, not otherwise provided for, necessary for*
25 *the operation and maintenance, including training, orga-*

1 nization, and administration, of the Navy Reserve; repair
2 of facilities and equipment; hire of passenger motor vehi-
3 cles; travel and transportation; care of the dead; recruit-
4 ing; procurement of services, supplies, and equipment; and
5 communications; \$946,478,000.

6 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

7 *For expenses, not otherwise provided for, necessary for*
8 *the operation and maintenance, including training, orga-*
9 *nization, and administration, of the Marine Corps Re-*
10 *serve; repair of facilities and equipment; hire of passenger*
11 *motor vehicles; travel and transportation; care of the dead;*
12 *recruiting; procurement of services, supplies, and equip-*
13 *ment; and communications; \$126,711,000.*

14 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

15 *For expenses, not otherwise provided for, necessary for*
16 *the operation and maintenance, including training, orga-*
17 *nization, and administration, of the Air Force Reserve; re-*
18 *pair of facilities and equipment; hire of passenger motor*
19 *vehicles; travel and transportation; care of the dead; re-*
20 *cruiting; procurement of services, supplies, and equipment;*
21 *and communications; \$1,760,591,000.*

22 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

23 *For expenses of training, organizing, and admin-*
24 *istering the Army National Guard, including medical and*
25 *hospital treatment and related expenses in non-Federal*

1 hospitals; maintenance, operation, and repairs to struc-
2 tures and facilities; hire of passenger motor vehicles; per-
3 sonnel services in the National Guard Bureau; travel ex-
4 penses (other than mileage), as authorized by law for
5 Army personnel on active duty, for Army National Guard
6 division, regimental, and battalion commanders while in-
7 specting units in compliance with National Guard Bureau
8 regulations when specifically authorized by the Chief, Na-
9 tional Guard Bureau; supplying and equipping the Army
10 National Guard as authorized by law; and expenses of re-
11 pair, modification, maintenance, and issue of supplies and
12 equipment (including aircraft); \$3,156,378,000.

13 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

14 *For operation and maintenance of the Air National*
15 *Guard, including medical and hospital treatment and re-*
16 *lated expenses in non-Federal hospitals; maintenance, op-*
17 *eration, repair, and other necessary expenses of facilities*
18 *for the training and administration of the Air National*
19 *Guard, including repair of facilities, maintenance, oper-*
20 *ation, and modification of aircraft; transportation of*
21 *things, hire of passenger motor vehicles; supplies, mate-*
22 *rials, and equipment, as authorized by law for the Air Na-*
23 *tional Guard; and expenses incident to the maintenance*
24 *and use of supplies, materials, and equipment, including*
25 *such as may be furnished from stocks under the control of*

1 *agencies of the Department of Defense; travel expenses*
2 *(other than mileage) on the same basis as authorized by*
3 *law for Air National Guard personnel on active Federal*
4 *duty, for Air National Guard commanders while inspect-*
5 *ing units in compliance with National Guard Bureau reg-*
6 *ulations when specifically authorized by the Chief, Na-*
7 *tional Guard Bureau; \$3,229,638,000.*

8 *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*
9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For expenses directly relating to Overseas Contin-*
11 *gency Operations by United States military forces;*
12 *\$2,087,600,000, to remain available until expended: Pro-*
13 *vided, That the Secretary of Defense may transfer these*
14 *funds only to operation and maintenance accounts, within*
15 *this title, the Defense Health Program appropriation, and*
16 *to working capital funds: Provided further, That the funds*
17 *transferred shall be merged with and shall be available for*
18 *the same purposes and for the same time period, as the ap-*
19 *propriation to which transferred: Provided further, That*
20 *upon a determination that all or part of the funds trans-*
21 *ferred from this appropriation are not necessary for the*
22 *purposes provided herein, such amounts may be trans-*
23 *ferred back to this appropriation: Provided further, That*
24 *the transfer authority provided in this paragraph is in ad-*

1 *dition to any other transfer authority contained elsewhere*
2 *in this Act.*

3 *UNITED STATES COURT OF APPEALS FOR THE ARMED*
4 *FORCES*

5 *For salaries and expenses necessary for the United*
6 *States Court of Appeals for the Armed Forces; \$7,621,000,*
7 *of which not to exceed \$2,500 can be used for official rep-*
8 *resentation purposes.*

9 *ENVIRONMENTAL RESTORATION, ARMY*
10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For the Department of the Army, \$378,170,000, to re-*
12 *main available until transferred: Provided, That the Sec-*
13 *retary of the Army shall, upon determining that such*
14 *funds are required for environmental restoration, reduction*
15 *and recycling of hazardous waste, removal of unsafe build-*
16 *ings and debris of the Department of the Army, or for*
17 *similar purposes, transfer the funds made available by this*
18 *appropriation to other appropriations made available to*
19 *the Department of the Army, to be merged with and to be*
20 *available for the same purposes and for the same time pe-*
21 *riod as the appropriations to which transferred: Provided*
22 *further, That upon a determination that all or part of the*
23 *funds transferred from this appropriation are not nec-*
24 *essary for the purposes provided herein, such amounts may*
25 *be transferred back to this appropriation.*

1 *ENVIRONMENTAL RESTORATION, NAVY*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For the Department of the Navy, \$284,000,000, to re-*
4 *main available until transferred: Provided, That the Sec-*
5 *retary of the Navy shall, upon determining that such funds*
6 *are required for environmental restoration, reduction and*
7 *recycling of hazardous waste, removal of unsafe buildings*
8 *and debris of the Department of the Navy, or for similar*
9 *purposes, transfer the funds made available by this appro-*
10 *priation to other appropriations made available to the De-*
11 *partment of the Navy, to be merged with and to be avail-*
12 *able for the same purposes and for the same time period*
13 *as the appropriations to which transferred: Provided fur-*
14 *ther, That upon a determination that all or part of the*
15 *funds transferred from this appropriation are not nec-*
16 *essary for the purposes provided herein, such amounts may*
17 *be transferred back to this appropriation.*

18 *ENVIRONMENTAL RESTORATION, AIR FORCE*19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For the Department of the Air Force, \$376,800,000,*
21 *to remain available until transferred: Provided, That the*
22 *Secretary of the Air Force shall, upon determining that*
23 *such funds are required for environmental restoration, re-*
24 *duction and recycling of hazardous waste, removal of un-*
25 *safe buildings and debris of the Department of the Air*

1 *Force, or for similar purposes, transfer the funds made*
2 *available by this appropriation to other appropriations*
3 *made available to the Department of the Air Force, to be*
4 *merged with and to be available for the same purposes and*
5 *for the same time period as the appropriations to which*
6 *transferred: Provided further, That upon a determination*
7 *that all or part of the funds transferred from this appro-*
8 *priation are not necessary for the purposes provided here-*
9 *in, such amounts may be transferred back to this appro-*
10 *priation.*

11 *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the Department of Defense, \$25,370,000, to re-*
14 *main available until transferred: Provided, That the Sec-*
15 *retary of Defense shall, upon determining that such funds*
16 *are required for environmental restoration, reduction and*
17 *recycling of hazardous waste, removal of unsafe buildings*
18 *and debris of the Department of Defense, or for similar*
19 *purposes, transfer the funds made available by this appro-*
20 *priation to other appropriations made available to the De-*
21 *partment of Defense, to be merged with and to be available*
22 *for the same purposes and for the same time period as the*
23 *appropriations to which transferred: Provided further,*
24 *That upon a determination that all or part of the funds*
25 *transferred from this appropriation are not necessary for*

1 *the purposes provided herein, such amounts may be trans-*
2 *ferred back to this appropriation.*

3 *ENVIRONMENTAL RESTORATION, FORMERLY USED*
4 *DEFENSE SITES*
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the Department of the Army, \$239,214,000, to re-*
7 *main available until transferred: Provided, That the Sec-*
8 *retary of the Army shall, upon determining that such*
9 *funds are required for environmental restoration, reduction*
10 *and recycling of hazardous waste, removal of unsafe build-*
11 *ings and debris at sites formerly used by the Department*
12 *of Defense, transfer the funds made available by this ap-*
13 *propriation to other appropriations made available to the*
14 *Department of the Army, to be merged with and to be*
15 *available for the same purposes and for the same time pe-*
16 *riod as the appropriations to which transferred: Provided*
17 *further, That upon a determination that all or part of the*
18 *funds transferred from this appropriation are not nec-*
19 *essary for the purposes provided herein, such amounts may*
20 *be transferred back to this appropriation.*

21 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

22 *For expenses relating to the Overseas Humanitarian,*
23 *Disaster, and Civic Aid programs of the Department of*
24 *Defense (consisting of the programs provided under sec-*
25 *tions 401, 402, 404, 2547, and 2551 of title 10, United*

1 *States Code*); \$55,800,000, to remain available until Sep-
2 *tember 30, 2001.*

3 *FORMER SOVIET UNION THREAT REDUCTION*

4 *For assistance to the republics of the former Soviet*
5 *Union, including assistance provided by contract or by*
6 *grants, for facilitating the elimination and the safe and se-*
7 *cure transportation and storage of nuclear, chemical and*
8 *other weapons; for establishing programs to prevent the*
9 *proliferation of weapons, weapons components, and weap-*
10 *on-related technology and expertise; for programs relating*
11 *to the training and support of defense and military per-*
12 *sonnel for demilitarization and protection of weapons,*
13 *weapons components and weapons technology and exper-*
14 *tise; \$475,500,000, to remain available until September 30,*
15 *2002: Provided, That of the amounts provided under this*
16 *heading, \$25,000,000 shall be available only to support the*
17 *dismantling and disposal of nuclear submarines and sub-*
18 *marine reactor components in the Russian Far East.*

19 *PENTAGON RENOVATION TRANSFER FUND*

20 *For expenses, not otherwise provided for, resulting*
21 *from the Department of Defense renovation of the Pentagon*
22 *Reservation; \$246,439,000, for the renovation of the Pen-*
23 *tagon Reservation, which shall remain available for obliga-*
24 *tion until September 30, 2001.*

1 *TITLE III*
2 *PROCUREMENT*

3 *AIRCRAFT PROCUREMENT, ARMY*

4 *For construction, procurement, production, modifica-*
5 *tion, and modernization of aircraft, equipment, including*
6 *ordnance, ground handling equipment, spare parts, and ac-*
7 *cessories therefor; specialized equipment and training de-*
8 *vices; expansion of public and private plants, including the*
9 *land necessary therefor, for the foregoing purposes, and such*
10 *lands and interests therein, may be acquired, and construc-*
11 *tion prosecuted thereon prior to approval of title; and pro-*
12 *curement and installation of equipment, appliances, and*
13 *machine tools in public and private plants; reserve plant*
14 *and Government and contractor-owned equipment layaway;*
15 *and other expenses necessary for the foregoing purposes;*
16 *\$1,440,788,000, to remain available for obligation until*
17 *September 30, 2002.*

18 *MISSILE PROCUREMENT, ARMY*

19 *For construction, procurement, production, modifica-*
20 *tion, and modernization of missiles, equipment, including*
21 *ordnance, ground handling equipment, spare parts, and ac-*
22 *cessories therefor; specialized equipment and training de-*
23 *vices; expansion of public and private plants, including the*
24 *land necessary therefor, for the foregoing purposes, and such*
25 *lands and interests therein, may be acquired, and construc-*

1 *tion prosecuted thereon prior to approval of title; and pro-*
2 *curement and installation of equipment, appliances, and*
3 *machine tools in public and private plants; reserve plant*
4 *and Government and contractor-owned equipment layaway;*
5 *and other expenses necessary for the foregoing purposes;*
6 *\$1,267,698,000, to remain available for obligation until*
7 *September 30, 2002.*

8 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*
9 *VEHICLES, ARMY*

10 *For construction, procurement, production, and modi-*
11 *fication of weapons and tracked combat vehicles, equipment,*
12 *including ordnance, spare parts, and accessories therefor;*
13 *specialized equipment and training devices; expansion of*
14 *public and private plants, including the land necessary*
15 *therefor, for the foregoing purposes, and such lands and in-*
16 *terests therein, may be acquired, and construction pros-*
17 *ecuted thereon prior to approval of title; and procurement*
18 *and installation of equipment, appliances, and machine*
19 *tools in public and private plants; reserve plant and Gov-*
20 *ernment and contractor-owned equipment layaway; and*
21 *other expenses necessary for the foregoing purposes;*
22 *\$1,526,265,000, to remain available for obligation until*
23 *September 30, 2002.*

1 *PROCUREMENT OF AMMUNITION, ARMY*

2 *For construction, procurement, production, and modi-*
3 *fication of ammunition, and accessories therefor; specialized*
4 *equipment and training devices; expansion of public and*
5 *private plants, including ammunition facilities authorized*
6 *by section 2854 of title 10, United States Code, and the*
7 *land necessary therefor, for the foregoing purposes, and such*
8 *lands and interests therein, may be acquired, and construc-*
9 *tion prosecuted thereon prior to approval of title; and pro-*
10 *curement and installation of equipment, appliances, and*
11 *machine tools in public and private plants; reserve plant*
12 *and Government and contractor-owned equipment layaway;*
13 *and other expenses necessary for the foregoing purposes;*
14 *\$1,145,566,000, to remain available for obligation until*
15 *September 30, 2002.*

16 *OTHER PROCUREMENT, ARMY*

17 *For construction, procurement, production, and modi-*
18 *fication of vehicles, including tactical, support, and non-*
19 *tracked combat vehicles; the purchase of not to exceed 36*
20 *passenger motor vehicles for replacement only; and the pur-*
21 *chase of 3 vehicles required for physical security of per-*
22 *sonnel, notwithstanding price limitations applicable to pas-*
23 *senger vehicles but not to exceed \$200,000 per vehicle; com-*
24 *munications and electronic equipment; other support equip-*
25 *ment; spare parts, ordnance, and accessories therefor; spe-*

1 *cialized equipment and training devices; expansion of pub-*
2 *lic and private plants, including the land necessary there-*
3 *for, for the foregoing purposes, and such lands and interests*
4 *therein, may be acquired, and construction prosecuted*
5 *thereon prior to approval of title; and procurement and in-*
6 *stallation of equipment, appliances, and machine tools in*
7 *public and private plants; reserve plant and Government*
8 *and contractor-owned equipment layaway; and other ex-*
9 *penses necessary for the foregoing purposes; \$3,658,070,000,*
10 *to remain available for obligation until September 30,*
11 *2002.*

12 *AIRCRAFT PROCUREMENT, NAVY*

13 *For construction, procurement, production, modifica-*
14 *tion, and modernization of aircraft, equipment, including*
15 *ordnance, spare parts, and accessories therefor; specialized*
16 *equipment; expansion of public and private plants, includ-*
17 *ing the land necessary therefor, and such lands and inter-*
18 *ests therein, may be acquired, and construction prosecuted*
19 *thereon prior to approval of title; and procurement and in-*
20 *stallation of equipment, appliances, and machine tools in*
21 *public and private plants; reserve plant and Government*
22 *and contractor-owned equipment layaway; \$8,608,684,000,*
23 *to remain available for obligation until September 30,*
24 *2002.*

1 *and Government and contractor-owned equipment layaway;*
2 *and other expenses necessary for the foregoing purposes;*
3 *\$510,300,000, to remain available for obligation until Sep-*
4 *tember 30, 2002.*

5 *SHIPBUILDING AND CONVERSION, NAVY*

6 *For expenses necessary for the construction, acquisi-*
7 *tion, or conversion of vessels as authorized by law, includ-*
8 *ing armor and armament thereof, plant equipment, appli-*
9 *ances, and machine tools and installation thereof in public*
10 *and private plants; reserve plant and Government and con-*
11 *tractor-owned equipment layaway; procurement of critical,*
12 *long leadtime components and designs for vessels to be con-*
13 *structed or converted in the future; and expansion of public*
14 *and private plants, including land necessary therefor, and*
15 *such lands and interests therein, may be acquired, and con-*
16 *struction prosecuted thereon prior to approval of title, as*
17 *follows:*

18 *NSSN (AP), \$748,497,000;*
19 *CVN-77 (AP), \$751,540,000;*
20 *CVN Refuelings (AP), \$345,565,000;*
21 *DDG-51 destroyer program, \$2,681,653,000;*
22 *LPD-17 amphibious transport dock ship,*
23 *\$1,508,338,000;*
24 *LHD-8 (AP), \$500,000,000;*
25 *ADC(X), \$439,966,000;*

1 *LCAC landing craft air cushion program,*
2 *\$31,776,000; and*

3 *For craft, outfitting, post delivery, conversions,*
4 *and first destination transportation, \$171,119,000;*

5 *In all: \$7,178,454,000, to remain available for obliga-*
6 *tion until September 30, 2006: Provided, That additional*
7 *obligations may be incurred after September 30, 2006, for*
8 *engineering services, tests, evaluations, and other such budg-*
9 *eted work that must be performed in the final stage of ship*
10 *construction: Provided further, That none of the funds pro-*
11 *vided under this heading for the construction or conversion*
12 *of any naval vessel to be constructed in shipyards in the*
13 *United States shall be expended in foreign facilities for the*
14 *construction of major components of such vessel: Provided*
15 *further, That none of the funds provided under this heading*
16 *shall be used for the construction of any naval vessel in*
17 *foreign shipyards: Provided further, That the Secretary of*
18 *the Navy is hereby granted the authority to enter into a*
19 *contract for an LHD-1 Amphibious Assault Ship which*
20 *shall be funded on an incremental basis.*

21 *OTHER PROCUREMENT, NAVY*

22 *For procurement, production, and modernization of*
23 *support equipment and materials not otherwise provided*
24 *for, Navy ordnance (except ordnance for new aircraft, new*
25 *ships, and ships authorized for conversion); the purchase*

1 *of not to exceed 25 passenger motor vehicles for replacement*
2 *only; expansion of public and private plants, including the*
3 *land necessary therefor, and such lands and interests there-*
4 *in, may be acquired, and construction prosecuted thereon*
5 *prior to approval of title; and procurement and installation*
6 *of equipment, appliances, and machine tools in public and*
7 *private plants; reserve plant and Government and con-*
8 *tractor-owned equipment layaway; \$4,184,891,000, to re-*
9 *main available for obligation until September 30, 2002.*

10 *PROCUREMENT, MARINE CORPS*

11 *For expenses necessary for the procurement, manufac-*
12 *ture, and modification of missiles, armament, military*
13 *equipment, spare parts, and accessories therefor; plant*
14 *equipment, appliances, and machine tools, and installation*
15 *thereof in public and private plants; reserve plant and Gov-*
16 *ernment and contractor-owned equipment layaway; vehicles*
17 *for the Marine Corps, including the purchase of not to ex-*
18 *ceed 43 passenger motor vehicles for replacement only; and*
19 *expansion of public and private plants, including land nec-*
20 *essary therefor, and such lands and interests therein, may*
21 *be acquired, and construction prosecuted thereon prior to*
22 *approval of title; \$1,236,620,000, to remain available for*
23 *obligation until September 30, 2002.*

1 *AIRCRAFT PROCUREMENT, AIR FORCE*

2 *For construction, procurement, lease, and modification*
3 *of aircraft and equipment, including armor and armament,*
4 *specialized ground handling equipment, and training de-*
5 *vices, spare parts, and accessories therefor; specialized*
6 *equipment; expansion of public and private plants, Govern-*
7 *ment-owned equipment and installation thereof in such*
8 *plants, erection of structures, and acquisition of land, for*
9 *the foregoing purposes, and such lands and interests therein,*
10 *may be acquired, and construction prosecuted thereon prior*
11 *to approval of title; reserve plant and Government and con-*
12 *tractor-owned equipment layaway; and other expenses nec-*
13 *essary for the foregoing purposes including rents and trans-*
14 *portation of things; \$9,758,333,000, to remain available for*
15 *obligation until September 30, 2002.*

16 *MISSILE PROCUREMENT, AIR FORCE*

17 *For construction, procurement, and modification of*
18 *missiles, spacecraft, rockets, and related equipment, includ-*
19 *ing spare parts and accessories therefor, ground handling*
20 *equipment, and training devices; expansion of public and*
21 *private plants, Government-owned equipment and installa-*
22 *tion thereof in such plants, erection of structures, and ac-*
23 *quisition of land, for the foregoing purposes, and such lands*
24 *and interests therein, may be acquired, and construction*
25 *prosecuted thereon prior to approval of title; reserve plant*

1 *and Government and contractor-owned equipment layaway;*
2 *and other expenses necessary for the foregoing purposes in-*
3 *cluding rents and transportation of things; \$2,338,505,000,*
4 *to remain available for obligation until September 30,*
5 *2002.*

6 *PROCUREMENT OF AMMUNITION, AIR FORCE*

7 *For construction, procurement, production, and modi-*
8 *fication of ammunition, and accessories therefor; specialized*
9 *equipment and training devices; expansion of public and*
10 *private plants, including ammunition facilities authorized*
11 *by section 2854 of title 10, United States Code, and the*
12 *land necessary therefor, for the foregoing purposes, and such*
13 *lands and interests therein, may be acquired, and construc-*
14 *tion prosecuted thereon prior to approval of title; and pro-*
15 *curement and installation of equipment, appliances, and*
16 *machine tools in public and private plants; reserve plant*
17 *and Government and contractor-owned equipment layaway;*
18 *and other expenses necessary for the foregoing purposes;*
19 *\$427,537,000, to remain available for obligation until Sep-*
20 *tember 30, 2002.*

21 *OTHER PROCUREMENT, AIR FORCE*

22 *For procurement and modification of equipment (in-*
23 *cluding ground guidance and electronic control equipment,*
24 *and ground electronic and communication equipment), and*
25 *supplies, materials, and spare parts therefor, not otherwise*

1 *provided for; the purchase of not to exceed 53 passenger*
2 *motor vehicles for replacement only; lease of passenger*
3 *motor vehicles; and expansion of public and private plants,*
4 *Government-owned equipment and installation thereof in*
5 *such plants, erection of structures, and acquisition of land,*
6 *for the foregoing purposes, and such lands and interests*
7 *therein, may be acquired, and construction prosecuted*
8 *thereon, prior to approval of title; reserve plant and Gov-*
9 *ernment and contractor-owned equipment layaway;*
10 *\$7,198,627,000, to remain available for obligation until*
11 *September 30, 2002.*

12 *PROCUREMENT, DEFENSE-WIDE*

13 *For expenses of activities and agencies of the Depart-*
14 *ment of Defense (other than the military departments) nec-*
15 *essary for procurement, production, and modification of*
16 *equipment, supplies, materials, and spare parts therefor,*
17 *not otherwise provided for; the purchase of not to exceed*
18 *103 passenger motor vehicles for replacement only; the pur-*
19 *chase of 7 vehicles required for physical security of per-*
20 *sonnel, notwithstanding price limitations applicable to pas-*
21 *senger vehicles but not to exceed \$200,000 per vehicle; ex-*
22 *pansion of public and private plants, equipment, and in-*
23 *stallation thereof in such plants, erection of structures, and*
24 *acquisition of land for the foregoing purposes, and such*
25 *lands and interests therein, may be acquired, and construc-*

1 *tion prosecuted thereon prior to approval of title; reserve*
2 *plant and Government and contractor-owned equipment*
3 *layaway; \$2,327,965,000, to remain available for obligation*
4 *until September 30, 2002.*

5 *NATIONAL GUARD AND RESERVE EQUIPMENT*

6 *For procurement of aircraft, missiles, tracked combat*
7 *vehicles, ammunition, other weapons, and other procure-*
8 *ment for the reserve components of the Armed Forces;*
9 *\$300,000,000, to remain available for obligation until Sep-*
10 *tember 30, 2002: Provided, That the Chiefs of the Reserve*
11 *and National Guard components shall, not later than 30*
12 *days after the enactment of this Act, individually submit*
13 *to the congressional defense committees the modernization*
14 *priority assessment for their respective Reserve or National*
15 *Guard component.*

16 *TITLE IV*

17 *RESEARCH, DEVELOPMENT, TEST, AND*

18 *EVALUATION*

19 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,*

20 *ARMY*

21 *For expenses necessary for basic and applied sci-*
22 *entific research, development, test and evaluation, includ-*
23 *ing maintenance, rehabilitation, lease, and operation of fa-*
24 *cilities and equipment; \$4,905,294,000, to remain avail-*
25 *able for obligation until September 30, 2001.*

1 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY*

2 *For expenses necessary for basic and applied sci-*
3 *entific research, development, test and evaluation, includ-*
4 *ing maintenance, rehabilitation, lease, and operation of fa-*
5 *cilities and equipment; \$8,448,816,000, to remain avail-*
6 *able for obligation until September 30, 2001.*

7 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR*

8 *FORCE*

9 *For expenses necessary for basic and applied sci-*
10 *entific research, development, test and evaluation, includ-*
11 *ing maintenance, rehabilitation, lease, and operation of fa-*
12 *cilities and equipment; \$13,489,909,000, to remain avail-*
13 *able for obligation until September 30, 2001.*

14 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,*

15 *DEFENSE-WIDE*

16 *For expenses of activities and agencies of the Depart-*
17 *ment of Defense (other than the military departments),*
18 *necessary for basic and applied scientific research, develop-*
19 *ment, test and evaluation; advanced research projects as*
20 *may be designated and determined by the Secretary of De-*
21 *fense, pursuant to law; maintenance, rehabilitation, lease,*
22 *and operation of facilities and equipment; \$9,325,315,000,*
23 *to remain available for obligation until September 30,*
24 *2001.*

*NATIONAL DEFENSE SEALIFT FUND**(INCLUDING TRANSFER OF FUNDS)*

1 *For National Defense Sealift Fund programs,*
2
3 *projects, and activities, and for expenses of the National*
4
5 *Defense Reserve Fleet, as established by section 11 of the*
6 *Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744);*
7 *\$354,700,000, to remain available until expended: Pro-*
8 *vided, That none of the funds provided in this paragraph*
9 *shall be used to award a new contract that provides for the*
10 *acquisition of any of the following major components un-*
11 *less such components are manufactured in the United*
12 *States: auxiliary equipment, including pumps, for all*
13 *shipboard services; propulsion system components (that is;*
14 *engines, reduction gears, and propellers); shipboard cranes;*
15 *and spreaders for shipboard cranes: Provided further, That*
16 *the exercise of an option in a contract awarded through*
17 *the obligation of previously appropriated funds shall not*
18 *be considered to be the award of a new contract: Provided*
19 *further, That the Secretary of the military department re-*
20 *sponsible for such procurement may waive the restrictions*
21 *in the first proviso on a case-by-case basis by certifying in*
22 *writing to the Committees on Appropriations of the House*
23 *of Representatives and the Senate that adequate domestic*
24 *supplies are not available to meet Department of Defense*
25 *requirements on a timely basis and that such an acquisi-*

1 *tion must be made in order to acquire capability for na-*
2 *tional security purposes.*

3

TITLE VI

4 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

5

DEFENSE HEALTH PROGRAM

6 *For expenses, not otherwise provided for, for medical*
7 *and health care programs of the Department of Defense, as*
8 *authorized by law; \$11,184,857,000, of which*
9 *\$10,527,887,000 shall be for Operation and maintenance,*
10 *of which not to exceed 2 per centum shall remain available*
11 *until September 30, 2001, of which \$356,970,000, to re-*
12 *main available for obligation until September 30, 2002,*
13 *shall be for Procurement: and of which \$300,000,000, to re-*
14 *main available for obligation until September 30, 2001,*
15 *shall be for Research, development, test and evaluation.*

16

ARMED FORCES RETIREMENT HOME

17 *For expenses necessary for the Armed Forces Retire-*
18 *ment Home to operate and maintain the United States Sol-*
19 *diers' and Airmen's Home and the United States Naval*
20 *Home, to be paid from funds available in the Armed Forces*
21 *Retirement Home Trust Fund, \$68,295,000, of which*
22 *\$12,696,000 shall remain available until expended for con-*
23 *struction and renovation of the physical plants at the*
24 *United States Soldiers' and Airmen's Home and the United*
25 *States Naval Home: Provided, That, notwithstanding any*

1 *other provision of law, a single contract or related contracts*
2 *for the development and construction, to include construc-*
3 *tion of a long-term care facility at the United States Naval*
4 *Home, may be employed which collectively include the full*
5 *scope of the project: Provided further, That the solicitation*
6 *and contract shall contain the clause “availability of funds”*
7 *found at 48 CFR 52.232–18 and 252.232–7007, Limitation*
8 *of Government Obligations.*

9 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY*

10 *For expenses, not otherwise provided for, necessary for*
11 *the destruction of the United States stockpile of lethal*
12 *chemical agents and munitions in accordance with the*
13 *provisions of section 1412 of the Department of Defense*
14 *Authorization Act, 1986 (50 U.S.C. 1521), and for the de-*
15 *struction of other chemical warfare materials that are not*
16 *in the chemical weapon stockpile, \$1,029,000,000, of which*
17 *\$543,500,000 shall be for Operation and maintenance to*
18 *remain available until September 30, 2001, \$191,500,000*
19 *shall be for Procurement to remain available until Sep-*
20 *tember 30, 2002, and \$294,000,000 shall be for Research,*
21 *development, test and evaluation to remain available until*
22 *September 30, 2001: Provided, That of the funds available*
23 *under this heading, \$1,000,000 shall be available until ex-*
24 *pendent each year only for a Johnston Atoll off-island leave*
25 *program: Provided further, That the Secretaries concerned*

1 *shall, pursuant to uniform regulations, prescribe travel*
2 *and transportation allowances for travel by participants*
3 *in the off-island leave program.*

4 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*
5 *DEFENSE*
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For drug interdiction and counter-drug activities of*
8 *the Department of Defense, for transfer to appropriations*
9 *available to the Department of Defense for military per-*
10 *sonnel of the reserve components serving under the provi-*
11 *sions of title 10 and title 32, United States Code; for Oper-*
12 *ation and maintenance; for Procurement; and for Re-*
13 *search, development, test and evaluation; \$842,300,000:*
14 *Provided, That the funds appropriated under this heading*
15 *shall be available for obligation for the same time period*
16 *and for the same purpose as the appropriation to which*
17 *transferred: Provided further, That the transfer authority*
18 *provided in this paragraph is in addition to any transfer*
19 *authority contained elsewhere in this Act.*

20 *OFFICE OF THE INSPECTOR GENERAL*

21 *For expenses and activities of the Office of the Inspec-*
22 *tor General in carrying out the provisions of the Inspector*
23 *General Act of 1978, as amended; \$137,544,000, of which*
24 *\$136,244,000 shall be for Operation and maintenance, of*
25 *which not to exceed \$500,000 is available for emergencies*

1 *and extraordinary expenses to be expended on the approval*
2 *or authority of the Inspector General, and payments may*
3 *be made on his certificate of necessity for confidential*
4 *military purposes; and of which \$1,300,000 to remain*
5 *available until September 30, 2002, shall be for Procure-*
6 *ment.*

7 *TITLE VII*

8 *RELATED AGENCIES*

9 *CENTRAL INTELLIGENCE AGENCY*

10 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

11 *DISABILITY SYSTEM FUND*

12 *For payment to the Central Intelligence Agency Re-*
13 *tirement and Disability System Fund, to maintain proper*
14 *funding level for continuing the operation of the Central*
15 *Intelligence Agency Retirement and Disability System;*
16 *\$209,100,000.*

17 *INTELLIGENCE COMMUNITY MANAGEMENT*

18 *ACCOUNT*

19 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For necessary expenses of the Intelligence Community*
22 *Management Account; \$149,415,000, of which \$34,923,000*
23 *for the Advanced Research and Development Committee*
24 *shall remain available until September 30, 2001: Provided,*
25 *That of the funds appropriated under this heading,*

1 \$27,000,000 shall be transferred to the Department of Jus-
2 tice for the National Drug Intelligence Center to support
3 the Department of Defense's counter-drug intelligence re-
4 sponsibilities, and of the said amount, \$1,500,000 for Pro-
5 curement shall remain available until September 30, 2002,
6 and \$1,000,000 for Research, development, test and evalua-
7 tion shall remain available until September 30, 2001.

8 *PAYMENT TO KAHO'OLAWA ISLAND CONVEYANCE,*
9 *REMEDICATION, AND ENVIRONMENTAL RESTORATION FUND*

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

14 *NATIONAL SECURITY EDUCATION TRUST FUND*

15 *For the purposes of title VIII of Public Law 102-183,*
16 *\$8,000,000, to be derived from the National Security Edu-*
17 *cation Trust Fund, to remain available until expended.*

18 *TITLE VIII*

19 *GENERAL PROVISIONS—DEPARTMENT OF*
20 *DEFENSE*

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

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

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

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

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

1 *not apply to obligations for support of active duty training*
2 *of reserve components or summer camp training of the Re-*
3 *serve Officers' Training Corps.*

4 *(TRANSFER OF FUNDS)*

5 *SEC. 8005. Upon determination by the Secretary of*
6 *Defense that such action is necessary in the national inter-*
7 *est, he may, with the approval of the Office of Management*
8 *and Budget, transfer not to exceed \$2,000,000,000 of work-*
9 *ing capital funds of the Department of Defense or funds*
10 *made available in this Act to the Department of Defense*
11 *for military functions (except military construction) be-*
12 *tween such appropriations or funds or any subdivision*
13 *thereof, to be merged with and to be available for the same*
14 *purposes, and for the same time period, as the appropria-*
15 *tion or fund to which transferred: Provided, That such au-*
16 *thority to transfer may not be used unless for higher pri-*
17 *ority items, based on unforeseen military requirements,*
18 *than those for which originally appropriated and in no case*
19 *where the item for which funds are requested has been de-*
20 *nied by Congress: Provided further, That the Secretary of*
21 *Defense shall notify the Congress promptly of all transfers*
22 *made pursuant to this authority or any other authority in*
23 *this Act: Provided further, That no part of the funds in*
24 *this Act shall be available to prepare or present a request*
25 *to the Committees on Appropriations for reprogramming*
26 *of funds, unless for higher priority items, based on unfore-*

1 *seen military requirements, than those for which originally*
2 *appropriated and in no case where the item for which re-*
3 *programming is requested has been denied by the Congress.*

4 (TRANSFER OF FUNDS)

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

25 *SEC. 8007. Funds appropriated by this Act may not*
26 *be used to initiate a special access program without prior*

1 *notification 30 calendar days in session in advance to the*
2 *congressional defense committees.*

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

1 *present value analysis to determine lowest cost compared*
2 *to an annual procurement.*

3 *Funds appropriated in title III of this Act may be*
4 *used for multiyear procurement contracts as follows:*

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

9 *SEC. 8009. Within the funds appropriated for the oper-*
10 *ation and maintenance of the Armed Forces, funds are here-*
11 *by appropriated pursuant to section 401 of title 10, United*
12 *States Code, for humanitarian and civic assistance costs*
13 *under chapter 20 of title 10, United States Code. Such funds*
14 *may also be obligated for humanitarian and civic assist-*
15 *ance costs incidental to authorized operations and pursuant*
16 *to authority granted in section 401 of chapter 20 of title*
17 *10, United States Code, and these obligations shall be re-*
18 *ported to Congress on September 30 of each year: Provided,*
19 *That funds available for operation and maintenance shall*
20 *be available for providing humanitarian and similar assist-*
21 *ance by using Civic Action Teams in the Trust Territories*
22 *of the Pacific Islands and freely associated states of Micro-*
23 *nesia, pursuant to the Compact of Free Association as au-*
24 *thorized by Public Law 99-239: Provided further, That*
25 *upon a determination by the Secretary of the Army that*

1 *such action is beneficial for graduate medical education*
2 *programs conducted at Army medical facilities located in*
3 *Hawaii, the Secretary of the Army may authorize the pro-*
4 *vision of medical services at such facilities and transpor-*
5 *tation to such facilities, on a nonreimbursable basis, for ci-*
6 *vilian patients from American Samoa, the Commonwealth*
7 *of the Northern Mariana Islands, the Marshall Islands, the*
8 *Federated States of Micronesia, Palau, and Guam.*

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

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

22 *(c) Nothing in this section shall be construed to apply*
23 *to military (civilian) technicians.*

24 *SEC. 8011. Notwithstanding any other provision of*
25 *law, none of the funds made available by this Act shall be*

1 *used by the Department of Defense to exceed, outside the*
2 *50 United States, its territories, and the District of Colum-*
3 *bia, 125,000 civilian workyears: Provided, That workyears*
4 *shall be applied as defined in the Federal Personnel Man-*
5 *ual: Provided further, That workyears expended in depend-*
6 *ent student hiring programs for disadvantaged youths shall*
7 *not be included in this workyear limitation.*

8 *SEC. 8012. None of the funds made available by this*
9 *Act shall be used in any way, directly or indirectly, to in-*
10 *fluence congressional action on any legislation or appro-*
11 *priation matters pending before the Congress.*

12 *SEC. 8013. (a) None of the funds appropriated by this*
13 *Act shall be used to make contributions to the Department*
14 *of Defense Education Benefits Fund pursuant to section*
15 *2006(g) of title 10, United States Code, representing the*
16 *normal cost for future benefits under section 3015(c) of title*
17 *38, United States Code, for any member of the armed serv-*
18 *ices who, on or after the date of the enactment of this Act,*
19 *enlists in the armed services for a period of active duty of*
20 *less than three years, nor shall any amounts representing*
21 *the normal cost of such future benefits be transferred from*
22 *the Fund by the Secretary of the Treasury to the Secretary*
23 *of Veterans Affairs pursuant to section 2006(d) of title 10,*
24 *United States Code; nor shall the Secretary of Veterans Af-*
25 *fairs pay such benefits to any such member: Provided, That*

1 *this limitation shall not apply to members in combat arms*
2 *skills or to members who enlist in the armed services on*
3 *or after July 1, 1989, under a program continued or estab-*
4 *lished by the Secretary of Defense in fiscal year 1991 to*
5 *test the cost-effective use of special recruiting incentives in-*
6 *volving not more than nineteen noncombat arms skills ap-*
7 *proved in advance by the Secretary of Defense: Provided*
8 *further, That this subsection applies only to active compo-*
9 *nents of the Army.*

10 *(b) None of the funds appropriated by this Act shall*
11 *be available for the basic pay and allowances of any mem-*
12 *ber of the Army participating as a full-time student and*
13 *receiving benefits paid by the Secretary of Veterans Affairs*
14 *from the Department of Defense Education Benefits Fund*
15 *when time spent as a full-time student is credited toward*
16 *completion of a service commitment: Provided, That this*
17 *subsection shall not apply to those members who have reen-*
18 *listed with this option prior to October 1, 1987: Provided*
19 *further, That this subsection applies only to active compo-*
20 *nents of the Army.*

21 *SEC. 8014. None of the funds appropriated by this Act*
22 *shall be available to convert to contractor performance an*
23 *activity or function of the Department of Defense that, on*
24 *or after the date of the enactment of this Act, is performed*
25 *by more than ten Department of Defense civilian employees*

1 *until a most efficient and cost-effective organization anal-*
2 *ysis is completed on such activity or function and certifi-*
3 *cation of the analysis is made to the Committees on Appro-*
4 *priations of the House of Representatives and the Senate:*
5 *Provided, That this section and subsections (a), (b), and*
6 *(c) of 10 U.S.C. 2461 shall not apply to a commercial or*
7 *industrial type function of the Department of Defense that:*
8 *(1) is included on the procurement list established pursuant*
9 *to section 2 of the Act of June 25, 1938 (41 U.S.C. 47),*
10 *popularly referred to as the Javits-Wagner-O'Day Act; (2)*
11 *is planned to be converted to performance by a qualified*
12 *nonprofit agency for the blind or by a qualified nonprofit*
13 *agency for other severely handicapped individuals in ac-*
14 *cordance with that Act; or (3) is planned to be converted*
15 *to performance by a qualified firm under 51 per centum*
16 *Native American ownership.*

17 *(TRANSFER OF FUNDS)*

18 *SEC. 8015. Funds appropriated in title III of this Act*
19 *for the Department of Defense Pilot Mentor-Protege Pro-*
20 *gram may be transferred to any other appropriation con-*
21 *tained in this Act solely for the purpose of implementing*
22 *a Mentor-Protege Program developmental assistance agree-*
23 *ment pursuant to section 831 of the National Defense Au-*
24 *thorization Act for Fiscal Year 1991 (Public Law 101-510;*
25 *10 U.S.C. 2301 note), as amended, under the authority of*

1 *this provision or any other transfer authority contained in*
2 *this Act.*

3 *SEC. 8016. None of the funds in this Act may be avail-*
4 *able for the purchase by the Department of Defense (and*
5 *its departments and agencies) of welded shipboard anchor*
6 *and mooring chain 4 inches in diameter and under unless*
7 *the anchor and mooring chain are manufactured in the*
8 *United States from components which are substantially*
9 *manufactured in the United States: Provided, That for the*
10 *purpose of this section manufactured will include cutting,*
11 *heat treating, quality control, testing of chain and welding*
12 *(including the forging and shot blasting process): Provided*
13 *further, That for the purpose of this section substantially*
14 *all of the components of anchor and mooring chain shall*
15 *be considered to be produced or manufactured in the United*
16 *States if the aggregate cost of the components produced or*
17 *manufactured in the United States exceeds the aggregate*
18 *cost of the components produced or manufactured outside*
19 *the United States: Provided further, That when adequate*
20 *domestic supplies are not available to meet Department of*
21 *Defense requirements on a timely basis, the Secretary of the*
22 *service responsible for the procurement may waive this re-*
23 *striction on a case-by-case basis by certifying in writing*
24 *to the Committees on Appropriations that such an acquisi-*

1 *tion must be made in order to acquire capability for na-*
2 *tional security purposes.*

3 *SEC. 8017. None of the funds appropriated by this Act*
4 *available for the Civilian Health and Medical Program of*
5 *the Uniformed Services (CHAMPUS) shall be available for*
6 *the reimbursement of any health care provider for inpatient*
7 *mental health service for care received when a patient is*
8 *referred to a provider of inpatient mental health care or*
9 *residential treatment care by a medical or health care pro-*
10 *fessional having an economic interest in the facility to*
11 *which the patient is referred: Provided, That this limitation*
12 *does not apply in the case of inpatient mental health serv-*
13 *ices provided under the program for the handicapped under*
14 *subsection (d) of section 1079 of title 10, United States*
15 *Code, provided as partial hospital care, or provided pursu-*
16 *ant to a waiver authorized by the Secretary of Defense be-*
17 *cause of medical or psychological circumstances of the pa-*
18 *tient that are confirmed by a health professional who is not*
19 *a Federal employee after a review, pursuant to rules pre-*
20 *scribed by the Secretary, which takes into account the ap-*
21 *propriate level of care for the patient, the intensity of serv-*
22 *ices required by the patient, and the availability of that*
23 *care.*

24 *SEC. 8018. Funds available in this Act may be used*
25 *to provide transportation for the next-of-kin of individuals*

1 *who have been prisoners of war or missing in action from*
2 *the Vietnam era to an annual meeting in the United States,*
3 *under such regulations as the Secretary of Defense may pre-*
4 *scribe.*

5 *SEC. 8019. Notwithstanding any other provision of*
6 *law, during the current fiscal year, the Secretary of Defense*
7 *may, by executive agreement, establish with host nation*
8 *governments in NATO member states a separate account*
9 *into which such residual value amounts negotiated in the*
10 *return of United States military installations in NATO*
11 *member states may be deposited, in the currency of the host*
12 *nation, in lieu of direct monetary transfers to the United*
13 *States Treasury: Provided, That such credits may be uti-*
14 *lized only for the construction of facilities to support United*
15 *States military forces in that host nation, or such real prop-*
16 *erty maintenance and base operating costs that are cur-*
17 *rently executed through monetary transfers to such host na-*
18 *tions: Provided further, That the Department of Defense's*
19 *budget submission for fiscal year 2001 shall identify such*
20 *sums anticipated in residual value settlements, and identify*
21 *such construction, real property maintenance or base oper-*
22 *ating costs that shall be funded by the host nation through*
23 *such credits: Provided further, That all military construc-*
24 *tion projects to be executed from such accounts must be pre-*
25 *viously approved in a prior Act of Congress: Provided fur-*

1 *ther, That each such executive agreement with a NATO*
2 *member host nation shall be reported to the congressional*
3 *defense committees, the Committee on International Rela-*
4 *tions of the House of Representatives and the Committee*
5 *on Foreign Relations of the Senate 30 days prior to the*
6 *conclusion and endorsement of any such agreement estab-*
7 *lished under this provision.*

8 *SEC. 8020. None of the funds available to the Depart-*
9 *ment of Defense may be used to demilitarize or dispose of*
10 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*
11 *rifles, .30 caliber rifles, or M-1911 pistols.*

12 *SEC. 8021. Notwithstanding any other provision of*
13 *law, none of the funds appropriated by this Act shall be*
14 *available to pay more than 50 per centum of an amount*
15 *paid to any person under section 308 of title 37, United*
16 *States Code, in a lump sum.*

17 *SEC. 8022. No more than \$500,000 of the funds appro-*
18 *priated or made available in this Act shall be used during*
19 *a single fiscal year for any single relocation of an organiza-*
20 *tion, unit, activity or function of the Department of Defense*
21 *into or within the National Capital Region: Provided, That*
22 *the Secretary of Defense may waive this restriction on a*
23 *case-by-case basis by certifying in writing to the congres-*
24 *sional defense committees that such a relocation is required*
25 *in the best interest of the Government.*

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

13 *SEC. 8024. In addition to the funds provided elsewhere*
14 *in this Act, \$8,000,000 is appropriated only for incentive*
15 *payments authorized by section 504 of the Indian Financ-*
16 *ing Act of 1974 (25 U.S.C. 1544): Provided, That contrac-*
17 *tors participating in the test program established by section*
18 *854 of Public Law 101-189 (15 U.S.C. 637 note) shall be*
19 *eligible for the program established by section 504 of the*
20 *Indian Financing Act of 1974 (25 U.S.C. 1544).*

21 *SEC. 8025. During the current fiscal year, funds ap-*
22 *propriated or otherwise available for any Federal agency,*
23 *the Congress, the judicial branch, or the District of Colum-*
24 *bia may be used for the pay, allowances, and benefits of*
25 *an employee as defined by section 2105 of title 5, United*

1 *States Code, or an individual employed by the government*
2 *of the District of Columbia, permanent or temporary indefi-*
3 *nite, who—*

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

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

12 *(A) Federal service under sections 331, 332,*
13 *333, or 12406 of title 10, or other provision of*
14 *law, as applicable; or*

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

19 *(3) requests and is granted—*

20 *(A) leave under the authority of this section;*

21 *or*

22 *(B) annual leave, which may be granted*
23 *without regard to the provisions of sections 5519*
24 *and 6323(b) of title 5, if such employee is other-*
25 *wise entitled to such annual leave:*

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

7 *SEC. 8026. None of the funds appropriated by this Act*
8 *shall be available to perform any cost study pursuant to*
9 *the provisions of OMB Circular A-76 if the study being*
10 *performed exceeds a period of 24 months after initiation*
11 *of such study with respect to a single function activity or*
12 *48 months after initiation of such study for a multi-func-*
13 *tion activity.*

14 *SEC. 8027. Funds appropriated by this Act for the*
15 *American Forces Information Service shall not be used for*
16 *any national or international political or psychological ac-*
17 *tivities.*

18 *SEC. 8028. Notwithstanding any other provision of*
19 *law or regulation, the Secretary of Defense may adjust wage*
20 *rates for civilian employees hired for certain health care*
21 *occupations as authorized for the Secretary of Veterans Af-*
22 *fairs by section 7455 of title 38, United States Code.*

23 *SEC. 8029. None of the funds appropriated or made*
24 *available in this Act shall be used to reduce or disestablish*
25 *the operation of the 53rd Weather Reconnaissance Squad-*

1 *ron of the Air Force Reserve, if such action would reduce*
2 *the WC-130 Weather Reconnaissance mission below the lev-*
3 *els funded in this Act.*

4 *SEC. 8030. (a) Of the funds for the procurement of sup-*
5 *plies or services appropriated by this Act, qualified non-*
6 *profit agencies for the blind or other severely handicapped*
7 *shall be afforded the maximum practicable opportunity to*
8 *participate as subcontractors and suppliers in the perform-*
9 *ance of contracts let by the Department of Defense.*

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

18 *(c) For the purpose of this section, the phrase “quali-*
19 *fied nonprofit agency for the blind or other severely handi-*
20 *capped” means a nonprofit agency for the blind or other*
21 *severely handicapped that has been approved by the Com-*
22 *mittee for the Purchase from the Blind and Other Severely*
23 *Handicapped under the Javits-Wagner-O’Day Act (41*
24 *U.S.C. 46-48).*

1 *SEC. 8031. During the current fiscal year, net receipts*
2 *pursuant to collections from third party payers pursuant*
3 *to section 1095 of title 10, United States Code, shall be*
4 *made available to the local facility of the uniformed services*
5 *responsible for the collections and shall be over and above*
6 *the facility's direct budget amount.*

7 *SEC. 8032. During the current fiscal year, the Depart-*
8 *ment of Defense is authorized to incur obligations of not*
9 *to exceed \$350,000,000 for purposes specified in section*
10 *2350j(c) of title 10, United States Code, in anticipation of*
11 *receipt of contributions, only from the Government of Ku-*
12 *wait, under that section: Provided, That upon receipt, such*
13 *contributions from the Government of Kuwait shall be cred-*
14 *ited to the appropriations or fund which incurred such obli-*
15 *gations.*

16 *SEC. 8033. Of the funds made available in this Act,*
17 *not less than \$26,470,000 shall be available for the Civil*
18 *Air Patrol Corporation, of which \$18,000,000 shall be*
19 *available for Civil Air Patrol Corporation operation and*
20 *maintenance to support readiness activities which includes*
21 *\$2,000,000 for the Civil Air Patrol counterdrug program:*
22 *Provided, That funds identified for "Civil Air Patrol"*
23 *under this section are intended for and shall be for the ex-*
24 *clusive use of the Civil Air Patrol Corporation and not for*
25 *the Air Force or any unit thereof.*

1 *SEC. 8034. (a) None of the funds appropriated in this*
2 *Act are available to establish a new Department of Defense*
3 *(department) federally funded research and development*
4 *center (FFRDC), either as a new entity, or as a separate*
5 *entity administrated by an organization managing another*
6 *FFRDC, or as a nonprofit membership corporation con-*
7 *sisting of a consortium of other FFRDCs and other non-*
8 *profit entities.*

9 *(b) LIMITATION ON COMPENSATION—FEDERALLY*
10 *FUNDED RESEARCH AND DEVELOPMENT CENTER*
11 *(FFRDC).—No member of a Board of Directors, Trustees,*
12 *Overseers, Advisory Group, Special Issues Panel, Visiting*
13 *Committee, or any similar entity of a defense FFRDC, and*
14 *no paid consultant to any defense FFRDC, except when act-*
15 *ing in a technical advisory capacity, may be compensated*
16 *for his or her services as a member of such entity, or as*
17 *a paid consultant by more than one FFRDC in a fiscal*
18 *year: Provided, That a member of any such entity referred*
19 *to previously in this subsection shall be allowed travel ex-*
20 *penses and per diem as authorized under the Federal Joint*
21 *Travel Regulations, when engaged in the performance of*
22 *membership duties.*

23 *(c) Notwithstanding any other provision of law, none*
24 *of the funds available to the department from any source*
25 *during fiscal 2000 may be used by a defense FFRDC,*

1 *through a fee or other payment mechanism, for construction*
2 *of new buildings, for payment of cost sharing for projects*
3 *funded by government grants, for absorption of contract*
4 *overruns, or for certain charitable contributions, not to in-*
5 *clude employee participation in community service and/or*
6 *development.*

7 *(d) Notwithstanding any other provision of law, of the*
8 *funds available to the department during fiscal year 2000,*
9 *not more than 6,100 staff years of technical effort (staff*
10 *years) may be funded for defense FFRDCs: Provided, That*
11 *of the specific amount referred to previously in this sub-*
12 *section, not more than 1,000 staff years may be funded for*
13 *the defense studies and analysis FFRDCs.*

14 *(e) The Secretary of Defense shall, with the submission*
15 *of the department's fiscal year 2001 budget request, submit*
16 *a report presenting the specific amounts of staff years of*
17 *technical effort to be allocated for each defense FFRDC dur-*
18 *ing that fiscal year.*

19 *SEC. 8035. None of the funds appropriated or made*
20 *available in this Act shall be used to procure carbon, alloy*
21 *or armor steel plate for use in any Government-owned facil-*
22 *ity or property under the control of the Department of De-*
23 *fense which were not melted and rolled in the United States*
24 *or Canada: Provided, That these procurement restrictions*
25 *shall apply to any and all Federal Supply Class 9515,*

1 *American Society of Testing and Materials (ASTM) or*
2 *American Iron and Steel Institute (AISI) specifications of*
3 *carbon, alloy or armor steel plate: Provided further, That*
4 *the Secretary of the military department responsible for the*
5 *procurement may waive this restriction on a case-by-case*
6 *basis by certifying in writing to the Committees on Appro-*
7 *priations of the House of Representatives and the Senate*
8 *that adequate domestic supplies are not available to meet*
9 *Department of Defense requirements on a timely basis and*
10 *that such an acquisition must be made in order to acquire*
11 *capability for national security purposes: Provided further,*
12 *That these restrictions shall not apply to contracts which*
13 *are in being as of the date of the enactment of this Act.*

14 *SEC. 8036. For the purposes of this Act, the term “con-*
15 *gressional defense committees” means the Armed Services*
16 *Committee of the House of Representatives, the Armed Serv-*
17 *ices Committee of the Senate, the Subcommittee on Defense*
18 *of the Committee on Appropriations of the Senate, and the*
19 *Subcommittee on Defense of the Committee on Appropria-*
20 *tions of the House of Representatives.*

21 *SEC. 8037. During the current fiscal year, the Depart-*
22 *ment of Defense may acquire the modification, depot main-*
23 *tenance and repair of aircraft, vehicles and vessels as well*
24 *as the production of components and other Defense-related*
25 *articles, through competition between Department of De-*

1 *fense depot maintenance activities and private firms: Pro-*
2 *vided, That the Senior Acquisition Executive of the military*
3 *department or defense agency concerned, with power of dele-*
4 *gation, shall certify that successful bids include comparable*
5 *estimates of all direct and indirect costs for both public and*
6 *private bids: Provided further, That Office of Management*
7 *and Budget Circular A-76 shall not apply to competitions*
8 *conducted under this section.*

9 *SEC. 8038. (a)(1) If the Secretary of Defense, after con-*
10 *sultation with the United States Trade Representative, de-*
11 *termines that a foreign country which is party to an agree-*
12 *ment described in paragraph (2) has violated the terms of*
13 *the agreement by discriminating against certain types of*
14 *products produced in the United States that are covered by*
15 *the agreement, the Secretary of Defense shall rescind the*
16 *Secretary's blanket waiver of the Buy American Act with*
17 *respect to such types of products produced in that foreign*
18 *country.*

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

1 (b) *The Secretary of Defense shall submit to Congress*
2 *a report on the amount of Department of Defense purchases*
3 *from foreign entities in fiscal year 2000. Such report shall*
4 *separately indicate the dollar value of items for which the*
5 *Buy American Act was waived pursuant to any agreement*
6 *described in subsection (a)(2), the Trade Agreement Act of*
7 *1979 (19 U.S.C. 2501 et seq.), or any international agree-*
8 *ment to which the United States is a party.*

9 (c) *For purposes of this section, the term “Buy Amer-*
10 *ican Act” means title III of the Act entitled “An Act mak-*
11 *ing appropriations for the Treasury and Post Office De-*
12 *partments for the fiscal year ending June 30, 1934, and*
13 *for other purposes”, approved March 3, 1933 (41 U.S.C.*
14 *10a et seq.).*

15 SEC. 8039. *Appropriations contained in this Act that*
16 *remain available at the end of the current fiscal year as*
17 *a result of energy cost savings realized by the Department*
18 *of Defense shall remain available for obligation for the next*
19 *fiscal year to the extent, and for the purposes, provided in*
20 *section 2865 of title 10, United States Code.*

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8040. *Amounts deposited during the current fis-*
23 *cal year to the special account established under 40 U.S.C.*
24 *485(h)(2) and to the special account established under 10*
25 *U.S.C. 2667(d)(1) are appropriated and shall be available*
26 *until transferred by the Secretary of Defense to current ap-*

1 *plicable appropriations or funds of the Department of De-*
2 *fense under the terms and conditions specified by 40 U.S.C.*
3 *485(h)(2)(A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be*
4 *merged with and to be available for the same time period*
5 *and the same purposes as the appropriation to which trans-*
6 *ferred.*

7 *SEC. 8041. During the current fiscal year, appropria-*
8 *tions available to the Department of Defense may be used*
9 *to reimburse a member of a reserve component of the Armed*
10 *Forces who is not otherwise entitled to travel and transpor-*
11 *tation allowances and who occupies transient government*
12 *housing while performing active duty for training or inac-*
13 *tive duty training: Provided, That such members may be*
14 *provided lodging in kind if transient government quarters*
15 *are unavailable as if the member was entitled to such allow-*
16 *ances under subsection (a) of section 404 of title 37, United*
17 *States Code: Provided further, That if lodging in kind is*
18 *provided, any authorized service charge or cost of such lodg-*
19 *ing may be paid directly from funds appropriated for oper-*
20 *ation and maintenance of the reserve component of the*
21 *member concerned.*

22 *SEC. 8042. The President shall include with each budg-*
23 *et for a fiscal year submitted to the Congress under section*
24 *1105 of title 31, United States Code, materials that shall*
25 *identify clearly and separately the amounts requested in the*

1 budget for appropriation for that fiscal year for salaries
2 and expenses related to administrative activities of the De-
3 partment of Defense, the military departments, and the De-
4 fense agencies.

5 *SEC. 8043. Notwithstanding any other provision of*
6 *law, funds available for “Drug Interdiction and Counter-*
7 *Drug Activities, Defense” may be obligated for the Young*
8 *Marines program.*

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

24 *SEC. 8045. Of the funds appropriated or otherwise*
25 *made available by this Act, not more than \$119,200,000*

1 *shall be available for payment of the operating costs of*
2 *NATO Headquarters: Provided, That the Secretary of De-*
3 *fense may waive this section for Department of Defense sup-*
4 *port provided to NATO forces in and around the former*
5 *Yugoslavia.*

6 *SEC. 8046. During the current fiscal year, appropria-*
7 *tions which are available to the Department of Defense for*
8 *operation and maintenance may be used to purchase items*
9 *having an investment item unit cost of not more than*
10 *\$100,000.*

11 *SEC. 8047. (a) During the current fiscal year, none*
12 *of the appropriations or funds available to the Department*
13 *of Defense Working Capital Funds shall be used for the pur-*
14 *chase of an investment item for the purpose of acquiring*
15 *a new inventory item for sale or anticipated sale during*
16 *the current fiscal year or a subsequent fiscal year to cus-*
17 *tomers of the Department of Defense Working Capital*
18 *Funds if such an item would not have been chargeable to*
19 *the Department of Defense Business Operations Fund dur-*
20 *ing fiscal year 1994 and if the purchase of such an invest-*
21 *ment item would be chargeable during the current fiscal*
22 *year to appropriations made to the Department of Defense*
23 *for procurement.*

24 *(b) The fiscal year 2001 budget request for the Depart-*
25 *ment of Defense as well as all justification material and*

1 *other documentation supporting the fiscal year 2001 De-*
2 *partment of Defense budget shall be prepared and submitted*
3 *to the Congress on the basis that any equipment which was*
4 *classified as an end item and funded in a procurement ap-*
5 *propriation contained in this Act shall be budgeted for in*
6 *a proposed fiscal year 2001 procurement appropriation and*
7 *not in the supply management business area or any other*
8 *area or category of the Department of Defense Working*
9 *Capital Funds.*

10 *SEC. 8048. None of the funds appropriated by this Act*
11 *for programs of the Central Intelligence Agency shall re-*
12 *main available for obligation beyond the current fiscal year,*
13 *except for funds appropriated for the Reserve for Contin-*
14 *gencies, which shall remain available until September 30,*
15 *2001: Provided, That funds appropriated, transferred, or*
16 *otherwise credited to the Central Intelligence Agency Cen-*
17 *tral Services Working Capital Fund during this or any*
18 *prior or subsequent fiscal year shall remain available until*
19 *expended.*

20 *SEC. 8049. Notwithstanding any other provision of*
21 *law, funds made available in this Act for the Defense Intel-*
22 *ligence Agency may be used for the design, development, and*
23 *deployment of General Defense Intelligence Program intel-*
24 *ligence communications and intelligence information sys-*

1 *tems for the Services, the Unified and Specified Commands,*
2 *and the component commands.*

3 *SEC. 8050. Of the funds appropriated by the Depart-*
4 *ment of Defense under the heading “Operation and Mainte-*
5 *nance, Defense-Wide”, not less than \$8,000,000 shall be*
6 *made available only for the mitigation of environmental*
7 *impacts, including training and technical assistance to*
8 *tribes, related administrative support, the gathering of in-*
9 *formation, documenting of environmental damage, and de-*
10 *veloping a system for prioritization of mitigation and cost*
11 *to complete estimates for mitigation, on Indian lands re-*
12 *sulting from Department of Defense activities.*

13 *SEC. 8051. Amounts collected for the use of the facili-*
14 *ties of the National Science Center for Communications and*
15 *Electronics during the current fiscal year pursuant to sec-*
16 *tion 1459(g) of the Department of Defense Authorization*
17 *Act, 1986, and deposited to the special account established*
18 *under subsection 1459(g)(2) of that Act are appropriated*
19 *and shall be available until expended for the operation and*
20 *maintenance of the Center as provided for in subsection*
21 *1459(g)(2).*

22 *SEC. 8052. None of the funds appropriated in this Act*
23 *may be used to fill the commander’s position at any mili-*
24 *tary medical facility with a health care professional unless*

1 *the prospective candidate can demonstrate professional ad-*
2 *ministrative skills.*

3 *SEC. 8053. (a) None of the funds appropriated in this*
4 *Act may be expended by an entity of the Department of*
5 *Defense unless the entity, in expending the funds, complies*
6 *with the Buy American Act. For purposes of this subsection,*
7 *the term “Buy American Act” means title III of the Act*
8 *entitled “An Act making appropriations for the Treasury*
9 *and Post Office Departments for the fiscal year ending June*
10 *30, 1934, and for other purposes”, approved March 3, 1933*
11 *(41 U.S.C. 10a et seq.).*

12 *(b) If the Secretary of Defense determines that a person*
13 *has been convicted of intentionally affixing a label bearing*
14 *a “Made in America” inscription to any product sold in*
15 *or shipped to the United States that is not made in Amer-*
16 *ica, the Secretary shall determine, in accordance with sec-*
17 *tion 2410f of title 10, United States Code, whether the per-*
18 *son should be debarred from contracting with the Depart-*
19 *ment of Defense.*

20 *(c) In the case of any equipment or products purchased*
21 *with appropriations provided under this Act, it is the sense*
22 *of the Congress that any entity of the Department of De-*
23 *fense, in expending the appropriation, purchase only Amer-*
24 *ican-made equipment and products, provided that Amer-*

1 *ican-made equipment and products are cost-competitive,*
2 *quality-competitive, and available in a timely fashion.*

3 *SEC. 8054. None of the funds appropriated by this Act*
4 *shall be available for a contract for studies, analysis, or*
5 *consulting services entered into without competition on the*
6 *basis of an unsolicited proposal unless the head of the activ-*
7 *ity responsible for the procurement determines—*

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

11 *(2) the purpose of the contract is to explore an*
12 *unsolicited proposal which offers significant scientific*
13 *or technological promise, represents the product of*
14 *original thinking, and was submitted in confidence*
15 *by one source; or*

16 *(3) the purpose of the contract is to take advan-*
17 *tage of unique and significant industrial accomplish-*
18 *ment by a specific concern, or to insure that a new*
19 *product or idea of a specific concern is given finan-*
20 *cial support:*

21 *Provided, That this limitation shall not apply to contracts*
22 *in an amount of less than \$25,000, contracts related to im-*
23 *provements of equipment that is in development or produc-*
24 *tion, or contracts as to which a civilian official of the De-*
25 *partment of Defense, who has been confirmed by the Senate,*

1 *determines that the award of such contract is in the interest*
2 *of the national defense.*

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

6 *(1) to establish a field operating agency; or*

7 *(2) to pay the basic pay of a member of the*
8 *Armed Forces or civilian employee of the department*
9 *who is transferred or reassigned from a headquarters*
10 *activity if the member or employee's place of duty re-*
11 *mains at the location of that headquarters.*

12 *(b) The Secretary of Defense or Secretary of a military*
13 *department may waive the limitations in subsection (a),*
14 *on a case-by-case basis, if the Secretary determines, and cer-*
15 *tifies to the Committees on Appropriations of the House of*
16 *Representatives and Senate that the granting of the waiver*
17 *will reduce the personnel requirements or the financial re-*
18 *quirements of the department.*

19 *(c) This section does not apply to field operating agen-*
20 *cies funded within the National Foreign Intelligence Pro-*
21 *gram.*

22 *SEC. 8056. Funds appropriated by this Act for intel-*
23 *ligence activities are deemed to be specifically authorized*
24 *by the Congress for purposes of section 504 of the National*
25 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*

1 *vilian) technicians of the Army National Guard, the Air*
2 *National Guard, Army Reserve and Air Force Reserve for*
3 *the purpose of applying any administratively imposed ci-*
4 *vilian personnel ceiling, freeze, or reduction on military (ci-*
5 *vilian) technicians, unless such reductions are a direct re-*
6 *sult of a reduction in military force structure.*

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

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

23 *SEC. 8062. Funds appropriated in this Act for oper-*
24 *ation and maintenance of the Military Departments, Uni-*
25 *fied and Specified Commands and Defense Agencies shall*

1 *be available for reimbursement of pay, allowances and other*
2 *expenses which would otherwise be incurred against appro-*
3 *priations for the National Guard and Reserve when mem-*
4 *bers of the National Guard and Reserve provide intelligence*
5 *or counterintelligence support to Unified Commands, De-*
6 *fense Agencies and Joint Intelligence Activities, including*
7 *the activities and programs included within the National*
8 *Foreign Intelligence Program (NFIP), the Joint Military*
9 *Intelligence Program (JMIP), and the Tactical Intelligence*
10 *and Related Activities (TIARA) aggregate: Provided, That*
11 *nothing in this section authorizes deviation from established*
12 *Reserve and National Guard personnel and training proce-*
13 *dures.*

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

24 *(INCLUDING TRANSFER OF FUNDS)*

25 *SEC. 8064. (a) None of the funds appropriated in this*
26 *Act may be transferred to or obligated from the Pentagon*

1 *Reservation Maintenance Revolving Fund, unless the Sec-*
2 *retary of Defense certifies that the total cost for the plan-*
3 *ning, design, construction and installation of equipment for*
4 *the renovation of the Pentagon Reservation will not exceed*
5 *\$1,222,000,000.*

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

10 SEC. 8065. (a) *None of the funds available to the De-*
11 *partment of Defense for any fiscal year for drug interdic-*
12 *tion or counter-drug activities may be transferred to any*
13 *other department or agency of the United States except as*
14 *specifically provided in an appropriations law.*

15 (b) *None of the funds available to the Central Intel-*
16 *ligence Agency for any fiscal year for drug interdiction and*
17 *counter-drug activities may be transferred to any other de-*
18 *partment or agency of the United States except as specifi-*
19 *cally provided in an appropriations law.*

20 (TRANSFER OF FUNDS)

21 SEC. 8066. *Appropriations available in this Act under*
22 *the heading “Operation and Maintenance, Defense-Wide”*
23 *for increasing energy and water efficiency in Federal build-*
24 *ings may, during their period of availability, be transferred*
25 *to other appropriations or funds of the Department of De-*
26 *fense for projects related to increasing energy and water ef-*

1 *iciency, to be merged with and to be available for the same*
2 *general purposes, and for the same time period, as the ap-*
3 *propriation or fund to which transferred.*

4 *SEC. 8067. None of the funds appropriated by this Act*
5 *may be used for the procurement of ball and roller bearings*
6 *other than those produced by a domestic source and of do-*
7 *mestic origin: Provided, That the Secretary of the military*
8 *department responsible for such procurement may waive*
9 *this restriction on a case-by-case basis by certifying in writ-*
10 *ing to the Committees on Appropriations of the House of*
11 *Representatives and the Senate, that adequate domestic*
12 *supplies are not available to meet Department of Defense*
13 *requirements on a timely basis and that such an acquisition*
14 *must be made in order to acquire capability for national*
15 *security purposes.*

16 *SEC. 8068. Notwithstanding any other provision of*
17 *law, funds available to the Department of Defense shall be*
18 *made available to provide transportation of medical sup-*
19 *plies and equipment, on a nonreimbursable basis, to Amer-*
20 *ican Samoa, and funds available to the Department of De-*
21 *fense shall be made available to provide transportation of*
22 *medical supplies and equipment, on a nonreimbursable*
23 *basis, to the Indian Health Service when it is in conjunc-*
24 *tion with a civil-military project.*

1 *SEC. 8069. None of the funds in this Act may be used*
2 *to purchase any supercomputer which is not manufactured*
3 *in the United States, unless the Secretary of Defense cer-*
4 *tifies to the congressional defense committees that such an*
5 *acquisition must be made in order to acquire capability for*
6 *national security purposes that is not available from*
7 *United States manufacturers.*

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

23 *SEC. 8071. During the current fiscal year, the Army*
24 *shall use the former George Air Force Base as the airhead*
25 *for the National Training Center at Fort Irwin: Provided,*

1 *That none of the funds in this Act shall be obligated or ex-*
2 *pended to transport Army personnel into Edwards Air*
3 *Force Base for training rotations at the National Training*
4 *Center.*

5 *SEC. 8072. (a) The Secretary of Defense shall submit,*
6 *on a quarterly basis, a report to the congressional defense*
7 *committees, the Committee on International Relations of*
8 *the House of Representatives and the Committee on Foreign*
9 *Relations of the Senate setting forth all costs (including in-*
10 *cremental costs) incurred by the Department of Defense*
11 *during the preceding quarter in implementing or sup-*
12 *porting resolutions of the United Nations Security Council,*
13 *including any such resolution calling for international*
14 *sanctions, international peacekeeping operations, and hu-*
15 *manitarian missions undertaken by the Department of De-*
16 *fense. The quarterly report shall include an aggregate of all*
17 *such Department of Defense costs by operation or mission.*

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

24 *SEC. 8073. (a) LIMITATION ON TRANSFER OF DE-*
25 *FENSE ARTICLES AND SERVICES.—Notwithstanding any*

1 *other provision of law, none of the funds available to the*
2 *Department of Defense for the current fiscal year may be*
3 *obligated or expended to transfer to another nation or an*
4 *international organization any defense articles or services*
5 *(other than intelligence services) for use in the activities de-*
6 *scribed in subsection (b) unless the congressional defense*
7 *committees, the Committee on International Relations of*
8 *the House of Representatives, and the Committee on For-*
9 *ign Relations of the Senate are notified 15 days in advance*
10 *of such transfer.*

11 *(b) COVERED ACTIVITIES.—This section applies to—*

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

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

19 *(c) REQUIRED NOTICE.—A notice under subsection (a)*
20 *shall include the following:*

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

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

1 (3) *In the case of a proposed transfer of equip-*
2 *ment or supplies—*

3 (A) *a statement of whether the inventory re-*
4 *quirements of all elements of the Armed Forces*
5 *(including the reserve components) for the type*
6 *of equipment or supplies to be transferred have*
7 *been met; and*

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

12 *SEC. 8074. To the extent authorized by subchapter VI*
13 *of chapter 148 of title 10, United States Code, the Secretary*
14 *of Defense shall issue loan guarantees in support of United*
15 *States defense exports not otherwise provided for: Provided,*
16 *That the total contingent liability of the United States for*
17 *guarantees issued under the authority of this section may*
18 *not exceed \$15,000,000,000: Provided further, That the ex-*
19 *posure fees charged and collected by the Secretary for each*
20 *guarantee, shall be paid by the country involved and shall*
21 *not be financed as part of a loan guaranteed by the United*
22 *States: Provided further, That the Secretary shall provide*
23 *quarterly reports to the Committees on Appropriations,*
24 *Armed Services and Foreign Relations of the Senate and*
25 *the Committees on Appropriations, Armed Services and*

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

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

14 (1) *such costs are for a bonus or otherwise in ex-*
15 *cess of the normal salary paid by the contractor to the*
16 *employee; and*

17 (2) *such bonus is part of restructuring costs asso-*
18 *ciated with a business combination.*

19 *SEC. 8076. (a) None of the funds appropriated or oth-*
20 *erwise made available in this Act may be used to transport*
21 *or provide for the transportation of chemical munitions or*
22 *agents to the Johnston Atoll for the purpose of storing or*
23 *demilitarizing such munitions or agents.*

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

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

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

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

12 *(INCLUDING TRANSFER OF FUNDS)*

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

23 *SEC. 8079. For purposes of section 1553(b) of title 31,*
24 *United States Code, any subdivision of appropriations*
25 *made in this Act under the heading “Shipbuilding and*
26 *Conversion, Navy” shall be considered to be for the same*

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

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

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

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

21 *(3) in the case of an expired account, the obliga-*
22 *tion is not chargeable to a current appropriation of*
23 *the Department of Defense under the provisions of sec-*
24 *tion 1405(b)(8) of the National Defense Authorization*
25 *Act for Fiscal Year 1991, Public Law 101–510, as*

1 *Aircraft carrier service life extension*
2 *program, \$202,000;*

3 *LHD-1 amphibious assault ship pro-*
4 *gram, \$2,311,000;*

5 *LSD-41 cargo variant ship program,*
6 *\$566,000;*

7 *T-AO fleet oiler program, \$3,494,000;*

8 *AO conversion program, \$133,000;*

9 *Craft, outfitting, and post delivery,*
10 *\$1,688,000;*

11 *To:*

12 *Under the heading, “Shipbuilding and Con-*
13 *version, Navy, 1995/2001”:*

14 *DDG-51 destroyer program,*
15 *\$27,079,000;*

16 *From:*

17 *Under the heading, “Shipbuilding and Con-*
18 *version, Navy, 1989/2000”:*

19 *DDG-51 destroyer program,*
20 *\$13,200,000;*

21 *Aircraft carrier service life extension*
22 *program, \$186,000;*

23 *LHD-1 amphibious assault ship pro-*
24 *gram, \$3,621,000;*

1 *LCAC landing craft, air cushioned*
2 *program, \$1,313,000;*

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

4 *AOE combat support ship program,*
5 *\$1,078,000;*

6 *AO conversion program, \$881,000;*

7 *T-AGOS drug interdiction conversion,*
8 *\$407,000;*

9 *Outfitting and post delivery, \$219,000;*

10 *To:*

11 *Under the heading, “Shipbuilding and Con-*
12 *version, Navy, 1996/2000”:*

13 *LPD-17 amphibious transport dock*
14 *ship, \$21,163,000;*

15 *From:*

16 *Under the heading, “Shipbuilding and Con-*
17 *version, Navy, 1990/2002”:*

18 *SSN-688 attack submarine program,*
19 *\$5,606,000;*

20 *DDG-51 destroyer program,*
21 *\$6,000,000;*

22 *ENTERPRISE refueling/moderniza-*
23 *tion program, \$2,306,000;*

24 *LHD-1 amphibious assault ship pro-*
25 *gram, \$183,000;*

1 *LSD-41 dock landing ship cargo vari-*
2 *ant program, \$501,000;*

3 *LCAC landing craft, air cushioned*
4 *program, \$345,000;*

5 *MCM mine countermeasures program,*
6 *\$1,369,000;*

7 *Moored training ship demonstration*
8 *program, \$1,906,000;*

9 *Oceanographic ship program,*
10 *\$1,296,000;*

11 *AOE combat support ship program,*
12 *\$4,086,000;*

13 *AO conversion program, \$143,000;*

14 *Craft, outfitting, post delivery, and*
15 *ship special support equipment, \$1,209,000;*

16 *To:*

17 *Under the heading, “Shipbuilding and Con-*
18 *version, Navy, 1990/2002”:*

19 *T-AGOS surveillance ship program,*
20 *\$5,000,000;*

21 *Coast Guard icebreaker program,*
22 *\$8,153,000;*

23 *Under the heading, “Shipbuilding and Con-*
24 *version, Navy, 1996/2002”:*

1 *LPD-17 amphibious transport dock*
2 *ship, \$7,192,000;*

3 *Under the heading, “Shipbuilding and Con-*
4 *version, Navy, 1998/2002”:*

5 *CVN refuelings, \$4,605,000;*

6 *From:*

7 *Under the heading, “Shipbuilding and Con-*
8 *version, Navy, 1991/2001”:*

9 *SSN-21(AP) attack submarine pro-*
10 *gram, \$1,614,000;*

11 *LHD-1 amphibious assault ship pro-*
12 *gram, \$5,647,000;*

13 *LSD-41 dock landing ship cargo vari-*
14 *ant program, \$1,389,000;*

15 *LCAC landing craft, air cushioned*
16 *program, \$330,000;*

17 *AOE combat support ship program,*
18 *\$1,435,000;*

19 *To:*

20 *Under the heading, “Shipbuilding and Con-*
21 *version, Navy, 1998/2001”:*

22 *CVN refuelings, \$10,415,000;*

23 *From:*

24 *Under the heading, “Shipbuilding and Con-*
25 *version, Navy, 1992/2001”:*

1 *SSN-21 attack submarine program,*
2 *\$11,983,000;*

3 *Craft, outfitting, post delivery, and*
4 *DBOF transfer, \$836,000;*

5 *Escalation, \$5,378,000;*

6 *To:*

7 *Under the heading, “Shipbuilding and Con-*
8 *version, Navy, 1998/2001”:*

9 *CVN refuelings, \$18,197,000;*

10 *From:*

11 *Under the heading, “Shipbuilding and Con-*
12 *version, Navy, 1993/2002”:*

13 *Carrier replacement program(AP),*
14 *\$30,332,000;*

15 *LSD-41 cargo variant ship program,*
16 *\$676,000;*

17 *AOE combat support ship program,*
18 *\$2,066,000;*

19 *Craft, outfitting, post delivery, and*
20 *first destination transportation, and infla-*
21 *tion adjustments, \$2,127,000;*

22 *To:*

23 *Under the heading, “Shipbuilding and Con-*
24 *version, Navy, 1998/2002”:*

25 *CVN refuelings, \$29,884,000;*

1 *Under the heading, “Shipbuilding and Con-*
2 *version, Navy, 1999/2002”:*

3 *Craft, outfitting, post delivery, conver-*
4 *sions, and first destination transportation,*
5 *\$5,317,000;*

6 *From:*

7 *Under the heading, “Shipbuilding and Con-*
8 *version, Navy, 1994/2003”:*

9 *LHD-1 amphibious assault ship pro-*
10 *gram, \$18,349,000;*

11 *Oceanographic ship program, \$9,000;*

12 *To:*

13 *Under the heading, “Shipbuilding and Con-*
14 *version, Navy, 1994/2003”:*

15 *DDG-51 destroyer program,*
16 *\$18,349,000;*

17 *Under the heading, “Shipbuilding and Con-*
18 *version, Navy, 1999/2003”:*

19 *Craft, outfitting, post delivery, conver-*
20 *sions, and first destination transportation,*
21 *\$9,000;*

22 *From:*

23 *Under the heading, “Shipbuilding and Con-*
24 *version, Navy, 1996/2000”:*

1 *SSN-21 attack submarine program,*
2 *\$10,100,000;*

3 *LHD-1 amphibious assault ship pro-*
4 *gram, \$7,100,000;*

5 *To:*

6 *Under the heading, “Shipbuilding and Con-*
7 *version, Navy, 1996/2000”:*

8 *DDG-51 destroyer program,*
9 *\$3,723,000;*

10 *LPD-17 amphibious transport dock*
11 *ship, \$13,477,000.*

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

20 *SEC. 8083. During the current fiscal year, the Sec-*
21 *retary of Defense may waive reimbursement of the cost of*
22 *conferences, seminars, courses of instruction, or similar*
23 *educational activities of the Asia-Pacific Center for Secu-*
24 *rity Studies for military officers and civilian officials of*
25 *foreign nations if the Secretary determines that attendance*

1 *by such personnel, without reimbursement, is in the na-*
2 *tional security interest of the United States: Provided, That*
3 *costs for which reimbursement is waived pursuant to this*
4 *subsection shall be paid from appropriations available for*
5 *the Asia-Pacific Center.*

6 *SEC. 8084. (a) Notwithstanding any other provision*
7 *of law, the Chief of the National Guard Bureau may permit*
8 *the use of equipment of the National Guard Distance Learn-*
9 *ing Project by any person or entity on a space-available,*
10 *reimbursable basis. The Chief of the National Guard Bu-*
11 *reau shall establish the amount of reimbursement for such*
12 *use on a case-by-case basis.*

13 *(b) Amounts collected under subsection (a) shall be*
14 *credited to funds available for the National Guard Distance*
15 *Learning Project and be available to defray the costs associ-*
16 *ated with the use of equipment of the project under that*
17 *subsection. Such funds shall be available for such purposes*
18 *without fiscal year limitation.*

19 *SEC. 8085. Using funds available by this Act or any*
20 *other Act, the Secretary of the Air Force, pursuant to a*
21 *determination under section 2690 of title 10, United States*
22 *Code, may implement cost-effective agreements for required*
23 *heating facility modernization in the Kaiserslautern Mili-*
24 *tary Community in the Federal Republic of Germany: Pro-*
25 *vided, That in the City of Kaiserslautern such agreements*

1 *will include the use of United States anthracite as the base*
2 *load energy for municipal district heat to the United States*
3 *Defense installations: Provided further, That at Landstuhl*
4 *Army Regional Medical Center and Ramstein Air Base,*
5 *furnished heat may be obtained from private, regional or*
6 *municipal services, if provisions are included for the con-*
7 *sideration of United States coal as an energy source.*

8 *SEC. 8086. During the current fiscal year, refunds at-*
9 *tributable to the use of the Government travel card and the*
10 *Government Purchase Card by military personnel and ci-*
11 *vilian employees of the Department of Defense and refunds*
12 *attributable to official Government travel arranged by Gov-*
13 *ernment Contracted Travel Management Centers may be*
14 *credited to the accounts current when the refunds are re-*
15 *ceived that are available for the same purposes as the ac-*
16 *counts originally charged.*

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

22 *SEC. 8088. (a) The Secretary of Defense may, on a*
23 *case-by-case basis, waive with respect to a foreign country*
24 *each limitation on the procurement of defense items from*
25 *foreign sources provided in law if the Secretary determines*

1 *that the application of the limitation with respect to that*
2 *country would invalidate cooperative programs entered into*
3 *between the Department of Defense and the foreign country,*
4 *or would invalidate reciprocal trade agreements for the pro-*
5 *urement of defense items entered into under section 2531*
6 *of title 10, United States Code, and the country does not*
7 *discriminate against the same or similar defense items pro-*
8 *duced in the United States for that country.*

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

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

12 *(2) options for the procurement of items that are*
13 *exercised after such date under contracts that are en-*
14 *tered into before such date if the option prices are ad-*
15 *justed for any reason other than the application of a*
16 *waiver granted under subsection (a).*

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

1 *SEC. 8089. Funds made available to the Civil Air Pa-*
2 *trol in this Act under the heading “Drug Interdiction and*
3 *Counter-Drug Activities, Defense” may be used for the Civil*
4 *Air Patrol Corporation’s counterdrug program, including*
5 *its demand reduction program involving youth programs,*
6 *as well as operational and training drug reconnaissance*
7 *missions for Federal, State and local government agencies;*
8 *for administrative costs, including the hiring of Civil Air*
9 *Patrol Corporation employees; for travel and per diem ex-*
10 *penses of Civil Air Patrol Corporation personnel in support*
11 *of those missions; and for equipment needed for mission*
12 *support or performance: Provided, That the Department of*
13 *the Air Force should waive reimbursement from the Federal,*
14 *State and local government agencies for the use of these*
15 *funds.*

16 *SEC. 8090. Notwithstanding any other provision of*
17 *law, the TRICARE managed care support contracts in ef-*
18 *fect, or in final stages of acquisition as of September 30,*
19 *1999, may be extended for two years: Provided, That any*
20 *such extension may only take place if the Secretary of De-*
21 *fense determines that it is in the best interest of the Govern-*
22 *ment: Provided further, That any contract extension shall*
23 *be based on the price in the final best and final offer for*
24 *the last year of the existing contract as adjusted for infla-*
25 *tion and other factors mutually agreed to by the contractor*

1 *and the Government: Provided further, That notwith-*
2 *standing any other provision of law, all future TRICARE*
3 *managed care support contracts replacing contracts in ef-*
4 *fect, or in the final stages of acquisition as of September*
5 *30, 1998, may include a base contract period for transition*
6 *and up to seven one-year option periods.*

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

11 *“Aircraft Procurement, Army”, \$8,000,000;*

12 *“Missile Procurement, Army”, \$7,000,000;*

13 *“Procurement of Weapons and Tracked Combat*
14 *Vehicles, Army”, \$9,000,000;*

15 *“Procurement of Ammunition, Army”,*
16 *\$6,000,000;*

17 *“Other Procurement, Army”, \$19,000,000;*

18 *“Aircraft Procurement, Navy”, \$44,000,000;*

19 *“Weapons Procurement, Navy”, \$8,000,000;*

20 *“Procurement of Ammunition, Navy and Marine*
21 *Corps”, \$3,000,000;*

22 *“Shipbuilding and Conversion, Navy”,*
23 *\$37,000,000;*

24 *“Other Procurement, Navy”, \$23,000,000;*

25 *“Procurement, Marine Corps”, \$5,000,000;*

1 *“Aircraft Procurement, Air Force”*, \$46,000,000;

2 *“Missile Procurement, Air Force”*, \$14,000,000;

3 *“Procurement of Ammunition, Air Force”*,

4 \$2,000,000;

5 *“Other Procurement, Air Force”*, \$44,400,000;

6 *“Procurement, Defense-Wide”*, \$5,200,000;

7 *“Chemical Agents and Munitions Destruction,*

8 *Army”*, \$5,000,000;

9 *“Research, Development, Test and Evaluation,*

10 *Army”*, \$20,000,000;

11 *“Research, Development, Test and Evaluation,*

12 *Navy”*, \$40,900,000;

13 *“Research, Development, Test and Evaluation,*

14 *Air Force”*, \$76,900,000; and

15 *“Research, Development, Test and Evaluation,*

16 *Defense-Wide”*, \$28,700,000:

17 *Provided, That these reductions shall be applied proportion-*

18 *ally to each budget activity, activity group and subactivity*

19 *group and each program, project, and activity within each*

20 *appropriation account.*

21 SEC. 8092. TRAINING AND OTHER PROGRAMS. (a)

22 PROHIBITION.—None of the funds made available by this

23 Act may be used to support any training program involv-

24 ing a unit of the security forces of a foreign country if the

25 Secretary of Defense has received credible information from

1 *the Department of State that the unit has committed a gross*
2 *violation of human rights, unless all necessary corrective*
3 *steps have been taken.*

4 (b) *MONITORING.*—*The Secretary of Defense, in con-*
5 *sultation with the Secretary of State, shall ensure that prior*
6 *to a decision to conduct any training program referred to*
7 *in subsection (a), full consideration is given to all credible*
8 *information available to the Department of State relating*
9 *to human rights violations by foreign security forces.*

10 (c) *WAIVER.*—*The Secretary of Defense, after consulta-*
11 *tion with the Secretary of State, may waive the prohibition*
12 *in subsection (a) if he determines that such waiver is re-*
13 *quired by extraordinary circumstances.*

14 (d) *REPORT.*—*Not more than 15 days after the exercise*
15 *of any waiver under subsection (c), the Secretary of Defense*
16 *shall submit a report to the congressional defense commit-*
17 *tees describing the extraordinary circumstances, the purpose*
18 *and duration of the training program, the United States*
19 *forces and the foreign security forces involved in the train-*
20 *ing program, and the information relating to human rights*
21 *violations that necessitates the waiver.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 *SEC. 8100. In the current fiscal year and hereafter,*
11 *funds appropriated for the Pacific Disaster Center may be*
12 *obligated to carry out such missions as the Secretary of De-*
13 *fense may specify for disaster information management and*
14 *related supporting activities in the geographic area of re-*
15 *sponsibility of the Commander in Chief, Pacific and beyond*
16 *in support of a global disaster information network: Pro-*
17 *vided, That the Secretary may enable the Pacific Disaster*
18 *Center and its derivatives to enter into flexible public-pri-*
19 *vate cooperative arrangements for the delegation or imple-*
20 *mentation of some or all of its missions and accept and*
21 *provide grants, or other remuneration to or from any agen-*
22 *cy of the Federal government, state or local government, pri-*
23 *vate source or foreign government to carry out any of its*
24 *activities: Provided further, That the Pacific Disaster Cen-*

1 *ter may not accept any remuneration or provide any serv-*
2 *ice or grant which could compromise national security.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 *State, or in the case of the District of Columbia, within*
2 *the District of Columbia, in which the military installation*
3 *is located: Provided, That in a case in which the military*
4 *installation is located in more than one State, purchases*
5 *may be made in any State in which the installation is lo-*
6 *cated: Provided further, That such local procurement re-*
7 *quirements for malt beverages and wine shall apply to all*
8 *alcoholic beverages only for military installations in States*
9 *which are not contiguous with another State: Provided fur-*
10 *ther, That alcoholic beverages other than wine and malt bev-*
11 *erages, in contiguous States and the District of Columbia*
12 *shall be procured from the most competitive source, price*
13 *and other factors considered.*

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

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

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

1 *tion that are customary in the leasing of aircraft by a non-*
2 *governmental lessor to a nongovernmental lessee.*

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

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

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

18 *(2) appropriations for the operation and mainte-*
19 *nance available at the time which the payment is due;*
20 *and*

21 *(3) funds appropriated for those payments.*

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

1 *enter into leases under a provision of law other than this*
2 *section.*

3 *SEC. 8107. (a) The Communications Act of 1934 is*
4 *amended in section 337(b) (47 U.S.C. 337(b)), by deleting*
5 *paragraph (2). Upon enactment of this provision, the FCC*
6 *shall initiate the competitive bidding process in fiscal year*
7 *1999 and shall conduct the competitive bidding in a man-*
8 *ner that ensures that all proceeds of such bidding are depos-*
9 *ited in accordance with section 309(j)(8) of the Act not later*
10 *than September 30, 2000. To expedite the assignment by*
11 *competitive bidding of the frequencies identified in section*
12 *337(a)(2) of the Act, the rules governing such frequencies*
13 *shall be effective immediately upon publication in the Fed-*
14 *eral Register, notwithstanding 5 U.S.C. 553(d), 801(a)(3),*
15 *804(2), and 806(a). Chapter 6 of such title, 15 U.S.C. 632,*
16 *and 44 U.S.C. 3507 and 3512, shall not apply to the rules*
17 *and competitive bidding procedures governing such fre-*
18 *quencies. Notwithstanding section 309(b) of the Act, no ap-*
19 *plication for an instrument of authorization for such fre-*
20 *quencies shall be granted by the Commission earlier than*
21 *7 days following issuance of public notice by the Commis-*
22 *sion of the acceptance for filing of such application or of*
23 *any substantial amendment thereto. Notwithstanding sec-*
24 *tion 309(d)(1) of such Act, the Commission may specify a*
25 *period (no less than 5 days following issuance of such public*

1 *notice) for the filing of petitions to deny any application*
2 *for an instrument of authorization for such frequencies.*

3 *(b)(1) Not later than 15 days after the date of the en-*
4 *actment of this Act, the Director of the Office of Manage-*
5 *ment and Budget and the Federal Communications Com-*
6 *mission shall each submit to the appropriate congressional*
7 *committees a report which shall—*

8 *(A) set forth the anticipated schedule (including*
9 *specific dates) for—*

10 *(i) preparing and conducting the competi-*
11 *tive bidding process required by subsection (a);*
12 *and*

13 *(ii) depositing the receipts of the competi-*
14 *tive bidding process;*

15 *(B) set forth each significant milestone in the*
16 *rulemaking process with respect to the competitive*
17 *bidding process;*

18 *(C) include an explanation of the effect of each*
19 *requirement in subsection (a) on the schedule for the*
20 *competitive bidding process and any post-bidding ac-*
21 *tivities (including the deposit of receipts) when com-*
22 *pared with the schedule for the competitive bidding*
23 *and any post-bidding activities (including the deposit*
24 *of receipts) that would otherwise have occurred under*
25 *section 337(b)(2) of the Communications Act of 1934*

1 (47 U.S.C. 337(b)(2)) if not for the enactment of sub-
2 section (a);

3 (D) set forth for each spectrum auction held by
4 the Federal Communications Commission since 1993
5 information on—

6 (i) the time required for each stage of prep-
7 aration for the auction;

8 (ii) the date of the commencement and of
9 the completion of the auction;

10 (iii) the time which elapsed between the
11 date of the completion of the auction and the
12 date of the first deposit of receipts from the auc-
13 tion in the Treasury; and

14 (iv) the dates of all subsequent deposits of
15 receipts from the auction in the Treasury; and

16 (E) include an assessment of how the stages of
17 the competitive bidding process required by subsection
18 (a), including preparation, commencement and com-
19 pletion, and deposit of receipts, will differ from simi-
20 lar stages in the auctions referred to in subparagraph
21 (D).

22 (2) Not later than October 5, 2000, the Director of the
23 Office of Management and Budget and the Federal Commu-
24 nications Commission shall each submit to the appropriate
25 congressional committees the report which shall—

1 (A) describe the course of the competitive bidding
2 process required by subsection (a) through September
3 30, 2000, including the amount of any receipts from
4 the competitive bidding process deposited in the
5 Treasury as of September 30, 2000; and

6 (B) if the course of the competitive bidding proc-
7 ess has included any deviations from the schedule set
8 forth under paragraph (1)(A), an explanation for
9 such deviations from the schedule.

10 (3) The Federal Communications Commission may
11 not consult with the Director in the preparation and sub-
12 mittal of the reports required of the Commission by this
13 subsection.

14 (4) In this subsection, the term “appropriate congres-
15 sional committees” means the following:

16 (A) The Committees on Appropriations, the
17 Budget, and Commerce of the Senate.

18 (B) The Committees on Appropriations, the
19 Budget, and Commerce of the House of Representa-
20 tives.

21 SEC. 8108. Notwithstanding any other provision in
22 this Act, the total amount appropriated in this Act for Ti-
23 tles II and III is hereby reduced by \$3,100,000,000 to reflect
24 supplemental appropriations provided under Public Law
25 106–31 for Readiness/Munitions; Operational Rapid Re-

1 *sponse Transfer Fund; Spare Parts; Depot Maintenance;*
2 *Recruiting; Readiness Training/OPTEMPO; and Base Op-*
3 *erations.*

4 *SEC. 8109. Section 8106(a) of the Department of De-*
5 *fense Appropriations Act, 1997 (titles I through VIII of the*
6 *matter under section 101(b) of Public Law 104–208; 110*
7 *Stat. 3009–111; 10 U.S.C. 113 note), is amended—*

8 *(1) by striking “not later than June 30, 1997,”;*
9 *and*

10 *(2) by striking “\$1,000,000” and inserting*
11 *“\$500,000”.*

12 *SEC. 8110. In addition to any funds appropriated else-*
13 *where in title IV of this Act under the heading “RESEARCH,*
14 *DEVELOPMENT, TEST, AND EVALUATION, ARMY”,*
15 *\$9,000,000 is hereby appropriated only for the Army Test*
16 *Ranges and Facilities program element.*

17 *SEC. 8111. Notwithstanding any other provision in*
18 *this Act, the total amount appropriated in this Act for title*
19 *IV under the heading “RESEARCH, DEVELOPMENT, TEST,*
20 *AND EVALUATION, NAVY”, is hereby reduced by \$26,840,000*
21 *and the total amount appropriated in this Act for title IV*
22 *under the heading “RESEARCH, DEVELOPMENT, TEST, AND*
23 *EVALUATION, DEFENSE-WIDE”, is hereby increased by*
24 *\$51,840,000 to reflect the transfer of the Joint Warfighting*
25 *Experimentation Program: Provided, That none of the*

1 *funds provided for the Joint Warfighting Experimentation*
2 *Program may be obligated until the Vice Chairman of the*
3 *Joint Chiefs of Staff reports to the congressional defense*
4 *committees on the role and participation of all unified and*
5 *specified commands in the JWEP.*

6 *SEC. 8112. In addition to the amounts appropriated*
7 *or otherwise made available elsewhere in this Act for the*
8 *Department of Defense, \$23,000,000, to remain available*
9 *until September 30, 2000 is hereby appropriated to the De-*
10 *partment of Defense: Provided, That the Secretary of De-*
11 *fense shall make a grant in the amount of \$23,000,000 to*
12 *the American Red Cross for Armed Forces Emergency Serv-*
13 *ices.*

14 *SEC. 8113. In addition to the funds available in title*
15 *III, \$10,000,000 is hereby appropriated for U-2 cockpit*
16 *modifications.*

17 *SEC. 8114. The Department of the Army is directed*
18 *to conduct a live fire, side-by-side operational test of the*
19 *air-to-air Starstreak and air-to-air Stinger missiles from*
20 *the AH-64D Longbow helicopter. The operational test is to*
21 *be completed utilizing funds provided for in this Act in ad-*
22 *dition to funding provided for this purpose in the Fiscal*
23 *Year 1999 Defense Appropriations Act (P.L. 105-262): Pro-*
24 *vided, That notwithstanding any other provision of law, the*
25 *Department is to ensure that the development, procurement*

1 *or integration of any missile for use on the AH-64 or*
2 *RAH-66 helicopters, as an air-to-air missile, is subject to*
3 *a full and open competition which includes the conduct of*
4 *a live-fire, side-by-side test as an element of the source selec-*
5 *tion criteria: Provided further, That the Under Secretary*
6 *of Defense (Acquisition & Technology) will conduct an inde-*
7 *pendent review of the need, and the merits of acquiring an*
8 *air-to-air missile to provide self-protection for the AH-64*
9 *and RAH-66 from the threat of hostile forces. The Secretary*
10 *is to provide his findings in a report to the defense oversight*
11 *committees, no later than March 31, 2000.*

12 *SEC. 8115. Of the funds appropriated in title IV under*
13 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
14 *UATION, AIR FORCE”, up to \$6,000,000 may be made avail-*
15 *able for the 3-D advanced track acquisition and imaging*
16 *system.*

17 *SEC. 8116. Of the funds appropriated in title IV under*
18 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
19 *UATION, NAVY”, up to \$3,000,000 may be made available*
20 *for electronic propulsion systems.*

21 *SEC. 8117. Of the funds appropriated in title IV under*
22 *the heading “COUNTER-DRUG ACTIVITIES, DEFENSE”, up*
23 *to \$5,000,000 may be made available for a ground proc-*
24 *essing station to support a tropical remote sensing radar.*

1 *SEC. 8118. Of the funds made available under the*
2 *heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUA-*
3 *TION, ARMY”, up to \$6,000,000 may be provided to the*
4 *United States Army Construction Engineering Research*
5 *Laboratory to continue research and development to reduce*
6 *pollution associated with industrial manufacturing waste*
7 *systems.*

8 *SEC. 8119. Of the funds appropriated in title II under*
9 *the heading “OPERATION AND MAINTENANCE, NAVY”, up to*
10 *\$13,000,000 may be available for depot overhaul of the MK-*
11 *45 weapon system, and up to \$19,000,000 may be available*
12 *for depot overhaul of the Close In Weapon System.*

13 *SEC. 8120. Of the funds appropriated in title IV under*
14 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
15 *UATION, ARMY”, up to \$1,500,000 may be available for*
16 *prototyping and testing of a water distributor for the Pal-*
17 *let-Loading System Engineer Mission Module System.*

18 *SEC. 8121. Of the funds provided under title IV of this*
19 *Act under the heading “RESEARCH, DEVELOPMENT, TEST,*
20 *AND EVALUATION, AIR FORCE”, up to \$1,000,000 may be*
21 *made available only for alternative missile engine source*
22 *development.*

23 *SEC. 8122. Of the funds appropriated in title IV under*
24 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
25 *UATION, ARMY”, up to \$3,000,000 may be made available*

1 *for the National Defense Center for Environmental Excel-*
2 *lence Pollution Prevention Initiative.*

3 *SEC. 8123. Of the funds made available in title IV of*
4 *this Act under the heading “RESEARCH, DEVELOPMENT,*
5 *TEST, AND EVALUATION, DEFENSE-WIDE”, up to*
6 *\$4,500,000 may be made available for a hot gas decon-*
7 *tamination facility.*

8 *SEC. 8124. Of the funds made available under the*
9 *heading “DEFENSE HEALTH PROGRAM”, up to \$2,000,000*
10 *may be made available to support the establishment of a*
11 *Department of Defense Center for Medical Informatics.*

12 *SEC. 8125. Of the funds appropriated in title III*
13 *under the heading “PROCUREMENT, MARINE CORPS”, up*
14 *to \$2,800,000 may be made available for the K-Band Test*
15 *Obscuration Pairing System.*

16 *SEC. 8126. Of the funds made available under the*
17 *heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUA-*
18 *TION, ARMY”, up to \$2,000,000 may be made available to*
19 *continue and expand on-going work in recombinant vaccine*
20 *research against biological warfare agents.*

21 *SEC. 8127. (a) The purpose of this section is to provide*
22 *means for the City of Bayonne, New Jersey, to furnish fire*
23 *protection through the City’s municipal fire department for*
24 *the tenants, including the Coast Guard, and property at*
25 *Military Ocean Terminal, New Jersey, thereby enhancing*

1 *the City's capability for furnishing safety services that is*
2 *a fundamental capability necessary for encouraging the eco-*
3 *nomie development of Military Ocean Terminal.*

4 **(b)** *The Secretary of the Army may, notwithstanding*
5 *title II of the Federal Property and Administrative Services*
6 *Act of 1949, convey without consideration to the Bayonne*
7 *Local Redevelopment Authority, Bayonne, New Jersey, and*
8 *to the City of Bayonne, New Jersey, jointly, all right, title,*
9 *and interest of the United States in and to the firefighting*
10 *equipment described in subsection (c).*

11 **(c)** *The equipment to be conveyed under subsection (b)*
12 *is firefighting equipment at Military Ocean Terminal, Ba-*
13 *yonne, New Jersey, as follows:*

14 **(1)** *Pierce Dash 2000 Gpm Pumper, manufac-*
15 *tured September 1995.*

16 **(2)** *Pierce Arrow 100-foot Tower Ladder, manu-*
17 *factured February 1994.*

18 **(3)** *Pierce HAZMAT truck, manufactured 1993.*

19 **(4)** *Ford E-350, manufactured 1992.*

20 **(5)** *Ford E-302, manufactured 1990.*

21 **(6)** *Bauer Compressor, Bauer-UN 12-*
22 *E#5000psi, manufactured November 1989.*

23 **(d)** *The conveyance and delivery of the property shall*
24 *be at no cost to the United States.*

1 (e) *The Secretary may require such additional terms*
2 *and conditions in connection with the conveyance under*
3 *this section as the Secretary considers appropriate to pro-*
4 *tect the interests of the United States.*

5 *SEC. 8128. Of the funds appropriated in title IV under*
6 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
7 *UATION, NAVY”, up to \$3,000,000 may be made available*
8 *for basic research on advanced composite materials proc-*
9 *essing (specifically, resin transfer molding, vacuum-assisted*
10 *resin transfer molding, and co-infusion resin transfer mold-*
11 *ing).*

12 *SEC. 8129. Of the funds appropriated in title IV under*
13 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
14 *UATION, ARMY”, up to \$5,000,000 may be available for In-*
15 *formation Warfare Vulnerability Analysis.*

16 *SEC. 8130. Of the funds appropriated in title IV under*
17 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
18 *UATION, AIR FORCE”, up to \$7,500,000 may be made avail-*
19 *able for the GEO High Resolution Space Object Imaging*
20 *Program.*

21 *SEC. 8131. Of the funds appropriated in title IV under*
22 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
23 *UATION, ARMY”, up to \$4,000,000 may be available solely*
24 *for research, development, test, and evaluation of elastin-*

1 *based artificial tissues and dye targeted laser fusion tech-*
2 *niques for healing internal injuries.*

3 *SEC. 8132. Of the funds made available in title IV of*
4 *this Act for the Defense Advanced Research Projects Agency*
5 *under the heading “RESEARCH, DEVELOPMENT, TEST, AND*
6 *EVALUATION, DEFENSE-WIDE”, up to \$20,000,000 may be*
7 *made available for supersonic aircraft noise mitigation re-*
8 *search and development efforts.*

9 *SEC. 8133. From within the funds provided for the De-*
10 *fense Acquisition University, up to \$5,000,000 may be spent*
11 *on a pilot program using state-of-the-art training tech-*
12 *nology that would train the acquisition workforce in a sim-*
13 *ulated Government procurement environment.*

14 *SEC. 8134. During the current fiscal year, under regu-*
15 *lations prescribed by the Secretary of Defense, the Center*
16 *of Excellence for Disaster Management and Humanitarian*
17 *Assistance may also pay, or authorize payment for, the ex-*
18 *penses of providing or facilitating education and training*
19 *for appropriate military and civilian personnel of foreign*
20 *countries in disaster management and humanitarian as-*
21 *sistance: Provided, That not later than April 1, 2001, the*
22 *Secretary of Defense shall submit to the congressional de-*
23 *fense committees a report regarding the training of foreign*
24 *personnel conducted under this authority during the pre-*
25 *ceding fiscal year for which expenses were paid under the*

1 *section: Provided further, That the report shall specify the*
2 *countries in which the training was conducted, the type of*
3 *training conducted, and the foreign personnel trained.*

4 *SEC. 8135. Of the funds appropriated in title II under*
5 *the heading “OPERATION AND MAINTENANCE, AIR FORCE”,*
6 *up to \$4,000,000 may be made available for the Manufac-*
7 *turing Technology Assistance Pilot Program.*

8 *SEC. 8136. Of the funds appropriated in title IV under*
9 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
10 *UATION, ARMY”, up to \$5,000,000 may be available for vis-*
11 *ual display performance and visual display environmental*
12 *research and development.*

13 *SEC. 8137. Of the funds appropriated in title III*
14 *under the heading “OTHER PROCUREMENT, ARMY”,*
15 *\$51,250,000 shall be available for the Information System*
16 *Security Program, of which up to \$10,000,000 may be made*
17 *available for an immediate assessment of biometrics sensors*
18 *and templates repository requirements and for combining*
19 *and consolidating biometrics security technology and other*
20 *information assurance technologies to accomplish a more fo-*
21 *cused and effective information assurance effort.*

22 *SEC. 8138. Of the funds appropriated in title II under*
23 *the heading “OPERATION AND MAINTENANCE, DEFENSE-*
24 *WIDE” for the Office of the Special Assistant to the Deputy*
25 *Secretary of Defense for Gulf War Illnesses, up to*

1 \$10,000,000 may be made available for carrying out the
2 first-year actions under the 5-year research plan outlined
3 in the report entitled “Department of Defense Strategy to
4 Address Low-Level Exposures to Chemical Warfare Agents
5 (CWAs)”, dated May 1999, that was submitted to commit-
6 tees of Congress pursuant to section 247(d) of the Strom
7 Thurmond National Defense Authorization Act for Fiscal
8 Year 1999 (Public Law 105–261; 112 Stat. 1957).

9 SEC. 8139. (a) Congress makes the following findings:

10 (1) The B–2 bomber has been used in combat for
11 the first time in Operation Allied Force against Yugo-
12 slavia.

13 (2) The B–2 bomber has demonstrated unparal-
14 leled strike capability in Operation Allied Force, with
15 cursory data indicating that the bomber could have
16 dropped nearly 20 percent of the precision ordnance
17 while flying less than 3 percent of the attack sorties.

18 (3) According to the congressionally mandated
19 Long Range Air Power Panel, “long range air power
20 is an increasingly important element of United States
21 military capability”.

22 (4) The crews of the B–2 bomber and the per-
23 sonnel of Whiteman Air Force Base, Missouri, deserve
24 particular credit for flying and supporting the strike

1 *missions against Yugoslavia, some of the longest com-*
2 *bat missions in the history of the Air Force.*

3 *(5) The bravery and professionalism of the per-*
4 *sonnel of Whiteman Air Force Base have advanced*
5 *American interests in the face of significant challenge*
6 *and hardship.*

7 *(6) The dedication of those who serve in the*
8 *Armed Forces, exemplified clearly by the personnel of*
9 *Whiteman Air Force Base, is the greatest national se-*
10 *curity asset of the United States.*

11 *(b) It is the sense of Congress that—*

12 *(1) the skill and professionalism with which the*
13 *B–2 bomber has been used in Operation Allied Force*
14 *is a credit to the personnel of Whiteman Air Force*
15 *Base, Missouri, and the Air Force;*

16 *(2) the B–2 bomber has demonstrated an unpar-*
17 *alleled capability to travel long distances and deliver*
18 *devastating weapons payloads, proving its essential*
19 *role for United States power projection in the future;*
20 *and*

21 *(3) the crews of the B–2 bomber and the per-*
22 *sonnel of Whiteman Air Force Base deserve the grati-*
23 *tude of the American people for their dedicated per-*
24 *formance in an indispensable role in the air cam-*

1 *paign against Yugoslavia and in the defense of the*
2 *United States.*

3 *SEC. 8140. Of the funds appropriated in title III*
4 *under the heading “AIRCRAFT PROCUREMENT, AIR*
5 *FORCE”, up to \$10,000,000 may be made available for U-*
6 *2 aircraft defensive system modernization.*

7 *SEC. 8141. Of the amount appropriated in title IV*
8 *under the heading “RESEARCH, DEVELOPMENT, TEST, AND*
9 *EVALUATION, DEFENSE-WIDE”, \$25,185,000 shall be avail-*
10 *able for research and development relating to Persian Gulf*
11 *illnesses, of which \$4,000,000 shall be available for continu-*
12 *ation of research into Gulf War syndrome that includes*
13 *multidisciplinary studies of fibromyalgia, chronic fatigue*
14 *syndrome, multiple chemical sensitivity, and the use of re-*
15 *search methods of cognitive and computational neuro-*
16 *science, and of which up to \$2,000,000 may be made avail-*
17 *able for expansion of the research program in the Upper*
18 *Great Plains region.*

19 *SEC. 8142. Of the total amount appropriated in title*
20 *III under the heading “AIRCRAFT PROCUREMENT, AIR*
21 *FORCE”, up to \$17,500,000 may be made available for pro-*
22 *curement of the F-15A/B data link for the Air National*
23 *Guard.*

24 *SEC. 8143. Of the funds appropriated in title III*
25 *under the heading “WEAPONS PROCUREMENT, NAVY”, up*

1 to \$3,000,000 may be made available for the MK-43 Ma-
2 chine Gun Conversion Program.

3 SEC. 8144. DEVELOPMENT OF FORD ISLAND, HAWAII.

4 (a) IN GENERAL.—(1) Subject to paragraph (2), the Sec-
5 retary of the Navy may exercise any authority or combina-
6 tion of authorities in this section for the purpose of devel-
7 oping or facilitating the development of Ford Island, Ha-
8 waii, to the extent that the Secretary determines the devel-
9 opment is compatible with the mission of the Navy.

10 (2) The Secretary may not exercise any authority
11 under this section until—

12 (A) the Secretary submits to the appropriate
13 committees of Congress a master plan for the develop-
14 ment of Ford Island; and

15 (B) a period of 30 calendar days has elapsed fol-
16 lowing the date on which the notification is received
17 by those committees.

18 (b) CONVEYANCE AUTHORITY.—(1) The Secretary of
19 the Navy may convey to any public or private person or
20 entity all right, title, and interest of the United States in
21 and to any real property (including any improvements
22 thereon) or personal property under the jurisdiction of the
23 Secretary in the State of Hawaii that the Secretary
24 determines—

1 (A) is excess to the needs of the Navy and all of
2 the other Armed Forces; and

3 (B) will promote the purpose of this section.

4 (2) A conveyance under this subsection may include
5 such terms and conditions as the Secretary considers appro-
6 priate to protect the interests of the United States.

7 (c) *LEASE AUTHORITY.*—(1) The Secretary of the
8 Navy may lease to any public or private person or entity
9 any real property or personal property under the jurisdic-
10 tion of the Secretary in the State of Hawaii that the Sec-
11 retary determines—

12 (A) is not needed for current operations of the
13 Navy and all of the other Armed Forces; and

14 (B) will promote the purpose of this section.

15 (2) A lease under this subsection shall be subject to sec-
16 tion 2667(b)(1) of title 10, United States Code, and may
17 include such others terms as the Secretary considers appro-
18 priate to protect the interests of the United States.

19 (3) A lease of real property under this subsection may
20 provide that, upon termination of the lease term, the lessee
21 shall have the right of first refusal to acquire the real prop-
22 erty covered by the lease if the property is then conveyed
23 under subsection (b).

24 (4)(A) The Secretary may provide property support
25 services to or for real property leased under this subsection.

1 (B) *To the extent provided in appropriations Acts, any*
2 *payment made to the Secretary for services provided under*
3 *this paragraph shall be credited to the appropriation, ac-*
4 *count, or fund from which the cost of providing the services*
5 *was paid.*

6 (d) *ACQUISITION OF LEASEHOLD INTEREST BY SEC-*
7 *RETARY.—(1) The Secretary of the Navy may acquire a*
8 *leasehold interest in any facility constructed under sub-*
9 *section (f) as consideration for a transaction authorized by*
10 *this section upon such terms as the Secretary considers ap-*
11 *propriate to promote the purpose of this section.*

12 (2) *The term of a lease under paragraph (1) may not*
13 *exceed 10 years, unless the Secretary of Defense approves*
14 *a term in excess of 10 years for the purpose of this section.*

15 (3) *A lease under this subsection may provide that,*
16 *upon termination of the lease term, the United States shall*
17 *have the right of first refusal to acquire the facility covered*
18 *by the lease.*

19 (e) *REQUIREMENT FOR COMPETITION.—The Secretary*
20 *of the Navy shall use competitive procedures for purposes*
21 *of selecting the recipient of real or personal property under*
22 *subsection (b) and the lessee of real or personal property*
23 *under subsection (c).*

24 (f) *CONSIDERATION.—(1) As consideration for the con-*
25 *veyance of real or personal property under subsection (b),*

1 *or for the lease of real or personal property under subsection*
2 *(c), the Secretary of the Navy shall accept cash, real prop-*
3 *erty, personal property, or services, or any combination*
4 *thereof, in an aggregate amount equal to not less than the*
5 *fair market value of the real or personal property conveyed*
6 *or leased.*

7 *(2) Subject to subsection (i), the services accepted by*
8 *the Secretary under paragraph (1) may include the fol-*
9 *lowing:*

10 *(A) The construction or improvement of facilities*
11 *at Ford Island.*

12 *(B) The restoration or rehabilitation of real*
13 *property at Ford Island.*

14 *(C) The provision of property support services*
15 *for property or facilities at Ford Island.*

16 *(g) NOTICE AND WAIT REQUIREMENTS.—The Sec-*
17 *retary of the Navy may not carry out a transaction author-*
18 *ized by this section until—*

19 *(1) the Secretary submits to the appropriate*
20 *committees of Congress a notification of the trans-*
21 *action, including—*

22 *(A) a detailed description of the trans-*
23 *action; and*

1 (B) a justification for the transaction speci-
2 fying the manner in which the transaction will
3 meet the purpose of this section; and

4 (2) a period of 30 calendar days has elapsed fol-
5 lowing the date on which the notification is received
6 by those committees.

7 (h) *FORD ISLAND IMPROVEMENT ACCOUNT*.—(1)
8 There is established on the books of the Treasury an account
9 to be known as the “Ford Island Improvement Account”.

10 (2) There shall be deposited into the account the fol-
11 lowing amounts:

12 (A) Amounts authorized and appropriated to the
13 account.

14 (B) Except as provided in subsection (c)(4)(B),
15 the amount of any cash payment received by the Sec-
16 retary for a transaction under this section.

17 (i) *USE OF ACCOUNT*.—(1) Subject to paragraph (2),
18 to the extent provided in advance in appropriation Acts,
19 funds in the Ford Island Improvement Account may be used
20 as follows:

21 (A) To carry out or facilitate the carrying out
22 of a transaction authorized by this section.

23 (B) To carry out improvements of property or
24 facilities at Ford Island.

1 (C) *To obtain property support services for prop-*
2 *erty or facilities at Ford Island.*

3 (2) *To extent that the authorities provided under sub-*
4 *chapter IV of chapter 169 of title 10, United States Code,*
5 *are available to the Secretary of the Navy, the Secretary*
6 *may not use the authorities in this section to acquire, con-*
7 *struct, or improve family housing units, military unaccom-*
8 *panied housing units, or ancillary supporting facilities re-*
9 *lated to military housing at Ford Island.*

10 (3)(A) *The Secretary may transfer funds from the*
11 *Ford Island Improvement Account to the following funds:*

12 (i) *The Department of Defense Family Housing*
13 *Improvement Fund established by section 2883(a)(1)*
14 *of title 10, United States Code.*

15 (ii) *The Department of Defense Military Unac-*
16 *companied Housing Improvement Fund established*
17 *by section 2883(a)(2) of that title.*

18 (B) *Amounts transferred under subparagraph (A) to*
19 *a fund referred to in that subparagraph shall be available*
20 *in accordance with the provisions of section 2883 of title*
21 *10, United States Code, for activities authorized under sub-*
22 *chapter IV of chapter 169 of that title at Ford Island.*

23 (j) *INAPPLICABILITY OF CERTAIN PROPERTY MANAGE-*
24 *MENT LAWS.—Except as otherwise provided in this section,*

1 *transactions under this section shall not be subject to the*
2 *following:*

3 (1) *Sections 2667 and 2696 of title 10, United*
4 *States Code.*

5 (2) *Section 501 of the Stewart B. McKinney*
6 *Homeless Assistance Act (42 U.S.C. 11411).*

7 (3) *Sections 202 and 203 of the Federal Property*
8 *and Administrative Services Act of 1949 (40 U.S.C.*
9 *483, 484).*

10 (k) *SCORING.—Nothing in this section shall be con-*
11 *strued to waive the applicability to any lease entered into*
12 *under this section of the budget scorekeeping guidelines used*
13 *to measure compliance with the Balanced Budget Emer-*
14 *gency Deficit Control Act of 1985.*

15 (l) *CONFORMING AMENDMENTS.—Section 2883(c) of*
16 *title 10, United States Code, is amended—*

17 (1) *in paragraph (1), by adding at the end the*
18 *following new subparagraph:*

19 “(E) *Any amounts that the Secretary of the*
20 *Navy transfers to that Fund pursuant to section*
21 *2862(i)(3)(A)(i) of the Military Construction Author-*
22 *ization Act for Fiscal Year 2000, subject to the re-*
23 *strictions on the use of the transferred amounts speci-*
24 *fied in that section.”; and*

1 (2) *in paragraph (2), by adding at the end the*
2 *following new subparagraph:*

3 “(E) *Any amounts that the Secretary of the*
4 *Navy transfers to that Fund pursuant to section*
5 *2862(i)(3)(A)(ii) of the Military Construction Author-*
6 *ization Act for Fiscal Year 2000, subject to the re-*
7 *strictions on the use of the transferred amounts speci-*
8 *fied in that section.”.*

9 (m) *DEFINITIONS.—In this section:*

10 (1) *The term “appropriate committees of Con-*
11 *gress” has the meaning given that term in section*
12 *2801(4) of title 10, United States Code.*

13 (2) *The term “property support service” means*
14 *the following:*

15 (A) *Any utility service or other service list-*
16 *ed in section 2686(a) of title 10, United States*
17 *Code.*

18 (B) *Any other service determined by the*
19 *Secretary to be a service that supports the oper-*
20 *ation and maintenance of real property, per-*
21 *sonal property, or facilities.*

22 SEC. 8145. (a) *The Department of Defense is author-*
23 *ized to enter into agreements with the Veterans Administra-*
24 *tion and federally-funded health agencies providing services*
25 *to Native Hawaiians for the purpose of establishing a part-*

1 *nership similar to the Alaska Federal Health Care Partner-*
2 *ship, in order to maximize Federal resources in the provi-*
3 *sion of health care services by federally-funded health agen-*
4 *cies, applying telemedicine technologies. For the purpose of*
5 *this partnership, Native Hawaiians shall have the same*
6 *status as other Native Americans who are eligible for the*
7 *health care services provided by the Indian Health Service.*

8 *(b) The Department of Defense is authorized to develop*
9 *a consultation policy, consistent with Executive Order*
10 *13084 (issued May 14, 1998), with Native Hawaiians for*
11 *the purpose of assuring maximum Native Hawaiian par-*
12 *ticipation in the direction and administration of govern-*
13 *mental services so as to render those services more respon-*
14 *sive to the needs of the Native Hawaiian community.*

15 *(c) For purposes of this section, the term “Native Ha-*
16 *waiian” means any individual who is a descendant of the*
17 *aboriginal people who, prior to 1778, occupied and exer-*
18 *cised sovereignty in the area that now comprises the State*
19 *of Hawaii.*

20 *SEC. 8146. Of the funds made available in title IV of*
21 *this Act under the heading “RESEARCH, DEVELOPMENT,*
22 *TEST, AND EVALUATION, NAVY”, up to \$3,000,000 may be*
23 *made available to continue research and development on*
24 *polymer cased ammunition.*

1 *SEC. 8147. (a) Of the amounts appropriated by title*
2 *II under the heading “OPERATION AND MAINTENANCE, DE-*
3 *FENSE-WIDE”, up to \$220,000 may be made available to*
4 *carry out the study described in subsection (b).*

5 *(b)(1) The Secretary of the Army, acting through the*
6 *Chief of Engineers, shall carry out a study for purposes of*
7 *evaluating the cost-effectiveness of various technologies uti-*
8 *lized, or having the potential to be utilized, in the demoli-*
9 *tion and cleanup of facilities contaminated with chemical*
10 *residue at facilities used in the production of weapons and*
11 *ammunition.*

12 *(2) The Secretary shall carry out the study at the*
13 *Badger Army Ammunition Plant, Wisconsin.*

14 *(3) The Secretary shall provide for the carrying out*
15 *of work under the study through the Omaha District Corps*
16 *of Engineers and in cooperation with the Department of*
17 *Energy Federal Technology Center, Morgantown, West Vir-*
18 *ginia.*

19 *(4) The Secretary may make available to other depart-*
20 *ments and agencies of the Federal Government information*
21 *developed as a result of the study.*

22 *SEC. 8148. Of the funds appropriated in this Act*
23 *under the heading “OPERATION AND MAINTENANCE,*
24 *ARMY”, up to \$500,000 may be available for a study of the*

1 *costs and feasibility of a project to remove ordnance from*
2 *the Toussaint River.*

3 *SEC. 8149. Of the funds appropriated in title IV under*
4 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
5 *UATION, AIR FORCE”, \$63,041,000 may be available for C-*
6 *5 aircraft modernization.*

7 *SEC. 8150. None of the funds appropriated or other-*
8 *wise made available by this or any other Act may be made*
9 *available for reconstruction activities in the Republic of*
10 *Serbia (excluding the province of Kosovo) as long as*
11 *Slobodan Milosevic remains the President of the Federal Re-*
12 *public of Yugoslavia (Serbia and Montenegro).*

13 *SEC. 8151. Office of Net Assessment in the Office of*
14 *the Secretary of Defense, jointly with the United States Pa-*
15 *cific Command, shall submit a report to Congress no later*
16 *than 180 days after the enactment of this Act which ad-*
17 *dresses the following issues:*

18 (1) *A review and evaluation of the operational*
19 *planning and other preparations of the United States*
20 *Department of Defense, including but not limited to*
21 *the United States Pacific Command, to implement the*
22 *relevant sections of the Taiwan Relations Act since its*
23 *enactment in 1979.*

24 (2) *A review and evaluation of all gaps in rel-*
25 *evant knowledge about the current and future mili-*

1 *tary balance between Taiwan and mainland China,*
2 *including but not limited to Chinese open source*
3 *writings.*

4 *(3) A set of recommendations, based on these re-*
5 *views and evaluations, concerning further research*
6 *and analysis that the Office of Net Assessment and*
7 *the Pacific Command believe to be necessary and de-*
8 *sirable to be performed by the National Defense Uni-*
9 *versity and other defense research centers.*

10 *SEC. 8152. (a) Congress makes the following findings:*

11 *(1) Congress recognizes and supports, as being*
12 *fundamental to the national defense, the ability of the*
13 *Armed Forces to test weapons and weapon systems*
14 *thoroughly, and to train members of the Armed*
15 *Forces in the use of weapons and weapon systems be-*
16 *fore the forces enter hostile military engagements.*

17 *(2) It is the policy of the United States that the*
18 *Armed Forces at all times exercise the utmost degree*
19 *of caution in the training with weapons and weapon*
20 *systems in order to avoid endangering civilian popu-*
21 *lations and the environment.*

22 *(3) In the adherence to these policies, it is essen-*
23 *tial to the public safety that the Armed Forces not*
24 *test weapons or weapon systems, or engage in train-*
25 *ing exercises with live ammunition, in close prox-*

1 *imity to civilian populations unless there is no rea-*
2 *sonable alternative available.*

3 *(b) It is the sense of Congress that—*

4 *(1) there should be a thorough investigation of*
5 *the circumstances that led to the accidental death of*
6 *a civilian employee of the Navy installation in*
7 *Vieques, Puerto Rico, and the wounding of four other*
8 *civilians during a live-ammunition weapons test at*
9 *Vieques, including a reexamination of the adequacy of*
10 *the measures that are in place to protect the civilian*
11 *population during such training;*

12 *(2) the Secretary of Defense should not authorize*
13 *the Navy to resume live ammunition training on the*
14 *Island of Vieques, Puerto Rico, unless and until he*
15 *has advised the congressional defense committees of*
16 *the Senate and the House of Representatives that—*

17 *(A) there is not available an alternative*
18 *training site with no civilian population located*
19 *in close proximity;*

20 *(B) the national security of the United*
21 *States requires that the training be carried out;*

22 *(C) measures to provide the utmost level of*
23 *safety to the civilian population are to be in*
24 *place and maintained throughout the training;*
25 *and*

1 (D) training with ammunition containing
2 radioactive materials that could cause environ-
3 mental degradation should not be authorized;

4 (3) in addition to advising committees of Con-
5 gress of the findings as described in paragraph (2),
6 the Secretary of Defense should advise the Governor of
7 Puerto Rico of those findings and, if the Secretary of
8 Defense decides to resume live-ammunition weapons
9 training on the Island of Vieques, consult with the
10 Governor on a regular basis regarding the measures
11 being taken from time to time to protect civilians
12 from harm from the training.

13 SEC. 8153. Of the funds appropriated in title IV for
14 Research, Development, Test and Evaluation, Army, up to
15 \$10,000,000 may be utilized for Army Space Control Tech-
16 nology.

17 SEC. 8154. (a) Of the funds appropriated in title II
18 under the heading "OPERATION AND MAINTENANCE, AIR
19 FORCE" (other than the funds appropriated for space
20 launch facilities), up to \$7,300,000 may be available, in
21 addition to other funds appropriated under that heading
22 for space launch facilities, for a second team of personnel
23 for space launch facilities for range reconfiguration to ac-
24 commodate launch schedules.

1 **(b)** *The funds set aside under subsection (a) may not*
2 *be obligated for any purpose other than the purpose speci-*
3 *fied in subsection (a).*

4 **SEC. 8155.** *Of the funds appropriated in title IV under*
5 *the heading “RESEARCH, DEVELOPMENT, TEST, AND EVAL-*
6 *UATION, ARMY”, up to \$4,000,000 may be made available*
7 *for the Advanced Integrated Helmet System Program.*

8 **SEC. 8156. PROHIBITION ON USE OF REFUGEE RE-**
9 **LIEF FUNDS FOR LONG-TERM REGIONAL DEVELOPMENT OR**
10 **RECONSTRUCTION IN SOUTHEASTERN EUROPE.** *None of the*
11 *funds made available in the 1999 Emergency Supplemental*
12 *Appropriations Act (Public Law 106–31) may be made*
13 *available to implement a long-term, regional program of*
14 *development or reconstruction in Southeastern Europe ex-*
15 *cept pursuant to specific statutory authorization enacted on*
16 *or after the date of enactment of this Act.*

17 **SEC. 8157.** *Of the funds appropriated in title III, Pro-*
18 *curement, under the heading “MISSILE PROCUREMENT,*
19 *ARMY”, up to \$35,000,000 may be made available to retrofit*
20 *and improve the current inventory of Patriot missiles in*
21 *order to meet current and projected threats from cruise mis-*
22 *siles.*

23 **SEC. 8158. (a) PURPOSE.**—*The purpose of this section*
24 *is to evaluate and demonstrate methods for more efficient*
25 *operation of military installations through improved cap-*

1 *ital asset management and greater reliance on the public*
2 *or private sector for less-costly base support services, where*
3 *available.*

4 **(b) AUTHORITY.**—(1) *The Secretary of the Air Force*
5 *may carry out at Brooks Air Force Base, Texas, a dem-*
6 *onstratation project to be known as the “Base Efficiency*
7 *Project” to improve mission effectiveness and reduce the cost*
8 *of providing quality installation support at Brooks Air*
9 *Force Base.*

10 (2) *The Secretary shall carry out the Project in con-*
11 *sultation with the Community to the extent the Secretary*
12 *determines such consultation is necessary and appropriate.*

13 (3) *The authority provided in this section is in addi-*
14 *tion to any other authority vested in or delegated to the*
15 *Secretary, and the Secretary may exercise any authority*
16 *or combination of authorities provided under this section*
17 *or elsewhere to carry out the purposes of the Project.*

18 **(c) EFFICIENT PRACTICES.**—(1) *The Secretary may*
19 *convert services at or for the benefit of the Base from accom-*
20 *plishment by military personnel or by Department civilian*
21 *employees (appropriated fund or non-appropriated fund),*
22 *to services performed by contract or provided as consider-*
23 *ation for the lease, sale, or other conveyance or transfer of*
24 *property.*

1 (2) *Notwithstanding section 2462 of title 10, United*
2 *States Code, a contract for services may be awarded based*
3 *on “best value” if the Secretary determines that the award*
4 *will advance the purposes of a joint activity conducted*
5 *under the Project and is in the best interest of the Depart-*
6 *ment.*

7 (3) *Notwithstanding that such services are generally*
8 *funded by local and State taxes and provided without spe-*
9 *cific charge to the public at large, the Secretary may con-*
10 *tract for public services at or for the benefit of the Base*
11 *in exchange for such consideration, if any, the Secretary*
12 *determines to be appropriate.*

13 (4)(A) *The Secretary may conduct joint activities with*
14 *the Community, the State, and any private parties or enti-*
15 *ties on or for the benefit of the Base.*

16 (B) *Payments or reimbursements received from par-*
17 *ticipants for their share of direct and indirect costs of joint*
18 *activities, including the costs of providing, operating, and*
19 *maintaining facilities, shall be in an amount and type de-*
20 *termined to be adequate and appropriate by the Secretary.*

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

23 (d) *LEASE AUTHORITY.—(1) The Secretary may lease*
24 *real or personal property located on the Base to any lessee*
25 *upon such terms and conditions as the Secretary considers*

1 *appropriate and in the interest of the United States, if the*
2 *Secretary determines that the lease would facilitate the pur-*
3 *poses of the Project.*

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

6 *(3) A lease under this subsection—*

7 *(A) may be for such period as the Secretary de-*
8 *termines is necessary to accomplish the goals of the*
9 *Project; and*

10 *(B) may give the lessee the first right to purchase*
11 *the property if the lease is terminated to allow the*
12 *United States to sell the property under any other*
13 *provision of law.*

14 *(4)(A) The interest of a lessee of property leased under*
15 *this subsection may be taxed by the State or the Commu-*
16 *nity.*

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

21 *(5) The Department may furnish a lessee with utili-*
22 *ties, custodial services, and other base operation, mainte-*
23 *nance, or support services, in exchange for such consider-*
24 *ation, payment, or reimbursement as the Secretary deter-*
25 *mines appropriate.*

1 (6) *All amounts received from leases under this sub-*
2 *section shall be deposited into the Project Fund.*

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

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

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

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

11 (e) *PROPERTY DISPOSAL.—(1) The Secretary may sell*
12 *or otherwise convey or transfer real and personal property*
13 *located at the Base to the Community or to another public*
14 *or private party during the Project, upon such terms and*
15 *conditions as the Secretary considers appropriate for pur-*
16 *poses of the Project.*

17 (2) *Consideration for a sale or other conveyance or*
18 *transfer or property under this subsection shall be deter-*
19 *mined in accordance with subsection (g).*

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

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

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

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

4 (f) *LEASEBACK OF PROPERTY LEASED OR DIS-*
5 *POSED.—(1) The Secretary may lease, sell, or otherwise*
6 *convey or transfer real property at the Base under sub-*
7 *sections (b) and (e), as applicable, which will be retained*
8 *for use by the Department or by another military depart-*
9 *ment or other Federal agency, if the lessee, purchaser, or*
10 *other grantee or transferee of the property agrees to enter*
11 *into a leaseback to the Department in connection with the*
12 *lease, sale, or other conveyance or transfer of one or more*
13 *portions or all of the property leased, sold, or otherwise con-*
14 *veyed or transferred, as applicable.*

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

19 (3)(A) *Consideration, if any, for real property leased*
20 *under a leaseback entered into under this subsection shall*
21 *be in such form and amount as the Secretary considers ap-*
22 *propriate.*

23 (B) *The Secretary may use funds in the Project Fund*
24 *or other funds appropriated or otherwise available to the*

1 *Department for use at the Base for payment of any such*
2 *cash rent.*

3 (4) *Notwithstanding any other provision of law, the*
4 *Department or other military department or other Federal*
5 *agency using the real property leased under a leaseback en-*
6 *tered into under this subsection may construct and erect*
7 *facilities on or otherwise improve the leased property using*
8 *funds appropriated or otherwise available to the Depart-*
9 *ment or other military department or other Federal agency*
10 *for such purpose. Funds available to the Department for*
11 *such purpose include funds in the Project Fund.*

12 (g) *CONSIDERATION.—(1) The Secretary shall deter-*
13 *mine the nature, value, and adequacy of consideration re-*
14 *quired or offered in exchange for a lease, sale, or other con-*
15 *veyance or transfer of real or personal property or for other*
16 *actions taken under the Project.*

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

20 (A) *Real property.*

21 (B) *Personal property.*

22 (C) *Goods or services, including operation,*
23 *maintenance, protection, repair, or restoration (in-*
24 *cluding environmental restoration) of any property or*
25 *facilities (including non-appropriated fund facilities).*

1 (D) *Base operating support services.*

2 (E) *Construction or improvement of Department*
3 *facilities.*

4 (F) *Provision of facilities, including office, stor-*
5 *age, or other usable space, for use by the Department*
6 *on or off the Base.*

7 (G) *Public services.*

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

10 (h) *PROJECT FUND.—(1) There is established on the*
11 *books of the Treasury a fund to be known as the “Base Effi-*
12 *ciency Project Fund” into which all cash rents, proceeds,*
13 *payments, reimbursements, and other amounts from leases,*
14 *sales, or other conveyances or transfers, joint activities, and*
15 *all other actions taken under the Project shall be deposited.*
16 *All amounts deposited into the Project Fund are without*
17 *fiscal year limitation.*

18 (2) *Amounts in the Project Fund may be used only*
19 *for operation, base operating support services, maintenance,*
20 *repair, construction, or improvement of Department facili-*
21 *ties, payment of consideration for acquisitions of interests*
22 *in real property (including payment of rentals for lease-*
23 *backs), and environmental protection or restoration, in ad-*
24 *dition to or in combination with other amounts appro-*
25 *priated for these purposes.*

1 (3) *Subject to generally prescribed financial manage-*
2 *ment regulations, the Secretary shall establish the structure*
3 *of the Project Fund and such administrative policies and*
4 *procedures as the Secretary considers necessary to account*
5 *for and control deposits into and disbursements from the*
6 *Project Fund effectively.*

7 (4) *All amounts in the Project Fund shall be available*
8 *for use for the purposes authorized in paragraph (2) at the*
9 *Base, except that the Secretary may redirect up to 50 per*
10 *cent of amounts in the Project Fund for such uses at other*
11 *installations under the control and jurisdiction of the Sec-*
12 *retary as the Secretary determines necessary and in the best*
13 *interest of the Department.*

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

19 (B) *Such rent shall generally be the fair market rental*
20 *of the property provided, but in any case shall be sufficient*
21 *to compensate the Base for the direct and overhead costs*
22 *incurred by the Base due to the presence of the tenant agen-*
23 *cy on the Base.*

24 (2) *Transfers of real or personal property at the Base*
25 *to other Federal agencies shall be at fair market value con-*

1 *sideration. Such consideration may be paid in cash, by ap-*
2 *propriation transfer, or in property, goods, or services.*

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

7 (j) *ACQUISITION OF INTERESTS IN REAL PROPERTY.—*

8 (1) *The Secretary may acquire any interest in real property*
9 *in and around the Community that the Secretary deter-*
10 *mines will advance the purposes of the Project.*

11 (2) *The Secretary shall determine the value of the in-*
12 *terest in the real property to be acquired and the consider-*
13 *ation (if any) to be offered in exchange for the interest.*

14 (3) *The authority to acquire an interest in real prop-*
15 *erty under this subsection includes authority to make sur-*
16 *veys and acquire such interest by purchase, exchange, lease,*
17 *or gift.*

18 (4) *Payments for such acquisitions may be made from*
19 *amounts in the Project Fund or from such other funds ap-*
20 *propriated or otherwise available to the Department for*
21 *such purposes.*

22 (k) *REPORTS TO CONGRESS.—(1) Section 2662 of title*
23 *10, United States Code, shall not apply to transactions at*
24 *the Base during the Project.*

1 (2)(A) *Not later than March 1 each year, the Secretary*
2 *shall submit to the appropriate committees of Congress a*
3 *report on any transactions at the Base during the preceding*
4 *fiscal year that would be subject to such section 2662, but*
5 *for paragraph (1).*

6 (B) *The report shall include a detailed cost analysis*
7 *of the financial savings and gains realized through joint*
8 *activities and other actions under the Project authorized by*
9 *this section and a description of the status of the Project.*

10 (l) *LIMITATION.—None of the authorities in this sec-*
11 *tion shall create any legal rights in any person or entity*
12 *except rights embodied in leases, deeds, or contracts.*

13 (m) *EXPIRATION OF AUTHORITY.—The authority to*
14 *enter into a lease, deed, permit, license, contract, or other*
15 *agreement under this section shall expire on September 30,*
16 *2004.*

17 (n) *DEFINITIONS.—In this section:*

18 (1) *The term “Project” means the Base Effi-*
19 *ciency Project authorized by this section.*

20 (2) *The term “Base” means Brooks Air Force*
21 *Base, Texas.*

22 (3) *The term “Community” means the City of*
23 *San Antonio, Texas.*

24 (4) *The term “Department” means the Depart-*
25 *ment of the Air Force.*

1 (5) *The term “facility” means a building, struc-*
2 *ture, or other improvement to real property (except a*
3 *military family housing unit as that term is used in*
4 *subchapter IV of chapter 169 of title 10, United*
5 *States Code).*

6 (6) *The term “joint activity” means an activity*
7 *conducted on or for the benefit of the Base by the De-*
8 *partment, jointly with the Community, the State, or*
9 *any private entity, or any combination thereof.*

10 (7) *The term “Project Fund” means the Base Ef-*
11 *iciency Project Fund established by subsection (h).*

12 (8) *The term “public services” means public*
13 *services (except public schools, fire protection, and po-*
14 *lice protection) that are funded by local and State*
15 *taxes and provided without specific charge to the pub-*
16 *lic at large.*

17 (9) *The term “Secretary” means the Secretary of*
18 *the Air Force or the Secretary’s designee, who shall be*
19 *a civilian official of the Department appointed by the*
20 *President with the advice and consent of the Senate.*

21 (10) *The term “State” means the State of Texas.*

22 SEC. 8159. (a) *Subject to subsection (c) and except as*
23 *provided in subsection (d), the Secretary of Defense may*
24 *waive any domestic source requirement or domestic content*
25 *requirement referred to in subsection (b) and thereby au-*

1 *thorize procurements of items that are grown, reprocessed,*
2 *reused, produced, or manufactured—*

3 *(1) inside a foreign country the government of*
4 *which is a party to a reciprocal defense memorandum*
5 *of understanding that is entered into with the Sec-*
6 *retary of Defense and is in effect;*

7 *(2) inside the United States or its possessions; or*

8 *(3) inside the United States or its possessions*
9 *partly or wholly from components grown, reprocessed,*
10 *reused, produced, or manufactured outside the United*
11 *States or its possessions.*

12 *(b) For purposes of this section:*

13 *(1) A domestic source requirement is any re-*
14 *quirement under law that the Department of Defense*
15 *must satisfy its needs for an item by procuring an*
16 *item that is grown, reprocessed, reused, produced, or*
17 *manufactured in the United States, its possessions, or*
18 *a part of the national technology and industrial base.*

19 *(2) A domestic content requirement is any re-*
20 *quirement under law that the Department must sat-*
21 *isfy its needs for an item by procuring an item pro-*
22 *duced or manufactured partly or wholly from compo-*
23 *nents grown, reprocessed, reused, produced, or manu-*
24 *factured in the United States or its possessions.*

1 (c) *The authority to waive a requirement under sub-*
2 *section (a) applies to procurements of items if the Secretary*
3 *of Defense first determines that—*

4 (1) *the application of the requirement to pro-*
5 *curements of those items would impede the reciprocal*
6 *procurement of defense items under a memorandum of*
7 *understanding providing for reciprocal procurement*
8 *of defense items that is entered into between the De-*
9 *partment of Defense and a foreign country in accord-*
10 *ance with section 2531 of title 10, United States*
11 *Code;*

12 (2) *the foreign country does not discriminate*
13 *against items produced in the United States to a*
14 *greater degree than the United States discriminates*
15 *against items produced in that country; and*

16 (3) *one or more of the conditions set forth in sec-*
17 *tion 2534(d) of title 10, United States Code, exists*
18 *with respect to the procurement.*

19 (d) *LAWS NOT WAIVED.—The Secretary of Defense*
20 *may not exercise the authority under subsection (a) to*
21 *wave any of the following laws:*

22 (1) *The Small Business Act.*

23 (2) *The Javits-Wagner-O'Day Act (41 U.S.C.*
24 *46–48c).*

1 (3) *Sections 7309 and 7310 of title 10, United*
2 *States Code, with respect to ships in Federal Supply*
3 *Class 1905.*

4 (4) *Section 9005 of Public Law 102–396 (10*
5 *U.S.C. 2241 note), with respect to articles or items of*
6 *textiles, apparel, shoe findings, tents, and flags listed*
7 *in Federal Supply Classes 8305, 8310, 8315, 8320,*
8 *8335, 8340, and 8345 and articles or items of cloth-*
9 *ing, footwear, individual equipment, and insignia*
10 *listed in Federal Supply Classes 8405, 8410, 8415,*
11 *8420, 8425, 8430, 8435, 8440, 8445, 8450, 8455,*
12 *8465, 8470, and 8475.*

13 (e) *RELATIONSHIP TO OTHER WAIVER AUTHORITY.—*
14 *The authority under subsection (a) to waive a domestic*
15 *source requirement or domestic content requirement is in*
16 *addition to any other authority to waive such requirement.*

17 *SEC. 8160. In addition to funds appropriated else-*
18 *where in this Act, the amount appropriated in title III of*
19 *this Act under the heading “AIRCRAFT PROCUREMENT, AIR*
20 *FORCE” is hereby increased by \$220,000,000 only to pro-*
21 *cure four (4) F–15E aircraft: Provided, That the amount*
22 *provided in title IV of this Act under the heading “RE-*
23 *SEARCH, DEVELOPMENT, TEST, AND EVALUATION, DE-*
24 *FENSE-WIDE” is hereby reduced by \$50,000,000 to reduce*
25 *the total amount available for National Missile Defense:*

1 *Provided further, That the amount provided in title III of*
2 *this Act under the heading “NATIONAL GUARD AND RE-*
3 *SERVE EQUIPMENT” is hereby reduced by \$50,000,000 on*
4 *a pro-rata basis: Provided further, That the amount pro-*
5 *vided in title III of this Act under the heading “AIRCRAFT*
6 *PROCUREMENT, AIR FORCE” is hereby reduced by*
7 *\$70,000,000 to reduce the total amount available for Spares*
8 *and Repair Parts: Provided further, That the amount pro-*
9 *vided in title III of this Act under the heading “AIRCRAFT*
10 *PROCUREMENT, NAVY” is hereby reduced by \$50,000,000 to*
11 *reduce the total amount available for Spares and Repair*
12 *Parts.*

13 *SEC. 8161. (a) FINDINGS.—Congress makes the fol-*
14 *lowing findings—*

15 *(1) on June 25, 1996, a bomb detonated not*
16 *more than 80 feet from the Air Force housing complex*
17 *known as Khobar Towers in Dhahran, Saudi Arabia,*
18 *killing 19 members of the Air Force, and injuring*
19 *hundreds more;*

20 *(2) an FBI investigation of the bombing, soon to*
21 *enter its fourth year, has not yet determined who was*
22 *responsible for the attack; and*

23 *(3) the Senate in Senate Resolution 273 in the*
24 *One Hundred Fourth Congress condemned this ter-*
25 *rorist attack in the strongest terms and urged the*

1 *United States Government to use all reasonable*
 2 *means available to the Government of the United*
 3 *States to punish the parties responsible for the bomb-*
 4 *ings.*

5 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*
 6 *ate that—*

7 *(1) the United States Government must continue*
 8 *its investigation into the Khobar Towers bombing*
 9 *until every terrorist involved is identified, held ac-*
 10 *countable, and punished;*

11 *(2) the FBI, together with the Department of*
 12 *State, should report to Congress no later than Decem-*
 13 *ber 31, 1999, on the status of its investigation into*
 14 *the Khobar Towers bombing; and*

15 *(3) once responsibility for the attack has been es-*
 16 *tablished the United States Government must take*
 17 *steps to punish the parties involved.*

18 *TITLE IX*

19 *MILITARY LAND WITHDRAWALS*

20 *CHAPTER 1*

21 *RENEWAL OF MILITARY LAND WITHDRAWALS*

22 *SEC. 9001. SHORT TITLE. This chapter may be cited*
 23 *as the “Military Lands Withdrawal Renewal Act of 1999”.*

24 *SEC. 9002. WITHDRAWALS. (a) MCGREGOR RANGE.—*

25 *(1) Subject to valid existing rights and except as otherwise*

1 *provided in this chapter, the public lands described in para-*
2 *graph (3) are hereby withdrawn from all forms of appro-*
3 *priation under the public land laws (including the mining*
4 *laws and the mineral leasing and the geothermal leasing*
5 *laws).*

6 (2) *Such lands are reserved for use by the Secretary*
7 *of the Army—*

8 (A) *for training and weapons testing; and*

9 (B) *subject to the requirements of section 9004(f),*
10 *for other defense-related purposes consistent with the*
11 *purposes specified in this paragraph.*

12 (3) *The lands referred to in paragraph (1) are the*
13 *lands comprising approximately 608,384.87 acres in Otero*
14 *County, New Mexico, as generally depicted on the map enti-*
15 *tled “McGregor Range Withdrawal—Proposed”, dated Jan-*
16 *uary 1985, and withdrawn by the provisions of section 1(d)*
17 *of the Military Lands Withdrawal Act of 1986. Such lands*
18 *do not include any portion of the lands so withdrawn that*
19 *were relinquished to the Secretary of the Interior under the*
20 *provisions of that Act.*

21 (4) *Any of the public lands withdrawn under para-*
22 *graph (1) which, as of the date of the enactment of this*
23 *Act, are managed pursuant to section 603 of the Federal*
24 *Land Policy and Management Act of 1976 (43 U.S.C. 1782)*

1 *shall continue to be managed under that section until other-*
2 *wise expressly provided by law.*

3 (b) *FORT GREELY MANEUVER AREA AND FORT*
4 *GREELY AIR DROP ZONE.*—(1) *Subject to valid existing*
5 *rights and except as otherwise provided in this chapter, the*
6 *lands described in paragraph (3) are hereby withdrawn*
7 *from all forms of appropriation under the public land laws*
8 *(including the mining laws and the mineral leasing and*
9 *the geothermal leasing laws), under the Act entitled “An*
10 *Act to provide for the admission of the State of Alaska into*
11 *the Union”, approved July 7, 1958 (48 U.S.C. note prec.*
12 *21), and under the Alaska Native Claims Settlement Act*
13 *(43 U.S.C. 1601 et seq.).*

14 (2) *Such lands are reserved for use by the Secretary*
15 *of the Army for—*

16 (A) *military maneuvering, training, and equip-*
17 *ment development and testing; and*

18 (B) *subject to the requirements of section 9004(f),*
19 *other defense-related purposes consistent with the pur-*
20 *poses specified in this paragraph.*

21 (3)(A) *The lands referred to in paragraph (1) are—*

22 (i) *the lands comprising approximately 571,995*
23 *acres in the Big Delta Area, Alaska, as generally de-*
24 *scribed on the map entitled “Fort Greely Maneuver*
25 *Area Withdrawal—Proposed”, dated January 1985,*

1 *and withdrawn by the provisions of section 1(e) of the*
2 *Military Lands Withdrawal Act of 1986; and*

3 *(ii) the lands comprising approximately 51,590*
4 *acres in the Granite Creek Area, Alaska, as generally*
5 *depicted on the map entitled “Fort Greely, Air Drop*
6 *Zone Withdrawal—Proposed”, dated January 1985,*
7 *and withdrawn by the provisions of such section.*

8 *(B) Such lands do not include any portion of the lands*
9 *so withdrawn that were relinquished to the Secretary of the*
10 *Interior under the provisions of that Act.*

11 *(c) FORT WAINWRIGHT MANEUVER AREA.—(1) Sub-*
12 *ject to valid existing rights and except as otherwise provided*
13 *in this chapter, the public lands described in paragraph*
14 *(3) are hereby withdrawn from all forms of appropriation*
15 *under the public land laws (including the mining laws and*
16 *the mineral leasing and the geothermal leasing laws), under*
17 *the Act entitled “An Act to provide for the admission of*
18 *the State of Alaska into the Union”, approved July 7, 1958*
19 *(48 U.S.C. note prec. 21), and under the Alaska Native*
20 *Claims Settlement Act (43 U.S.C. 1601 et seq.).*

21 *(2) Such lands are reserved for use by the Secretary*
22 *of the Army for—*

23 *(A) military maneuvering;*

24 *(B) training for artillery firing, aerial gunnery,*
25 *and infantry tactics; and*

1 (C) subject to the requirements of section 9004(f),
2 other defense-related purposes consistent with the pur-
3 poses specified in this paragraph.

4 (3) The lands referred to in paragraph (1) are the
5 lands comprising approximately 247,951.67 acres of land
6 in the Fourth Judicial District, Alaska, as generally de-
7 picted on the map entitled “Fort Wainwright Maneuver
8 Area Withdrawal—Proposed”, dated January 1985, and
9 withdrawn by the provisions of section 1(f) of the Military
10 Lands Withdrawal Act of 1986. Such lands do not include
11 any portion of the lands so withdrawn that were relin-
12 quished to the Secretary of the Interior under the provisions
13 of that Act.

14 SEC. 9003. MAPS AND LEGAL DESCRIPTIONS. (a) PUB-
15 LICATION AND FILING REQUIREMENT.—As soon as prac-
16 ticable after the date of the enactment of this Act, the Sec-
17 retary of the Interior shall—

18 (1) publish in the Federal Register a notice con-
19 taining the legal description of the lands withdrawn
20 by this chapter; and

21 (2) file maps and the legal description of the
22 lands withdrawn by this chapter with the Committee
23 on Energy and Natural Resources of the Senate and
24 the Committee on Resources of the House of Rep-
25 resentatives.

1 (b) *TECHNICAL CORRECTIONS.*—*Such maps and legal*
2 *descriptions shall have the same force and effect as if they*
3 *were included in this chapter except that the Secretary of*
4 *the Interior may correct clerical and typographical errors*
5 *in such maps and legal descriptions.*

6 (c) *AVAILABILITY FOR PUBLIC INSPECTION.*—*Copies of*
7 *such maps and legal descriptions shall be available for pub-*
8 *lic inspection in the following offices:*

9 (1) *The Office of the Secretary of Defense.*

10 (2) *The offices of the Director and appropriate*
11 *State Directors of the Bureau of Land Management.*

12 (3) *The offices of the Director and appropriate*
13 *Regional Directors of the United States Fish and*
14 *Wildlife Service.*

15 (4) *The office of the commander, McGregor*
16 *Range.*

17 (5) *The office of the installation commander,*
18 *Fort Richardson, Alaska.*

19 (d) *REIMBURSEMENT.*—*The Secretary of Defense shall*
20 *reimburse the Secretary of the Interior for any costs in-*
21 *curred by the Secretary of the Interior in carrying out this*
22 *section.*

23 *SEC. 9004. MANAGEMENT OF WITHDRAWN LANDS. (a)*
24 *MANAGEMENT BY SECRETARY OF THE INTERIOR.*—(1) *The*
25 *Secretary of the Interior shall manage the lands withdrawn*

1 *by this chapter pursuant to the Federal Land Policy and*
2 *Management Act of 1976 (43 U.S.C. 1701 et seq.) and other*
3 *applicable law, including the Recreation Use of Wildlife*
4 *Areas Act of 1962 (16 U.S.C. 460k et seq.) and this chapter.*
5 *The Secretary shall manage such lands through the Bureau*
6 *of Land Management.*

7 (2) *To the extent consistent with applicable law and*
8 *Executive orders, the lands withdrawn by this chapter may*
9 *be managed in a manner permitting—*

10 (A) *the continuation of grazing pursuant to ap-*
11 *plicable law and Executive orders where permitted on*
12 *the date of the enactment of this Act;*

13 (B) *protection of wildlife and wildlife habitat;*

14 (C) *control of predatory and other animals;*

15 (D) *recreation; and*

16 (E) *the prevention and appropriate suppression*
17 *of brush and range fires resulting from nonmilitary*
18 *activities.*

19 (3)(A) *All nonmilitary use of the lands withdrawn by*
20 *this chapter, other than the uses described in paragraph (2),*
21 *shall be subject to such conditions and restrictions as may*
22 *be necessary to permit the military use of such lands for*
23 *the purposes specified in or authorized pursuant to this*
24 *chapter.*

1 (B) *The Secretary of the Interior may issue any lease,*
2 *easement, right-of-way, or other authorization with respect*
3 *to the nonmilitary use of such lands only with the concur-*
4 *rence of the Secretary of the military department concerned.*

5 (b) *CLOSURE TO PUBLIC.—(1) If the Secretary of the*
6 *military department concerned determines that military*
7 *operations, public safety, or national security require the*
8 *closure to public use of any road, trail, or other portion*
9 *of the lands withdrawn by this chapter, that Secretary may*
10 *take such action as that Secretary determines necessary to*
11 *effect and maintain such closure.*

12 (2) *Any such closure shall be limited to the minimum*
13 *areas and periods which the Secretary of the military de-*
14 *partment concerned determines are required to carry out*
15 *this subsection.*

16 (3) *During any closure under this subsection, the Sec-*
17 *retary of the military department concerned shall—*

18 (A) *keep appropriate warning notices posted;*
19 *and*

20 (B) *take appropriate steps to notify the public*
21 *concerning such closures.*

22 (c) *MANAGEMENT PLAN.—(1)(A) The Secretary of the*
23 *Interior (after consultation with the Secretary of the mili-*
24 *tary department concerned) shall develop a plan for the*
25 *management of each area withdrawn by this chapter.*

1 (2) *Each plan shall—*

2 (A) *be consistent with applicable law;*

3 (B) *be subject to conditions and restrictions spec-*
4 *ified in subsection (a)(3); and*

5 (C) *include such provisions as may be necessary*
6 *for proper management and protection of the re-*
7 *sources and values of such areas.*

8 (3) *The Secretary of the Interior shall develop each*
9 *plan required by this subsection not later than three years*
10 *after the date of the enactment of this Act. In developing*
11 *a plan for an area, the Secretary may utilize or modify*
12 *appropriate provisions of the management plan developed*
13 *for the area under section 3(c) of the Military Lands With-*
14 *drawal Act of 1986.*

15 (d) *BRUSH AND RANGE FIRES.—(1) The Secretary of*
16 *the military department concerned shall take necessary pre-*
17 *cautions to prevent and suppress brush and range fires oc-*
18 *curring within and outside the lands withdrawn by this*
19 *chapter as a result of military activities and may seek as-*
20 *sistance from the Bureau of Land Management in the sup-*
21 *pression of such fires.*

22 (2) *Each memorandum of understanding required by*
23 *subsection (e) shall provide for Bureau of Land Manage-*
24 *ment assistance in the suppression of fires referred to in*
25 *paragraph (1) in the area covered by the memorandum of*

1 *understanding, and for a transfer of funds from the mili-*
2 *tary department concerned to the Bureau of Land Manage-*
3 *ment as compensation for such assistance.*

4 *(e) MEMORANDUM OF UNDERSTANDING.—(1) The Sec-*
5 *retary of the Interior and the Secretary of the military de-*
6 *partment concerned shall (with respect to each area with-*
7 *drawn by section 9002) enter into a memorandum of under-*
8 *standing to implement the management plan developed*
9 *under subsection (c).*

10 *(2) Each memorandum of understanding shall provide*
11 *that the Director of the Bureau of Land Management shall*
12 *provide assistance in the suppression of fires resulting from*
13 *the military use of lands withdrawn by this chapter if re-*
14 *quested by the Secretary of the military department con-*
15 *cerned.*

16 *(f) ADDITIONAL MILITARY USES.—(1) The lands with-*
17 *drawn by this chapter may be used for defense-related uses*
18 *other than those specified in the applicable provision of sec-*
19 *tion 9002. The use of such lands for such purposes shall*
20 *be governed by all laws applicable to such lands, including*
21 *this chapter.*

22 *(2)(A) The Secretary of Defense shall promptly notify*
23 *the Secretary of the Interior in the event that the lands*
24 *withdrawn by this chapter will be used for defense-related*
25 *purposes other than those specified in section 9002.*

1 *(B) Such notification shall indicate the additional use*
2 *or uses involved, the proposed duration of such uses, and*
3 *the extent to which such additional military uses of the*
4 *lands will require that additional or more stringent condi-*
5 *tions or restrictions be imposed on otherwise-permitted non-*
6 *military uses of the land or portions thereof.*

7 *(3) Subject to valid existing rights, the Secretary of*
8 *the military department concerned may utilize sand, grav-*
9 *el, or similar mineral or material resources on the lands*
10 *withdrawn by this chapter when the use of such resources*
11 *is required to meet the construction needs of the military*
12 *department concerned on the lands withdrawn by this chap-*
13 *ter.*

14 *SEC. 9005. LAND MANAGEMENT ANALYSIS. (a) PERI-*
15 *ODIC ANALYSIS REQUIRED.—Not later than 10 years after*
16 *the date of the enactment of this Act, and every 10 years*
17 *thereafter, the Secretary of the military department con-*
18 *cerned shall, in consultation with the Secretary of the Inte-*
19 *rior, conduct an analysis of the degree to which the manage-*
20 *ment of the lands withdrawn by this chapter conforms to*
21 *the requirements of laws applicable to the management of*
22 *such lands, including this chapter.*

23 *(b) DEADLINE.—Each analysis under this section shall*
24 *be completed not later than 270 days after the commence-*
25 *ment of such analysis.*

1 (c) *LIMITATION ON COST.*—*The cost of each analysis*
2 *under this section may not exceed \$900,000 in constant*
3 *1999 dollars.*

4 (d) *REPORT.*—*Not later than 90 days after the date*
5 *of the completion of an analysis under this section, the Sec-*
6 *retary of the military department concerned shall submit*
7 *to Congress a report on the analysis. The report shall set*
8 *forth the results of the analysis and include any other mat-*
9 *ters relating to the management of the lands withdrawn by*
10 *this chapter that such Secretary considers appropriate.*

11 *SEC. 9006. ONGOING ENVIRONMENTAL RESTORATION.*

12 (a) *REQUIREMENT.*—*To the extent provided in advance in*
13 *appropriations Acts, the Secretary of the military depart-*
14 *ment concerned shall carry out a program to provide for*
15 *the environmental restoration of the lands withdrawn by*
16 *this chapter in order to ensure a level of environmental de-*
17 *contamination of such lands equivalent to the level of envi-*
18 *ronmental decontamination that exists on such lands as of*
19 *the date of the enactment of this Act.*

20 (b) *REPORTS.*—(1) *At the same time the President sub-*
21 *mits to Congress the budget for any fiscal year after fiscal*
22 *year 2000, the Secretary of the military department con-*
23 *cerned shall submit to the committees referred to in para-*
24 *graph (2) a report on environmental restoration activities*
25 *relating to the lands withdrawn by this chapter. The report*

1 *shall satisfy the requirements of section 2706(a) of title 10,*
2 *United States Code, with respect to the activities on such*
3 *lands.*

4 (2) *The committees referred to in paragraph (1) are*
5 *the Committees on Appropriations, Armed Services, and*
6 *Energy and Natural Resources of the Senate and the Com-*
7 *mittees on Appropriations, Armed Services, and Resources*
8 *of the House of Representatives.*

9 SEC. 9007. RELINQUISHMENT. (a) AUTHORITY.—*The*
10 *Secretary of the military department concerned may relin-*
11 *quish all or any of the lands withdrawn by this chapter*
12 *to the Secretary of the Interior.*

13 (b) NOTICE.—*If the Secretary of the military depart-*
14 *ment concerned determines to relinquish any lands with-*
15 *drawn by this chapter under subsection (a), that Secretary*
16 *shall transmit to the Secretary of the Interior a notice of*
17 *intent to relinquish such lands.*

18 (c) DETERMINATION OF CONTAMINATION.—(1) *Before*
19 *transmitting a notice of intent to relinquish any lands*
20 *under subsection (b), the Secretary of Defense, acting*
21 *through the military department concerned, shall determine*
22 *whether and to what extent such lands are contaminated*
23 *with explosive, toxic, or other hazardous materials.*

24 (2) *A copy of a determination with respect to any*
25 *lands under paragraph (1) shall be transmitted to the Sec-*

1 *retary of the Interior together with the notice of intent to*
2 *relinquish such lands under subsection (b).*

3 (3) *Copies of both the notice of intent to relinquish*
4 *lands under subsection (b) and the determination regarding*
5 *the contamination of such lands under this subsection shall*
6 *be published in the Federal Register by the Secretary of the*
7 *Interior.*

8 (d) *DECONTAMINATION.—(1) If any land subject to a*
9 *notice of intent to relinquish under subsection (a) is con-*
10 *taminated, and the Secretary of the Interior, in consulta-*
11 *tion with the Secretary of the military department con-*
12 *cerned, makes the determination described in paragraph*
13 *(2), the Secretary of the military department concerned*
14 *shall, to the extent provided in advance in appropriations*
15 *Acts, undertake the environmental decontamination of the*
16 *land.*

17 (2) *A determination referred to in this paragraph is*
18 *a determination that—*

19 (A) *decontamination of the land concerned is*
20 *practicable and economically feasible (taking into*
21 *consideration the potential future use and value of the*
22 *land); and*

23 (B) *upon decontamination, the land could be*
24 *opened to operation of some or all of the public land*
25 *laws, including the mining laws.*

1 (e) *ALTERNATIVES.*—(1) *If a circumstance described*
2 *in paragraph (2) arises with respect to any land which is*
3 *covered by a notice of intent to relinquish under subsection*
4 *(a), the Secretary of the Interior shall not be required to*
5 *accept the land under this section.*

6 (2) *A circumstance referred to in this paragraph is—*

7 (A) *a determination by the Secretary of the Inte-*
8 *rior, in consultation with the Secretary of the mili-*
9 *tary department concerned that—*

10 (i) *decontamination of the land is not prac-*
11 *ticable or economically feasible; or*

12 (ii) *the land cannot be decontaminated to a*
13 *sufficient extent to permit its opening to the op-*
14 *eration of some or all of the public land laws; or*

15 (B) *the appropriation by Congress of amounts*
16 *that are insufficient to provide for the decontamina-*
17 *tion of the land.*

18 (f) *STATUS OF CONTAMINATED LANDS.*—*If, because of*
19 *their contaminated state, the Secretary of the Interior de-*
20 *clines to accept jurisdiction over lands withdrawn by this*
21 *chapter which have been proposed for relinquishment under*
22 *subsection (a)—*

23 (1) *the Secretary of the military department con-*
24 *cerned shall take appropriate steps to warn the public*

1 *of the contaminated state of such lands and any risks*
2 *associated with entry onto such lands; and*

3 *(2) the Secretary of the military department con-*
4 *cerned shall report to the Secretary of the Interior*
5 *and to Congress concerning the status of such lands*
6 *and all actions taken in furtherance of this sub-*
7 *section.*

8 *(g) REVOCATION OF AUTHORITY.—(1) Notwith-*
9 *standing any other provision of law, the Secretary of the*
10 *Interior may, upon deciding that it is in the public interest*
11 *to accept jurisdiction over lands proposed for relinquish-*
12 *ment pursuant to subsection (a), revoke the withdrawal es-*
13 *tablished by this chapter as it applies to such lands.*

14 *(2) Should the decision be made to revoke the with-*
15 *drawal, the Secretary of the Interior shall publish in the*
16 *Federal Register an appropriate order which shall—*

17 *(A) terminate the withdrawal;*

18 *(B) constitute official acceptance of full jurisdic-*
19 *tion over the lands by the Secretary of the Interior;*
20 *and*

21 *(C) state the date upon which the lands will be*
22 *opened to the operation of some or all of the public*
23 *lands laws, including the mining laws.*

24 *(h) TREATMENT OF CERTAIN RELINQUISHED*
25 *LANDS.—Any lands withdrawn by section 9002(b) or*

1 9002(c) that are relinquished under this section shall be
2 public lands under the jurisdiction of the Bureau of Land
3 Management and shall be consider vacant, unreserved, and
4 unappropriated for purposes of the public land laws.

5 *SEC. 9008. DELEGABILITY. (a) DEFENSE.*—The func-
6 tions of the Secretary of Defense or of the Secretary of a
7 military department under this chapter may be delegated.

8 *(b) INTERIOR.*—The functions of the Secretary of the
9 Interior under this chapter may be delegated, except that
10 an order described in section 9007(g) may be approved and
11 signed only by the Secretary of the Interior, the Under Sec-
12 retary of the Interior, or an Assistant Secretary of the Inte-
13 rior.

14 *SEC. 9009. WATER RIGHTS.* Nothing in this chapter
15 shall be construed to establish a reservation to the United
16 States with respect to any water or water right on the lands
17 described in section 9002. No provision of this chapter shall
18 be construed as authorizing the appropriation of water on
19 lands described in section 9002 by the United States after
20 the date of the enactment of this Act except in accordance
21 with the law of the relevant State in which lands described
22 in section 9002 are located. This section shall not be con-
23 strued to affect water rights acquired by the United States
24 before the date of the enactment of this Act.

1 *SEC. 9010. HUNTING, FISHING, AND TRAPPING. All*
2 *hunting, fishing, and trapping on the lands withdrawn by*
3 *this chapter shall be conducted in accordance with the pro-*
4 *visions of section 2671 of title 10, United States Code.*

5 *SEC. 9011. MINING AND MINERAL LEASING. (a) DE-*
6 *TERMINATION OF LANDS SUITABLE FOR OPENING.—(1) As*
7 *soon as practicable after the date of the enactment of this*
8 *Act and at least every five years thereafter, the Secretary*
9 *of the Interior shall determine, with the concurrence of the*
10 *Secretary of the military department concerned, which pub-*
11 *lic and acquired lands (except as provided in this sub-*
12 *section) described in subsections (a), (b), and (c) of section*
13 *9002 the Secretary of the Interior considers suitable for*
14 *opening to the operation of the Mining Law of 1872, the*
15 *Mineral Lands Leasing Act of 1920, the Mineral Leasing*
16 *Act for Acquired Lands of 1947, the Geothermal Steam Act*
17 *of 1970, or any one or more of such Acts.*

18 *(2) The Secretary of the Interior shall publish a notice*
19 *in the Federal Register listing the lands determined suitable*
20 *for opening pursuant to this section and specifying the*
21 *opening date.*

22 *(b) OPENING LANDS.—On the day specified by the Sec-*
23 *retary of the Interior in a notice published in the Federal*
24 *Register pursuant to subsection (a), the land identified*
25 *under subsection (a) as suitable for opening to the operation*

1 *of one or more of the laws specified in subsection (a) shall*
2 *automatically be open to the operation of such laws without*
3 *the necessity for further action by the Secretary or Congress.*

4 *(c) EXCEPTION FOR COMMON VARIETIES.—No deposit*
5 *of minerals or materials of the types identified by section*
6 *3 of the Act of July 23, 1955 (69 Stat. 367), whether or*
7 *not included in the term “common varieties” in that Act,*
8 *shall be subject to location under the Mining Law of 1872*
9 *on lands described in section 9002.*

10 *(d) REGULATIONS.—(1) The Secretary of the Interior,*
11 *with the advice and concurrence of the Secretary of the mili-*
12 *tary department concerned, shall prescribe such regulations*
13 *to implement this section as may be necessary to assure*
14 *safe, uninterrupted, and unimpeded use of the lands de-*
15 *scribed in section 9002 for military purposes.*

16 *(2) Such regulations shall contain guidelines to assist*
17 *mining claimants in determining how much, if any, of the*
18 *surface of any lands opened pursuant to this section may*
19 *be used for purposes incident to mining.*

20 *(e) CLOSURE OF MINING LANDS.—In the event of a*
21 *national emergency or for purposes of national defense or*
22 *security, the Secretary of the Interior, at the request of the*
23 *Secretary of the military department concerned, shall close*
24 *any lands that have been opened to mining or to mineral*
25 *or geothermal leasing pursuant to this section.*

1 (f) *LAWS GOVERNING MINING ON WITHDRAWN*
2 *LANDS.—(1) Except as otherwise provided in this chapter,*
3 *mining claims located pursuant to this chapter shall be sub-*
4 *ject to the provisions of the mining laws. In the event of*
5 *a conflict between those laws and this chapter, this chapter*
6 *shall prevail.*

7 (2) *All mining claims located under the terms of this*
8 *chapter shall be subject to the provisions of the Federal*
9 *Land Policy and Management Act of 1976 (43 U.S.C. 1701*
10 *et seq.).*

11 (g) *PATENTS.—(1) Patents issued pursuant to this*
12 *chapter for locatable minerals shall convey title to locatable*
13 *minerals only, together with the right to use so much of*
14 *the surface as may be necessary for purposes incident to*
15 *mining under the guidelines for such use established by the*
16 *Secretary of the Interior by regulation.*

17 (2) *All such patents shall contain a reservation to the*
18 *United States of the surface of all lands patented and of*
19 *all nonlocatable minerals on those lands.*

20 (3) *For the purposes of this subsection, all minerals*
21 *subject to location under the Mining Law of 1872 shall be*
22 *treated as locatable minerals.*

23 *SEC. 9012. IMMUNITY OF UNITED STATES. The United*
24 *States and all departments or agencies thereof shall be held*
25 *harmless and shall not be liable for any injuries or damages*

1 *to persons or property suffered in the course of any mining*
2 *or mineral or geothermal leasing activity conducted on*
3 *lands described in section 9002.*

4 *CHAPTER 2*

5 *MCGREGOR RANGE LAND WITHDRAWAL*

6 *SEC. 9051. SHORT TITLE. This chapter may be cited*
7 *as the “McGregor Range Withdrawal Act”.*

8 *SEC. 9052. DEFINITIONS. In this chapter:*

9 *(1) The term “Materials Act” means the Act of*
10 *July 31, 1947 (commonly known as the Materials Act*
11 *of 1947; 30 U.S.C. 601–604).*

12 *(2) The term “management plan” means the*
13 *natural resources management plan prepared by the*
14 *Secretary of the Army pursuant to section 9055(e).*

15 *(3) The term “withdrawn lands” means the*
16 *lands described in subsection (d) of section 9053 that*
17 *are withdrawn and reserved under section 9053.*

18 *(4) The term “withdrawal period” means the pe-*
19 *riod specified in section 9057(a).*

20 *SEC. 9053. WITHDRAWAL AND RESERVATION OF*

21 *LANDS AT MCGREGOR RANGE, NEW MEXICO. (a) WITH-*
22 *DRAWAL.—Subject to valid existing rights, and except as*
23 *otherwise provided in this chapter, the Federal lands at*
24 *McGregor Range in the State of New Mexico that are de-*
25 *scribed in subsection (d) are hereby withdrawn from all*

1 *forms of appropriation under the public land laws, includ-*
2 *ing the mining laws, but not the Materials Act.*

3 (b) *PURPOSE.*—*The purpose of the withdrawal is to*
4 *support military training and testing, all other uses of the*
5 *withdrawn lands shall be secondary in nature.*

6 (c) *RESERVATION.*—*The withdrawn lands are reserved*
7 *for use by the Secretary of the Army for military training*
8 *and testing.*

9 (d) *LAND DESCRIPTION.*—*The lands withdrawn and*
10 *reserved by this section (a) comprise approximately 608,000*
11 *acres of Federal land in Otero County, New Mexico, as gen-*
12 *erally depicted on the map entitled “McGregor Range Land*
13 *Withdrawal-Proposed,” dated January ____, 1999, and*
14 *filed in accordance with section 9054.*

15 *SEC. 9054. MAPS AND LEGAL DESCRIPTION. (a) PREP-*
16 *ARATION OF MAPS AND LEGAL DESCRIPTION.*—*As soon as*
17 *practicable after the date of the enactment of this Act, the*
18 *Secretary of the Interior shall—*

19 (1) *publish in the Federal Register a notice con-*
20 *taining the legal description of the withdrawn lands;*
21 *and*

22 (2) *file one or more maps of the withdrawn*
23 *lands and the legal description of the withdrawn*
24 *lands with the Committee on Energy and Natural Re-*

1 *sources of the Senate and with the Committee on Re-*
2 *sources of the House of Representatives.*

3 *(b) LEGAL EFFECT.—The maps and legal description*
4 *shall have the same force and effect as if they were included*
5 *in this chapter, except that the Secretary of the Interior*
6 *may correct clerical and typographical errors in the maps*
7 *and legal description.*

8 *(c) AVAILABILITY.—Copies of the maps and the legal*
9 *description shall be available for public inspection in the*
10 *offices of the New Mexico State Director and Las Cruces*
11 *Field Office Manager of the Bureau of Land Management*
12 *and in the office of the Commander Officer of Fort Bliss,*
13 *Texas.*

14 *SEC. 9055. MANAGEMENT OF WITHDRAWN LANDS. (a)*
15 *GENERAL MANAGEMENT AUTHORITY.—During the with-*
16 *drawal period, the Secretary of the Army shall manage the*
17 *withdrawn lands, in accordance with the provisions of this*
18 *chapter and the management plan prepared under sub-*
19 *section (e), for the military purposes specified in section*
20 *9053(c).*

21 *(b) ACCESS RESTRICTIONS.—*

22 *(1) AUTHORITY TO CLOSE.—Subject to para-*
23 *graph (2), if the Secretary of the Army determines*
24 *that military operations, public safety, or national se-*
25 *curity require the closure to public use of any portion*

1 of the withdrawn lands (including any road or trail
2 therein) commonly in public use, the Secretary of the
3 Army is authorized to take such action.

4 (2) *REQUIREMENTS.*—Any closure under para-
5 graph (1) shall be limited to the minimum areas and
6 periods required for the purposes specified in such
7 paragraph. During a closure, the Secretary of the
8 Army shall keep appropriate warning notices posted
9 and take appropriate steps to notify the public about
10 the closure.

11 (c) *MANAGEMENT OF WITHDRAWN AND ACQUIRED*
12 *MINERAL RESOURCES.*—

13 (1) *IN GENERAL.*—Except as provided in para-
14 graph (2), the Secretary of the Interior shall manage
15 all withdrawn and acquired mineral resources within
16 the boundaries of McGregor Range in accordance with
17 Public Law 85–337 (commonly known as the Engle
18 Act; 43 U.S.C. 155–158).

19 (2) *MANAGEMENT OF MINERAL MATERIALS.*—
20 Notwithstanding any other provision of this chapter
21 or the Materials Act, the Secretary of the Army may
22 use, from the withdrawn lands, sand, gravel, or simi-
23 lar mineral material resources of the type subject to
24 disposition under the Materials Act, when the use of

1 *such resources is required for construction needs of*
2 *Fort Bliss.*

3 *(d) HUNTING, FISHING, AND TRAPPING.—All hunting,*
4 *fishing, and trapping on the withdrawn lands shall be con-*
5 *ducted in accordance with section 2671 of title 10, United*
6 *States Code, and the Sikes Act (16 U.S.C. 670 et seq.).*

7 *(e) MANAGEMENT PLAN.—*

8 *(1) REQUIRED.—The Secretary of the Army and*
9 *the Secretary of the Interior shall jointly develop a*
10 *natural resources management plan for the lands*
11 *withdrawn under this chapter for the withdrawal pe-*
12 *riod. The management plan shall be developed not*
13 *later than three years after the date of the enactment*
14 *of this Act and shall be reviewed at least once every*
15 *five years after its adoption to determine if it should*
16 *be amended.*

17 *(2) CONTENT.—The management plan shall—*

18 *(A) include provisions for proper manage-*
19 *ment and protection of the natural, cultural, and*
20 *other resources and values of the withdrawn*
21 *lands and for use of such resources to the extent*
22 *consistent with the purpose of the withdrawal*
23 *specified in section 9053(b);*

1 (B) identify the withdrawn lands (if any)
2 that are suitable for opening to the operation of
3 the mineral leasing or geothermal leasing laws;

4 (C) provide for the continuation of livestock
5 grazing at the discretion of the Secretary of the
6 Army under such authorities as are available to
7 the Secretary; and

8 (D) provide that the Secretary of the Army
9 shall take necessary precautions to prevent, sup-
10 press, or manage brush and range fires occurring
11 within the boundaries of McGregor Range, as
12 well as brush and range fires occurring outside
13 the boundaries of McGregor Range resulting from
14 military activities at the range.

15 (3) *FIRE SUPPRESSION ASSISTANCE.*—The Sec-
16 retary of the Army may seek assistance from the Bu-
17 reau of Land Management in suppressing any brush
18 or range fire occurring within the boundaries of
19 McGregor Range or any brush or range fire occurring
20 outside the boundaries of McGregor Range resulting
21 from military activities at the range. The memo-
22 randum of understanding under section 9056 shall
23 provide for assistance from the Bureau of Land Man-
24 agement in the suppression of such fires and require

1 *the Secretary of the Army to reimburse the Bureau of*
2 *Land Management for such assistance.*

3 *SEC. 9056. MEMORANDUM OF UNDERSTANDING. (a)*

4 *REQUIREMENT.—The Secretary of the Army and the Sec-*
5 *retary of the Interior shall enter into a memorandum of*
6 *understanding to implement this chapter and the manage-*
7 *ment plan.*

8 *(b) DURATION.—The duration of the memorandum of*
9 *understanding shall be the same as the withdrawal period.*

10 *(c) AMENDMENT.—The memorandum of under-*
11 *standing may be amended by agreement of both Secretaries.*

12 *SEC. 9057. TERMINATION OF WITHDRAWAL AND RES-*

13 *ERVATION; EXTENSION. (a) TERMINATION DATE.—The*

14 *withdrawal and reservation made by this chapter shall ter-*
15 *minate 50 years after the date of enactment of this Act.*

16 *(b) REQUIREMENTS FOR EXTENSION.—*

17 *(1) NOTICE OF CONTINUED MILITARY NEED.—*

18 *Not later than five years before the end of the with-*
19 *drawal period, the Secretary of the Army shall advise*
20 *the Secretary of the Interior as to whether or not the*
21 *Army will have a continuing military need for any*
22 *or all of the withdrawn lands after the end of the*
23 *withdrawal period.*

24 *(2) APPLICATION FOR EXTENSION.—If the Sec-*

25 *retary of the Army determines that there will be a*

1 continuing military need for any or all of the with-
2 drawn lands after the end of the withdrawal period,
3 the Secretary of the Army shall file an application for
4 extension of the withdrawal and reservation of the
5 lands in accordance with the then existing regulations
6 and procedures of the Department of the Interior ap-
7 plicable to extension of withdrawal of lands for mili-
8 tary purposes and that are consistent with this chap-
9 ter. The application shall be filed with the Depart-
10 ment of the Interior not later than four years before
11 the end of the withdrawal period.

12 (c) *LIMITATION ON EXTENSION.*—The withdrawal and
13 reservation made by this chapter may not be extended or
14 renewed except by Act or joint resolution.

15 *SEC. 9058. RELINQUISHMENT OF WITHDRAWN LANDS.*

16 (a) *FILING OF RELINQUISHMENT NOTICE.*—If, during the
17 withdrawal period, the Secretary of the Army decides to
18 relinquish all or any portion of the withdrawn lands, the
19 Secretary of the Army shall file a notice of intention to re-
20 linquish with the Secretary of the Interior.

21 (b) *DETERMINATION OF PRESENCE OF CONTAMINA-*
22 *TION.*—Before transmitting a relinquishment notice under
23 subsection (a), the Secretary of the Army, in consultation
24 with the Secretary of the Interior, shall prepare a written
25 determination concerning whether and to what extent the

1 *lands to be relinquished are contaminated with explosive,*
2 *toxic, or other hazardous wastes and substances. A copy of*
3 *such determination shall be transmitted with the relinquish-*
4 *ment notice.*

5 (c) *DECONTAMINATION AND REMEDIATION.*—*In the*
6 *case of contaminated lands which are the subject of a relin-*
7 *quishment notice, the Secretary of the Army shall decon-*
8 *taminate or remediate the land to the extent that funds are*
9 *appropriated for such purpose if the Secretary of the Inte-*
10 *rior, in consultation with the Secretary of the Army, deter-*
11 *mines that—*

12 (1) *decontamination or remediation of the lands*
13 *is practicable and economically feasible, taking into*
14 *consideration the potential future use and value of the*
15 *land; and*

16 (2) *upon decontamination or remediation, the*
17 *land could be opened to the operation of some or all*
18 *of the public land laws, including the mining laws.*

19 (d) *DECONTAMINATION AND REMEDIATION ACTIVITIES*
20 *SUBJECT TO OTHER LAWS.*—*The activities of the Secretary*
21 *of the Army under subsection (c) are subject to applicable*
22 *laws and regulations, including the Defense Environmental*
23 *Restoration Program established under section 2701 of title*
24 *10, United States Code, the Comprehensive Environmental*
25 *Response Compensation and Liability Act of 1980 (42*

1 *U.S.C. 9601 et seq.*), and the *Solid Waste Disposal Act* (42
2 *U.S.C. 6901 et seq.*).

3 (e) *AUTHORITY OF SECRETARY OF THE INTERIOR TO*
4 *REFUSE CONTAMINATED LANDS.*—*The Secretary of the In-*
5 *terior shall not be required to accept lands specified in a*
6 *relinquishment notice if the Secretary of the Interior, after*
7 *consultation with the Secretary of the Army, concludes*
8 *that—*

9 (1) *decontamination or remediation of any land*
10 *subject to the relinquishment notice is not practicable*
11 *or economically feasible;*

12 (2) *the land cannot be decontaminated or reme-*
13 *diated sufficiently to be opened to operation of some*
14 *or all of the public land laws; or*

15 (3) *a sufficient amount of funds are not appro-*
16 *priated for the decontamination of the land.*

17 (f) *STATUS OF CONTAMINATED LANDS.*—*If, because of*
18 *the condition of the lands, the Secretary of the Interior de-*
19 *clines to accept jurisdiction of lands proposed for relin-*
20 *quishment or, if at the expiration of the withdrawal made*
21 *under this chapter, the Secretary of the Interior determines*
22 *that some of the withdrawn lands are contaminated to an*
23 *extent which prevents opening such contaminated lands to*
24 *operation of the public land laws—*

1 (1) *the Secretary of the Army shall take appro-*
2 *prate steps to warn the public of the contaminated*
3 *state of such lands and any risks associated with*
4 *entry onto such lands;*

5 (2) *after the expiration of the withdrawal, the*
6 *Secretary of the Army shall retain jurisdiction over*
7 *the withdrawn lands, but shall undertake no activities*
8 *on such lands except in connection with the decon-*
9 *tamination or remediation of such lands; and*

10 (3) *the Secretary of the Army shall report to the*
11 *Secretary of the Interior and to the Congress con-*
12 *cerning the status of such lands and all actions taken*
13 *under paragraphs (1) and (2).*

14 (g) *SUBSEQUENT DECONTAMINATION OR REMEDI-*
15 *ATION.—If lands covered by subsection (f) are subsequently*
16 *decontaminated or remediated and the Secretary of the*
17 *Army certifies that the lands are safe for nonmilitary uses,*
18 *the Secretary of the Interior shall reconsider accept- ing ju-*
19 *risdiction over the lands.*

20 (h) *REVOCATION AUTHORITY.—Notwithstanding any*
21 *other provision of law, upon deciding that it is in the public*
22 *interest to accept jurisdiction over lands specified in a re-*
23 *linquishment notice, the Secretary of the Interior may re-*
24 *voke the withdrawal and reservation made under this chap-*
25 *ter as it applies to such lands. If the decision be made to*

1 *accept the relinquishment and to revoke the withdrawal and*
2 *reservation, the Secretary of the Interior shall publish in*
3 *the Federal Register an appropriate order which shall—*

4 *(1) terminate the withdrawal and reservation;*

5 *(2) constitute official acceptance of full jurisdic-*
6 *tion over the lands by the Secretary of the Interior;*
7 *and*

8 *(3) state the date upon which the lands will be*
9 *opened to the operation of the public land laws, in-*
10 *cluding the mining laws, if appropriate.*

11 *SEC. 9059. DELEGATIONS OF AUTHORITY. (a) SEC-*
12 *RETARY OF THE ARMY.—The functions of the Secretary of*
13 *the Army under this chapter may be delegated.*

14 *(b) SECRETARY OF THE INTERIOR.—The functions of*
15 *the Secretary of the Interior under this chapter may be dele-*
16 *gated, except that an order under section 9058(h) to accept*
17 *relinquishment of withdrawn lands may be approved and*
18 *signed only by the Secretary of the Interior, the Deputy Sec-*
19 *retary of the Interior, or an Assistant Secretary of the Inte-*
20 *rior.*

21 *TITLE X*

22 *SUSPENSION OF CERTAIN SANCTIONS AGAINST*
23 *INDIA AND PAKISTAN*

24 *SEC. 10001. SUSPENSION OF SANCTIONS. (a) IN GEN-*
25 *ERAL.—Effective for the period of five years commencing*

1 *on the date of enactment of this Act, the sanctions contained*
2 *in the following provisions of law shall not apply to India*
3 *and Pakistan with respect to any grounds for the imposi-*
4 *tion of sanctions under those provisions arising prior to*
5 *that date:*

6 (1) *Section 101 of the Arms Export Control Act*
7 *(22 U.S.C. 2799aa).*

8 (2) *Section 102 of the Arms Export Control Act*
9 *(22 U.S.C. 2799aa–1) other than subsection (b)(2)(B),*
10 *(C), or (G).*

11 (3) *Section 2(b)(4) of the Export Import Bank*
12 *Act of 1945 (12 U.S.C. 635(b)(4)).*

13 (b) *SPECIAL RULE FOR COMMERCIAL EXPORTS OF*
14 *DUAL-USE ARTICLES AND TECHNOLOGY.—The sanction*
15 *contained in section 102(b)(2)(G) of the Arms Export Con-*
16 *trol Act (22 U.S.C. 2799aa–1(b)(2)(G)) shall not apply to*
17 *India or Pakistan with respect to any grounds for the impo-*
18 *sition of that sanction arising prior to the date of enact-*
19 *ment of this Act if imposition of the sanction (but for this*
20 *paragraph) would deny any license for the export of any*
21 *dual-use article, or related dual-use technology (including*
22 *software), listed on the Commerce Control List of the Export*
23 *Administration Regulations that would not contribute di-*
24 *rectly to missile development or to a nuclear weapons pro-*
25 *gram. For purposes of this subsection, an article or tech-*

1 *nology that is not primarily used for missile development*
2 *or nuclear weapons programs.*

3 *(c) NATIONAL SECURITY INTERESTS WAIVER OF SANC-*
4 *TIONS.—*

5 *(1) IN GENERAL.—The restriction on assistance*
6 *in section 102(b)(2)(B), (C), or (G) of the Arms Ex-*
7 *port Control Act shall not apply if the President de-*
8 *termines, and so certifies to Congress, that the appli-*
9 *cation of the restriction would not be in the national*
10 *security interests of the United States.*

11 *(2) SENSE OF THE SENATE.—It is the sense of*
12 *the Senate that—*

13 *(A) no waiver under paragraph (1) should*
14 *be invoked for section 102(b)(2)(B) or (C) of the*
15 *Arms Export Control Act with respect to any*
16 *party that initiates or supports activities that*
17 *jeopardize peace and security in Jammu and*
18 *Kashmir;*

19 *(B) the broad application of export controls*
20 *to nearly 300 Indian and Pakistani entities is*
21 *inconsistent with the specific national security*
22 *interests of the United States and that this con-*
23 *trol list requires refinement; and*

24 *(C) export controls should be applied only*
25 *to those Indian and Pakistani entities that make*

1 *direct and material contributions to weapons of*
2 *mass destruction and missile programs and only*
3 *to those items that can contribute such programs.*

4 (d) *REPORTING REQUIREMENT.*—*Not later than 60*
5 *days after the date of enactment of this Act, the President*
6 *shall submit a report to the appropriate congressional com-*
7 *mittees listing those Indian and Pakistani entities whose*
8 *activities contribute directly and materially to missile pro-*
9 *grams or weapons of mass destruction programs.*

10 (e) *CONGRESSIONAL NOTIFICATION.*—*A license for the*
11 *export of a defense article, defense service, or technology is*
12 *subject to the same requirements as are applicable to the*
13 *export of items described in section 36(c) of the Arms Ex-*
14 *port Control Act (22 U.S.C. 2776(c)), including the trans-*
15 *mittal of information and the application of congressional*
16 *review procedures described in that section.*

17 (f) *RENEWAL OF SUSPENSION.*—*Upon the expiration*
18 *of the initial five-year period of suspension of the sanctions*
19 *contained in paragraph (1) or (2) of subsection (a), the*
20 *President may renew the suspension with respect to India,*
21 *Pakistan, or both for additional periods of five years each*
22 *if, not less than 30 days prior to each renewal of suspension,*
23 *the President certifies to the appropriate congressional com-*
24 *mittees that it is in the national interest of the United*
25 *States to do so.*

1 (g) *RESTRICTION.*—*The authority of subsection (a)*
2 *may not be used to provide assistance under chapter 4 of*
3 *part II of the Foreign Assistance Act of 1961 (22 U.S.C.*
4 *2346 et seq.; relating to economic support fund assistance)*
5 *except for—*

6 (1) *assistance that supports the activities of non-*
7 *governmental organizations;*

8 (2) *assistance that supports democracy or the es-*
9 *tablishment of democratic institutions; or*

10 (3) *humanitarian assistance.*

11 (h) *STATUTORY CONSTRUCTION.*—*Nothing in this Act*
12 *prohibits the imposition of sanctions by the President under*
13 *any provision of law specified in subsection (a) or (b) by*
14 *reason of any grounds for the imposition of sanctions under*
15 *that provision of law arising on or after the date of enact-*
16 *ment of this Act.*

17 *SEC. 10002. REPEALS.* *The following provisions of law*
18 *are repealed:*

19 (1) *Section 620E(e) of the Foreign Assistance*
20 *Act of 1961 (22 U.S.C. 2375(e)).*

21 (2) *The India-Pakistan Relief Act (title IX of the*
22 *Agriculture, Rural Development, Food and Drug Ad-*
23 *ministration, and Related Agencies Appropriations*
24 *Act, 1999, as contained in section 101(a) of Public*
25 *Law 105–277).*

1 *SEC. 10003. APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES DEFINED. In this title, the term “appropriate congres-*
3 *sional committees” means the Committee on Foreign Rela-*
4 *tions of the Senate and the Committee on International Re-*
5 *lations of the House of Representatives.*

6 *This Act may be cited as the “Department of Defense*
7 *Appropriations Act, 2000”.*

Attest:

Secretary.

106TH CONGRESS
1ST SESSION

H. R. 2561

AMENDMENT

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HR 2561 EAS—3
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