

106TH CONGRESS
1ST SESSION

H. R. 2561

IN THE SENATE OF THE UNITED STATES

JULY 27, 1999

Received

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.

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

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-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the
14 Army on active duty (except members of reserve compo-
15 nents provided for elsewhere), cadets, and aviation cadets;
16 and for payments pursuant to section 156 of Public Law
17 97-377, as amended (42 U.S.C. 402 note), to section
18 229(b) of the Social Security Act (42 U.S.C. 429(b)), and
19 to the Department of Defense Military Retirement Fund,
20 \$21,475,732,000.

21 MILITARY PERSONNEL, NAVY

22 For pay, allowances, individual clothing, subsistence,
23 interest on deposits, gratuities, permanent change of sta-
24 tion travel (including all expenses thereof for organiza-
25 tional movements), and expenses of temporary duty travel

1 between permanent duty stations, for members of the
2 Navy on active duty (except members of the Reserve pro-
3 vided for elsewhere), midshipmen, and aviation cadets; and
4 for payments pursuant to section 156 of Public Law 97-
5 377, as amended (42 U.S.C. 402 note), to section 229(b)
6 of the Social Security Act (42 U.S.C. 429(b)), and to the
7 Department of Defense Military Retirement Fund,
8 \$16,737,072,000.

9 MILITARY PERSONNEL, MARINE CORPS

10 For pay, allowances, individual clothing, subsistence,
11 interest on deposits, gratuities, permanent change of sta-
12 tion travel (including all expenses thereof for organiza-
13 tional movements), and expenses of temporary duty travel
14 between permanent duty stations, for members of the Ma-
15 rine Corps on active duty (except members of the Reserve
16 provided for elsewhere); and for payments pursuant to sec-
17 tion 156 of Public Law 97-377, as amended (42 U.S.C.
18 402 note), to section 229(b) of the Social Security Act
19 (42 U.S.C. 429(b)), and to the Department of Defense
20 Military Retirement Fund, \$6,353,622,000.

21 MILITARY PERSONNEL, AIR FORCE

22 For pay, allowances, individual clothing, subsistence,
23 interest on deposits, gratuities, permanent change of sta-
24 tion travel (including all expenses thereof for organiza-
25 tional movements), and expenses of temporary duty travel

1 between permanent duty stations, for members of the Air
2 Force on active duty (except members of reserve compo-
3 nents provided for elsewhere), cadets, and aviation cadets;
4 and for payments pursuant to section 156 of Public Law
5 97-377, as amended (42 U.S.C. 402 note), to section
6 229(b) of the Social Security Act (42 U.S.C. 429(b)), and
7 to the Department of Defense Military Retirement Fund,
8 \$17,565,811,000.

9 RESERVE PERSONNEL, ARMY

10 For pay, allowances, clothing, subsistence, gratuities,
11 travel, and related expenses for personnel of the Army Re-
12 serve on active duty under sections 10211, 10302, and
13 3038 of title 10, United States Code, or while serving on
14 active duty under section 12301(d) of title 10, United
15 States Code, in connection with performing duty specified
16 in section 12310(a) of title 10, United States Code, or
17 while undergoing reserve training, or while performing
18 drills or equivalent duty or other duty, and for members
19 of the Reserve Officers' Training Corps, and expenses au-
20 thorized by section 16131 of title 10, United States Code;
21 and for payments to the Department of Defense Military
22 Retirement Fund, \$2,235,055,000.

23 RESERVE PERSONNEL, NAVY

24 For pay, allowances, clothing, subsistence, gratuities,
25 travel, and related expenses for personnel of the Navy Re-

1 serve on active duty under section 10211 of title 10,
2 United States Code, or while serving on active duty under
3 section 12301(d) of title 10, United States Code, in con-
4 nection with performing duty specified in section 12310(a)
5 of title 10, United States Code, or while undergoing re-
6 serve training, or while performing drills or equivalent
7 duty, and for members of the Reserve Officers' Training
8 Corps, and expenses authorized by section 16131 of title
9 10, United States Code; and for payments to the Depart-
10 ment of Defense Military Retirement Fund,
11 \$1,425,210,000.

12 RESERVE PERSONNEL, MARINE CORPS

13 For pay, allowances, clothing, subsistence, gratuities,
14 travel, and related expenses for personnel of the Marine
15 Corps Reserve on active duty under section 10211 of title
16 10, United States Code, or while serving on active duty
17 under section 12301(d) of title 10, United States Code,
18 in connection with performing duty specified in section
19 12310(a) of title 10, United States Code, or while under-
20 going reserve training, or while performing drills or equiv-
21 alent duty, and for members of the Marine Corps platoon
22 leaders class, and expenses authorized by section 16131
23 of title 10, United States Code; and for payments to the
24 Department of Defense Military Retirement Fund,
25 \$403,822,000.

1 RESERVE PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Force
4 Reserve on active duty under sections 10211, 10305, and
5 8038 of title 10, United States Code, or while serving on
6 active duty under section 12301(d) of title 10, United
7 States Code, in connection with performing duty specified
8 in section 12310(a) of title 10, United States Code, or
9 while undergoing reserve training, or while performing
10 drills or equivalent duty or other duty, and for members
11 of the Air Reserve Officers' Training Corps, and expenses
12 authorized by section 16131 of title 10, United States
13 Code; and for payments to the Department of Defense
14 Military Retirement Fund, \$872,978,000.

15 NATIONAL GUARD PERSONNEL, ARMY

16 For pay, allowances, clothing, subsistence, gratuities,
17 travel, and related expenses for personnel of the Army Na-
18 tional Guard while on duty under section 10211, 10302,
19 or 12402 of title 10 or section 708 of title 32, United
20 States Code, or while serving on duty under section
21 12301(d) of title 10 or section 502(f) of title 32, United
22 States Code, in connection with performing duty specified
23 in section 12310(a) of title 10, United States Code, or
24 while undergoing training, or while performing drills or
25 equivalent duty or other duty, and expenses authorized by

1 section 16131 of title 10, United States Code; and for pay-
2 ments to the Department of Defense Military Retirement
3 Fund, \$3,486,427,000.

4 NATIONAL GUARD PERSONNEL, AIR FORCE

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Air Na-
7 tional Guard on duty under section 10211, 10305, or
8 12402 of title 10 or section 708 of title 32, United States
9 Code, or while serving on duty under section 12301(d) of
10 title 10 or section 502(f) of title 32, United States Code,
11 in connection with performing duty specified in section
12 12310(a) of title 10, United States Code, or while under-
13 going training, or while performing drills or equivalent
14 duty or other duty, and expenses authorized by section
15 16131 of title 10, United States Code; and for payments
16 to the Department of Defense Military Retirement Fund,
17 \$1,456,248,000.

18 TITLE II

19 OPERATION AND MAINTENANCE

20 OPERATION AND MAINTENANCE, ARMY

21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of the Army, as author-
24 ized by law; and not to exceed \$10,624,000 can be used
25 for emergencies and extraordinary expenses, to be ex-

1 pended on the approval or authority of the Secretary of
2 the Army, and payments may be made on his certificate
3 of necessity for confidential military purposes,
4 \$19,629,019,000 and, in addition, \$50,000,000 shall be
5 derived by transfer from the National Defense Stockpile
6 Transaction Fund: *Provided*, That of the funds made
7 available under this heading, \$6,000,000, to remain avail-
8 able until expended, shall be transferred to “National
9 Park Service—Construction” within 30 days of enactment
10 of this Act, only for necessary infrastructure repair im-
11 provements at Fort Baker, under the management of the
12 Golden Gate Recreation Area: *Provided further*, That of
13 the funds appropriated in this paragraph, not less than
14 \$355,000,000 shall be made available only for conven-
15 tional ammunition care and maintenance:
16 *Provided further*, That of the funds appropriated under
17 this heading, \$4,000,000 shall not be available until thirty
18 days after the Secretary of the Army provides to the con-
19 gressional defense committees the results of an assess-
20 ment, solicited by means of a competitive bid, on the pros-
21 pects of recovering costs associated with the environmental
22 restoration of the Department of the Army’s government-
23 owned, contractor-operated facilities: *Provided further*,
24 That of the funds made available under this heading,
25 \$7,000,000 shall only be available to the Secretary of the

1 Army, acting through the Chief of Engineers, only for
2 demolition and removal of facilities, buildings, and struc-
3 tures used at MOTBY (a Military Traffic Management
4 Command facility).

5 OPERATION AND MAINTENANCE, NAVY

6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses, not otherwise provided for, necessary
8 for the operation and maintenance of the Navy and the
9 Marine Corps, as authorized by law; and not to exceed
10 \$5,155,000 can be used for emergencies and extraordinary
11 expenses, to be expended on the approval or authority of
12 the Secretary of the Navy, and payments may be made
13 on his certificate of necessity for confidential military pur-
14 poses, \$23,029,584,000 and, in addition, \$50,000,000
15 shall be derived by transfer from the National Defense
16 Stockpile Transaction Fund: *Provided*, That of the funds
17 available under this heading, \$300,000 shall be available
18 only for site design and planning, and materials and
19 equipment acquisition for the Maritime Fire Training
20 Center at MERTS.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of the Marine Corps,
24 as authorized by law, \$2,822,004,000.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of the Air Force, as
5 authorized by law; and not to exceed \$7,882,000 can be
6 used for emergencies and extraordinary expenses, to be ex-
7 pended on the approval or authority of the Secretary of
8 the Air Force, and payments may be made on his certifi-
9 cate of necessity for confidential military purposes,
10 \$21,641,099,000 and, in addition, \$50,000,000 shall be
11 derived by transfer from the National Defense Stockpile
12 Transaction Fund.

13 OPERATION AND MAINTENANCE, DEFENSE-WIDE

14 (INCLUDING TRANSFER OF FUNDS)

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance of activities and agen-
17 cies of the Department of Defense (other than the military
18 departments), as authorized by law, \$11,402,733,000, of
19 which not to exceed \$2,000,000 is for providing the Com-
20 puter/Electronic Accommodations program to federal
21 agencies which otherwise do not receive funding for such
22 purposes; of which not to exceed \$25,000,000 may be
23 available for the CINC initiative fund account; and of
24 which not to exceed \$32,300,000 can be used for emer-
25 gencies and extraordinary expenses, to be expended on the

1 approval or authority of the Secretary of Defense, and
2 payments may be made on his certificate of necessity for
3 confidential military purposes: *Provided*, That of the
4 amount appropriated under the heading “Operation and
5 Maintenance, Defense-Wide” in division B, title I, of Pub-
6 lic Law 105–277, the amount of \$177,000,000 not covered
7 as of July 12, 1999, by an official budget request under
8 the fifth proviso of that section is available, subject to such
9 an official budget request for that entire amount, only for
10 the following accounts in the specified amounts:

11 “Other Procurement, Air Force”, \$47,000,000;

12 “Procurement, Defense-Wide”, \$100,000,000;

13 and

14 “Research, Development, Test and Evaluation,
15 Air Force”, \$30,000,000:

16 *Provided further*, That none of the amount of
17 \$177,000,000 described in the preceding proviso may be
18 made available for obligation unless the entire amount is
19 released to the Department of Defense and made available
20 for obligation for the programs, and in the amounts, speci-
21 fied in the preceding proviso: *Provided further*, That of the
22 amounts provided under this heading, \$40,000,000 to re-
23 main available until expended, is available only for ex-
24 penses relating to certain classified activities, and may be
25 transferred as necessary by the Secretary of Defense to

1 operation and maintenance, procurement, and research,
2 development, test and evaluation appropriations accounts,
3 to be merged with and to be available for the same time
4 period as the appropriations to which transferred: *Pro-*
5 *vided further*, That the transfer authority provided under
6 this heading is in addition to any other transfer authority
7 provided in this Act: *Provided further*, That of the funds
8 made available under this heading, \$10,000,000 shall be
9 available only for retrofitting security containers that are
10 under the control of, or that are accessible by, defense con-
11 tractors: *Provided further*, That of the amounts provided
12 under this heading, \$6,300,000 is available only for the
13 Department of Defense STARBASE program.

14 OPERATION AND MAINTENANCE, ARMY RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Army 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 equip-
21 ment; and communications, \$1,513,076,000.

22 OPERATION AND MAINTENANCE, NAVY RESERVE

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance, including training, or-
25 ganization, and administration, of the Navy Reserve; re-

1 pair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications, \$969,478,000.

5 OPERATION AND MAINTENANCE, MARINE CORPS

6 RESERVE

7 For expenses, not otherwise provided for, necessary
8 for the operation and maintenance, including training, or-
9 ganization, 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, \$143,911,000.

14 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Air Force Reserve;
18 repair 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 equip-
21 ment; and communications, \$1,788,091,000.

22 OPERATION AND MAINTENANCE, ARMY NATIONAL

23 GUARD

24 For expenses of training, organizing, and admin-
25 istering the Army National Guard, including medical and

1 hospital treatment and related expenses in non-Federal
2 hospitals; maintenance, operation, and repairs to struc-
3 tures and facilities; hire of passenger motor vehicles; per-
4 sonnel services in the National Guard Bureau; travel ex-
5 penses (other than mileage), as authorized by law for
6 Army personnel on active duty, for Army National Guard
7 division, regimental, and battalion commanders while in-
8 specting units in compliance with National Guard Bureau
9 regulations when specifically authorized by the Chief, Na-
10 tional Guard Bureau; supplying and equipping the Army
11 National Guard as authorized by law; and expenses of re-
12 pair, modification, maintenance, and issue of supplies and
13 equipment (including aircraft), \$3,103,642,000.

14 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

1 such as may be furnished from stocks under the control
2 of agencies of the Department of Defense; travel expenses
3 (other than mileage) on the same basis as authorized by
4 law for Air National Guard personnel on active Federal
5 duty, for Air National Guard commanders while inspecting
6 units in compliance with National Guard Bureau regula-
7 tions when specifically authorized by the Chief, National
8 Guard Bureau, \$3,239,438,000.

9 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND
10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses directly relating to Overseas Contin-
12 gency Operations by United States military forces,
13 \$1,812,600,000, to remain available until expended: *Pro-*
14 *vided*, That the Secretary of Defense may transfer these
15 funds only to operation and maintenance accounts within
16 this title, the Defense Health Program appropriation, and
17 to working capital funds: *Provided further*, That the funds
18 transferred shall be merged with and shall be available for
19 the same purposes and for the same time period, as the
20 appropriation to which transferred: *Provided further*, That
21 upon a determination that all or part of the funds trans-
22 ferred from this appropriation are not necessary for the
23 purposes provided herein, such amounts may be trans-
24 ferred back to this appropriation: *Provided further*, That
25 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 \$7,621,000, of which not to exceed \$2,500 can be used
8 for official representation purposes.

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

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

1 *Provided further*, That the transfer authority provided in
2 this paragraph is in addition to any other transfer author-
3 ity provided elsewhere in this Act.

4 ENVIRONMENTAL RESTORATION, NAVY

5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$284,000,000, to
7 remain available until transferred: *Provided*, That the Sec-
8 retary of the Navy shall, upon determining that such
9 funds are required for environmental restoration, reduc-
10 tion and recycling of hazardous waste, removal of unsafe
11 buildings and debris of the Department of the Navy, or
12 for similar purposes, transfer the funds made available by
13 this appropriation to other appropriations made available
14 to the Department of the Navy, to be merged with and
15 to be available for the same purposes and for the same
16 time period as the appropriations to which transferred:
17 *Provided further*, That upon a determination that all or
18 part of the funds transferred from this appropriation are
19 not necessary for the purposes provided herein, such
20 amounts may be transferred back to this appropriation:
21 *Provided further*, That the transfer authority provided in
22 this paragraph is in addition to any other transfer author-
23 ity provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$376,800,000,
4 to remain available until transferred: *Provided*, That the
5 Secretary of the Air Force shall, upon determining that
6 such funds are required for environmental restoration, re-
7 duction and recycling of hazardous waste, removal of un-
8 safe buildings and debris of the Department of the Air
9 Force, or for similar purposes, transfer the funds made
10 available by this appropriation to other appropriations
11 made available to the Department of the Air Force, to be
12 merged with and to be available for the same purposes
13 and for the same time period as the appropriations to
14 which transferred: *Provided further*, That upon a deter-
15 mination that all or part of the funds transferred from
16 this appropriation are not necessary for the purposes pro-
17 vided herein, such amounts may be transferred back to
18 this appropriation: *Provided further*, That the transfer au-
19 thority provided in this paragraph is in addition to any
20 other transfer authority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$25,370,000, to re-
24 main available until transferred: *Provided*, That the Sec-
25 retary of Defense shall, upon determining that such funds

1 are required for environmental restoration, reduction and
2 recycling of hazardous waste, removal of unsafe buildings
3 and debris of the Department of Defense, or for similar
4 purposes, transfer the funds made available by this appro-
5 priation to other appropriations made available to the De-
6 partment of Defense, to be merged with and to be avail-
7 able for the same purposes and for the same time period
8 as the appropriations to which transferred: *Provided fur-*
9 *ther*, That upon a determination that all or part of the
10 funds transferred from this appropriation are not nec-
11 essary for the purposes provided herein, such amounts
12 may be transferred back to this appropriation: *Provided*
13 *further*, That the transfer authority provided in this para-
14 graph is in addition to any other transfer authority pro-
15 vided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, FORMERLY USED
17 DEFENSE SITES
18 (INCLUDING TRANSFER OF FUNDS)

19 For the Department of the Army, \$209,214,000, to
20 remain available until transferred: *Provided*, That the Sec-
21 retary of the Army shall, upon determining that such
22 funds are required for environmental restoration, reduc-
23 tion and recycling of hazardous waste, removal of unsafe
24 buildings and debris at sites formerly used by the Depart-
25 ment of Defense, transfer the funds made available by this

1 appropriation to other appropriations made available to
2 the Department of the Army, to be merged with and to
3 be available for the same purposes and for the same time
4 period as the appropriations to which transferred: *Pro-*
5 *vided further*, That upon a determination that all or part
6 of the funds transferred from this appropriation are not
7 necessary for the purposes provided herein, such amounts
8 may be transferred back to this appropriation: *Provided*
9 *further*, That the transfer authority provided in this para-
10 graph is in addition to any other transfer authority pro-
11 vided elsewhere in this Act.

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,
14 Disaster, and Civic Aid programs of the Department of
15 Defense (consisting of the programs provided under sec-
16 tions 401, 402, 404, 2547, and 2551 of title 10, United
17 States Code), \$55,800,000, to remain available until Sep-
18 tember 30, 2001.

19 FORMER SOVIET UNION THREAT REDUCTION

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

1 weapon-related technology and expertise; for programs re-
2 lating to the training and support of defense and military
3 personnel for demilitarization and protection of weapons,
4 weapons components, and weapons technology and exper-
5 tise, \$456,100,000, to remain available until September
6 30, 2002.

7 QUALITY OF LIFE ENHANCEMENTS, DEFENSE

8 For expenses, not otherwise provided for, resulting
9 from unfunded shortfalls in the repair and maintenance
10 of real property of the Department of Defense (including
11 military housing and barracks), \$800,000,000, for the
12 maintenance of real property of the Department of De-
13 fense (including minor construction and major mainte-
14 nance and repair), which shall remain available for obliga-
15 tion until September 30, 2001, as follows:

16 Army, \$182,600,000;
17 Navy, \$285,200,000;
18 Marine Corps, \$62,100,000;
19 Air Force, \$259,600,000; and
20 Defense-Wide, \$10,500,000:

21 *Provided*, That notwithstanding any other provision of
22 law, of the funds appropriated under this heading for De-
23 fense-Wide activities, the entire amount shall only be
24 available for grants by the Secretary of Defense to local
25 educational authorities which maintain primary and sec-

1 onorary educational facilities located within Department of
2 Defense installations, and which are used primarily by De-
3 partment of Defense military and civilian dependents, for
4 facility repairs and improvements to such educational fa-
5 cilities: *Provided further*, That such grants to local edu-
6 cational authorities may be made for repairs and improve-
7 ments to such educational facilities as required to meet
8 classroom size requirements: *Provided further*, That the
9 cumulative amount of any grant or grants to any single
10 local educational authority provided pursuant to the provi-
11 sions under this heading shall not exceed \$1,500,000.

12 TITLE III

13 PROCUREMENT

14 AIRCRAFT PROCUREMENT, ARMY

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

1 equipment layaway; and other expenses necessary for the
2 foregoing purposes, \$1,590,488,000, to remain available
3 for obligation until September 30, 2002.

4 MISSILE PROCUREMENT, ARMY

5 For construction, procurement, production, modifica-
6 tion, and modernization of missiles, equipment, including
7 ordnance, ground handling equipment, spare parts, and
8 accessories therefor; specialized equipment and training
9 devices; expansion of public and private plants, including
10 the land necessary therefor, for the foregoing purposes,
11 and such lands and interests therein, may be acquired,
12 and construction prosecuted thereon prior to approval of
13 title; and procurement and installation of equipment, ap-
14 pliances, and machine tools in public and private plants;
15 reserve plant and Government and contractor-owned
16 equipment layaway; and other expenses necessary for the
17 foregoing purposes, \$1,272,798,000, to remain available
18 for obligation until September 30, 2002.

19 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

20 VEHICLES, ARMY

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

1 necessary therefor, for the foregoing purposes, and such
2 lands and interests therein, may be acquired, and con-
3 struction prosecuted thereon prior to approval of title; and
4 procurement and installation of equipment, appliances,
5 and machine tools in public and private plants; reserve
6 plant and Government and contractor-owned equipment
7 layaway; and other expenses necessary for the foregoing
8 purposes, \$1,556,665,000, to remain available for obliga-
9 tion until September 30, 2002.

10 PROCUREMENT OF AMMUNITION, ARMY

11 For construction, procurement, production, and
12 modification of ammunition, and accessories therefor; spe-
13 cialized equipment and training devices; expansion of pub-
14 lic and private plants, including ammunition facilities au-
15 thorized by section 2854 of title 10, United States Code,
16 and the land necessary therefor, for the foregoing pur-
17 poses, and such lands and interests therein, may be ac-
18 quired, and construction prosecuted thereon prior to ap-
19 proval of title; and procurement and installation of equip-
20 ment, appliances, and machine tools in public and private
21 plants; reserve plant and Government and contractor-
22 owned equipment layaway; and other expenses necessary
23 for the foregoing purposes, \$1,228,770,000, to remain
24 available for obligation until September 30, 2002.

1 OTHER PROCUREMENT, ARMY

2 For construction, procurement, production, and
3 modification of vehicles, including tactical, support, and
4 non-tracked combat vehicles; the purchase of not to exceed
5 36 passenger motor vehicles for replacement only; and the
6 purchase of 3 vehicles required for physical security of
7 personnel, notwithstanding price limitations applicable to
8 passenger vehicles but not to exceed \$200,000 per vehicle;
9 communications and electronic equipment; other support
10 equipment; spare parts, ordnance, and accessories there-
11 for; specialized equipment and training devices; expansion
12 of public and private plants, including the land necessary
13 therefor, for the foregoing purposes, and such lands and
14 interests therein, may be acquired, and construction pros-
15 ecuted thereon prior to approval of title; and procurement
16 and installation of equipment, appliances, and machine
17 tools in public and private plants; reserve plant and Gov-
18 ernment and contractor-owned equipment layaway; and
19 other expenses necessary for the foregoing purposes,
20 \$3,604,751,000, to remain available for obligation until
21 September 30, 2002.

22 AIRCRAFT PROCUREMENT, NAVY

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

1 equipment; expansion of public and private plants, includ-
2 ing the land necessary therefor, and such lands and inter-
3 ests therein, may be acquired, and construction prosecuted
4 thereon prior to approval of title; and procurement and
5 installation of equipment, appliances, and machine tools
6 in public and private plants; reserve plant and Govern-
7 ment and contractor-owned equipment layaway,
8 \$9,168,405,000, to remain available for obligation until
9 September 30, 2002.

10 WEAPONS PROCUREMENT, NAVY

11 For construction, procurement, production, modifica-
12 tion, and modernization of missiles, torpedoes, other weap-
13 ons, and related support equipment including spare parts,
14 and accessories therefor; expansion of public and private
15 plants, including the land necessary therefor, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; and
18 procurement and installation of equipment, appliances,
19 and machine tools in public and private plants; reserve
20 plant and Government and contractor-owned equipment
21 layaway, \$1,334,800,000, to remain available for obliga-
22 tion until September 30, 2002.

1 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
 2 CORPS

3 For construction, procurement, production, and
 4 modification of ammunition, and accessories therefor; spe-
 5 cialized equipment and training devices; expansion of pub-
 6 lic and private plants, including ammunition facilities au-
 7 thorized by section 2854 of title 10, United States Code,
 8 and the land necessary therefor, for the foregoing pur-
 9 poses, and such lands and interests therein, may be ac-
 10 quired, and construction prosecuted thereon prior to ap-
 11 proval of title; and procurement and installation of equip-
 12 ment, appliances, and machine tools in public and private
 13 plants; reserve plant and Government and contractor-
 14 owned equipment layaway; and other expenses necessary
 15 for the foregoing purposes, \$537,600,000, to remain avail-
 16 able for obligation until September 30, 2002.

17 SHIPBUILDING AND CONVERSION, NAVY

18 For expenses necessary for the construction, acquisi-
 19 tion, or conversion of vessels as authorized by law, includ-
 20 ing armor and armament thereof, plant equipment, appli-
 21 ances, and machine tools and installation thereof in public
 22 and private plants; reserve plant and Government and con-
 23 tractor-owned equipment layaway; procurement of critical,
 24 long leadtime components and designs for vessels to be
 25 constructed or converted in the future; and expansion of

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

5 NSSN (AP), \$748,497,000;

6 CVN-77 (AP), \$751,540,000;

7 CVN Refuelings (AP), \$323,665,000;

8 DDG-51 destroyer program, \$2,681,653,000;

9 LPD-17 amphibious transport dock ship,
10 \$1,508,338,000;

11 ADC(X), \$439,966,000;

12 LCAC landing craft air cushion program,
13 \$31,776,000; and

14 For craft, outfitting, post delivery, conversions,
15 and first destination transportation, \$171,119,000;

16 In all: \$6,656,554,000, to remain available for obligation
17 until September 30, 2004: *Provided*, That additional obli-
18 gations may be incurred after September 30, 2004, for
19 engineering services, tests, evaluations, and other such
20 budgeted work that must be performed in the final stage
21 of ship construction: *Provided further*, That none of the
22 funds provided under this heading for the construction or
23 conversion of any naval vessel to be constructed in ship-
24 yards in the United States shall be expended in foreign
25 facilities for the construction of major components of such

1 vessel: *Provided further*, That none of the funds provided
2 under this heading shall be used for the construction of
3 any naval vessel in foreign shipyards.

4 OTHER PROCUREMENT, NAVY

5 For procurement, production, and modernization of
6 support equipment and materials not otherwise provided
7 for, Navy ordnance (except ordnance for new aircraft, new
8 ships, and ships authorized for conversion); the purchase
9 of not to exceed 25 passenger motor vehicles for replace-
10 ment only; lease of passenger motor vehicles; expansion
11 of public and private plants, including the land necessary
12 therefor, and such lands and interests therein, may be ac-
13 quired, and construction prosecuted thereon prior to ap-
14 proval of title; and procurement and installation of equip-
15 ment, appliances, and machine tools in public and private
16 plants; reserve plant and Government and contractor-
17 owned equipment layaway, \$4,252,191,000, to remain
18 available for obligation until September 30, 2002.

19 PROCUREMENT, MARINE CORPS

20 For expenses necessary for the procurement, manu-
21 facture, and modification of missiles, armament, military
22 equipment, spare parts, and accessories therefor; plant
23 equipment, appliances, and machine tools, and installation
24 thereof in public and private plants; reserve plant and
25 Government and contractor-owned equipment layaway; ve-

1 hicles for the Marine Corps, including the purchase of not
2 to exceed 43 passenger motor vehicles for replacement
3 only; and expansion of public and private plants, including
4 land necessary therefor, and such lands and interests
5 therein, may be acquired, and construction prosecuted
6 thereon prior to approval of title, \$1,333,120,000, to re-
7 main available for obligation until September 30, 2002.

8 AIRCRAFT PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 aircraft and equipment, including armor and armament,
11 specialized ground handling equipment, and training de-
12 vices, spare parts, and accessories therefor; specialized
13 equipment; expansion of public and private plants, Gov-
14 ernment-owned equipment and installation thereof in such
15 plants, erection of structures, and acquisition of land, for
16 the foregoing purposes, and such lands and interests
17 therein, may be acquired, and construction prosecuted
18 thereon prior to approval of title; reserve plant and Gov-
19 ernment and contractor-owned equipment layaway; and
20 other expenses necessary for the foregoing purposes in-
21 cluding rents and transportation of things,
22 \$8,298,313,000, to remain available for obligation until
23 September 30, 2002.

1 MISSILE PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of
3 missiles, spacecraft, rockets, and related equipment, in-
4 cluding spare parts and accessories therefor, ground han-
5 dling equipment, and training devices; expansion of public
6 and private plants, Government-owned equipment and in-
7 stallation thereof in such plants, erection of structures,
8 and acquisition of land, for the foregoing purposes, and
9 such lands and interests therein, may be acquired, and
10 construction prosecuted thereon prior to approval of title;
11 reserve plant and Government and contractor-owned
12 equipment layaway; and other expenses necessary for the
13 foregoing purposes including rents and transportation of
14 things, \$2,329,510,000, to remain available for obligation
15 until September 30, 2002.

16 PROCUREMENT OF AMMUNITION, AIR FORCE

17 For construction, procurement, production, and
18 modification of ammunition, and accessories therefor; spe-
19 cialized equipment and training devices; expansion of pub-
20 lic and private plants, including ammunition facilities au-
21 thorized by section 2854 of title 10, United States Code,
22 and the land necessary therefor, for the foregoing pur-
23 poses, and such lands and interests therein, may be ac-
24 quired, and construction prosecuted thereon prior to ap-
25 proval of title; and procurement and installation of equip-

1 ment, appliances, and machine tools in public and private
2 plants; reserve plant and Government and contractor-
3 owned equipment layaway; and other expenses necessary
4 for the foregoing purposes, \$481,837,000, to remain avail-
5 able for obligation until September 30, 2002.

6 OTHER PROCUREMENT, AIR FORCE

7 For procurement and modification of equipment (in-
8 cluding ground guidance and electronic control equipment,
9 and ground electronic and communication equipment),
10 and supplies, materials, and spare parts therefor, not oth-
11 erwise provided for; the purchase of not to exceed 53 pas-
12 senger motor vehicles for replacement only; lease of pas-
13 senger motor vehicles; and expansion of public and private
14 plants, Government-owned equipment and installation
15 thereof in such plants, erection of structures, and acquisi-
16 tion of land, for the foregoing purposes, and such lands
17 and interests therein, may be acquired, and construction
18 prosecuted thereon, prior to approval of title; reserve plant
19 and Government and contractor-owned equipment lay-
20 away, \$6,958,227,000, to remain available for obligation
21 until September 30, 2002: *Provided*, That of the amounts
22 provided under this heading, \$82,363,000 shall be avail-
23 able only for procurement of the 60K A/C Loader pro-
24 gram: *Provided further*, That of the amounts provided

1 under this heading, \$179,339,000 is available only for the
2 Base Information Infrastructure program.

3 PROCUREMENT, DEFENSE-WIDE
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses of activities and agencies of the Depart-
6 ment of Defense (other than the military departments)
7 necessary for procurement, production, and modification
8 of equipment, supplies, materials, and spare parts there-
9 for, not otherwise provided for; the purchase of not to ex-
10 ceed 103 passenger motor vehicles for replacement only;
11 the purchase of 7 vehicles required for physical security
12 of personnel, notwithstanding price limitations applicable
13 to passenger vehicles but not to exceed \$250,000 per vehi-
14 cle; expansion of public and private plants, equipment, and
15 installation thereof in such plants, erection of structures,
16 and acquisition of land for the foregoing purposes, and
17 such lands and interests therein, may be acquired, and
18 construction prosecuted thereon prior to approval of title;
19 reserve plant and Government and contractor-owned
20 equipment layaway, \$2,286,368,000, to remain available
21 for obligation until September 30, 2002: *Provided*, That
22 of the funds available under this heading, not less than
23 \$39,491,000, including \$6,000,000 derived by transfer
24 from “Research, Development, Test and Evaluation, De-
25 fense-Wide”, shall be available only to support Electronic

1 Commerce Resource Centers: *Provided further*, That none
2 of the funds in this or any other Act shall be used to com-
3 pensate administrative support contractors for the Joint
4 Electronic Commerce Program Office.

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 \$130,000,000, 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 Na-
15 tional Guard component.

16 DEFENSE PRODUCTION ACT PURCHASES

17 For activities by the Department of Defense pursuant
18 to sections 108, 301, 302, and 303 of the Defense Produc-
19 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
20 2093), \$5,000,000 only for microwave power tubes and
21 to remain available until expended.

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

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$5,148,093,000, to remain avail-
10 able for obligation until September 30, 2001.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 NAVY

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, \$9,080,580,000, to remain avail-
17 able for obligation until September 30, 2001: *Provided*,
18 That funds appropriated in this paragraph which are
19 available for the V-22 may be used to meet unique re-
20 quirements of the Special Operation Forces: *Provided fur-*
21 *ther*, That of the funds available under this heading, no
22 more than \$5,000,000 shall be available only to initiate
23 a cost improvement program for the Intercooled
24 Recuperated Gas Turbine Engine program: *Provided fur-*
25 *ther*, That the funds identified in the immediately pre-

1 ceding proviso shall be made available only if the Secretary
2 of the Navy certifies to the congressional defense commit-
3 tees that binding commitments to finance the remaining
4 cost of the ICR cost improvement program have been se-
5 cured from non-federal sources: *Provided further*, That
6 should the Secretary of the Navy fail to make the certifi-
7 cation required in the immediately preceding proviso by
8 July 31, 2000, the Secretary shall make the funds subject
9 to such certification available for DD-21 ship propulsion
10 risk reduction: *Provided further*, That the Department of
11 Defense shall not pay more than one-third of the cost of
12 the Intercooled Recuperated Gas Turbine Engine cost im-
13 provement program.

14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
15 AIR FORCE

16 For expenses necessary for basic and applied sci-
17 entific research, development, test and evaluation, includ-
18 ing maintenance, rehabilitation, lease, and operation of fa-
19 cilities and equipment, \$13,709,233,000, to remain avail-
20 able for obligation until September 30, 2001.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
22 DEFENSE-WIDE

23 For expenses of activities and agencies of the Depart-
24 ment of Defense (other than the military departments),
25 necessary for basic and applied scientific research, devel-

1 opment, test and evaluation; advanced research projects
2 as may be designated and determined by the Secretary
3 of Defense, pursuant to law; maintenance, rehabilitation,
4 lease, and operation of facilities and equipment,
5 \$8,935,149,000, to remain available for obligation until
6 September 30, 2001: *Provided*, That not less than
7 \$419,768,000 of the funds made available under this
8 heading shall be made available only for the Navy Theater
9 Wide Missile Defense program: *Provided further*, That of
10 the amount appropriated in section 102 of division B, title
11 I, of Public Law 105–277 (112 Stat. 2681–558), the
12 amount of \$230,000,000 not covered as of July 12, 1999,
13 by an official budget request under the third proviso of
14 that section is available, subject to such an official budget
15 request for that entire amount, only for the following pro-
16 grams in the specified amounts:

17 “International Cooperative Programs”

18 (ARROW anti-tactical ballistic missile),

19 \$45,000,000;

20 “Navy Theater Wide Missile Defense System”,

21 \$35,000,000;

22 “PATRIOT PAC–3 Theater Missile Defense
23 Acquisition—EMD”, \$75,000,000; and

24 “National Missile Defense Dem/Val”,

25 \$75,000,000:

1 *Provided further*, That none of the amount of
2 \$230,000,000 described in the preceding proviso may be
3 made available for obligation unless the entire amount is
4 released to the Department of Defense and made available
5 for obligation for the programs, and in the amounts, speci-
6 fied in the preceding proviso: *Provided further*, That of the
7 amounts provided under this heading, \$5,000,000 is only
8 for a technology insertion program, to be carried out by
9 a federally funded research and development center and
10 other units it affiliates with, to demonstrate the cost sav-
11 ing and efficiency benefits of applying commercially avail-
12 able software and information technology to the manufac-
13 turing lines of small defense firms.

14 DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

15 For expenses, not otherwise provided for, of inde-
16 pendent activities of the Director, Test and Evaluation in
17 the direction and supervision of developmental test and
18 evaluation, including performance and joint developmental
19 testing and evaluation; and administrative expenses in
20 connection therewith, \$271,957,000, to remain available
21 for obligation until September 30, 2001.

22 OPERATIONAL TEST AND EVALUATION, DEFENSE

23 For expenses, not otherwise provided for, necessary
24 for the independent activities of the Director, Operational
25 Test and Evaluation in the direction and supervision of

1 operational test and evaluation, including initial oper-
2 ational test and evaluation which is conducted prior to,
3 and in support of, production decisions; joint operational
4 testing and evaluation; and administrative expenses in
5 connection therewith, \$29,434,000, to remain available for
6 obligation until September 30, 2001.

7 TITLE V

8 REVOLVING AND MANAGEMENT FUNDS

9 DEFENSE WORKING CAPITAL FUNDS

10 For the Defense Working Capital Funds,
11 \$90,344,000: *Provided*, That during fiscal year 2000,
12 funds in the Defense Working Capital Funds may be used
13 for the purchase of not to exceed 295 passenger motor
14 vehicles for replacement only for the Defense Security
15 Service.

16 NATIONAL DEFENSE SEALIFT FUND

17 For National Defense Sealift Fund programs,
18 projects, and activities, and for expenses of the National
19 Defense Reserve Fleet, as established by section 11 of the
20 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
21 \$729,700,000, to remain available until expended: *Pro-*
22 *vided*, That none of the funds provided in this paragraph
23 shall be used to award a new contract that provides for
24 the acquisition of any of the following major components
25 unless such components are manufactured in the United

1 States: auxiliary equipment, including pumps, for all ship-
2 board services; propulsion system components (that is; en-
3 gines, reduction gears, and propellers); shipboard cranes;
4 and spreaders for shipboard cranes: *Provided further*, That
5 the exercise of an option in a contract awarded through
6 the obligation of previously appropriated funds shall not
7 be considered to be the award of a new contract: *Provided*
8 *further*, That the Secretary of the military department re-
9 sponsible for such procurement may waive the restrictions
10 in the first proviso on a case-by-case basis by certifying
11 in writing to the Committees on Appropriations of the
12 House of Representatives and the Senate that adequate
13 domestic supplies are not available to meet Department
14 of Defense requirements on a timely basis and that such
15 an acquisition must be made in order to acquire capability
16 for national security purposes.

17

TITLE VI

18 OTHER DEPARTMENT OF DEFENSE PROGRAMS

19

DEFENSE HEALTH PROGRAM

20 For expenses, not otherwise provided for, for medical
21 and health care programs of the Department of Defense,
22 as authorized by law, \$11,078,417,000, of which
23 \$10,471,447,000 shall be for Operation and maintenance,
24 of which not to exceed 2 per centum shall remain available
25 until September 30, 2001; of which \$356,970,000, to re-

1 main available for obligation until September 30, 2002,
2 shall be for Procurement; and of which \$250,000,000, to
3 remain available for obligation until September 30, 2000,
4 shall be for Research, development, test and evaluation:
5 *Provided*, That of the amounts made available under this
6 heading for Research, development, test and evaluation,
7 \$175,000,000 shall be made available only for the Army
8 peer-reviewed breast cancer research program and
9 \$75,000,000 shall be made available only for the Army
10 peer-reviewed prostate cancer research program.

11 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

12 ARMY

13 (INCLUDING TRANSFER OF FUNDS)

14 For expenses, not otherwise provided for, necessary
15 for the destruction of the United States stockpile of lethal
16 chemical agents and munitions in accordance with the pro-
17 visions of section 1412 of the Department of Defense Au-
18 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
19 struction of other chemical warfare materials that are not
20 in the chemical weapon stockpile, \$781,000,000, of which
21 \$492,000,000 shall be for Operation and maintenance,
22 \$116,000,000 shall be for Procurement to remain avail-
23 able until September 30, 2002, and \$173,000,000 shall
24 be for Research, development, test and evaluation to re-
25 main available until September 30, 2001: *Provided*, That

1 notwithstanding 10 U.S.C. 2215, of the funds appro-
2 priated under this heading, \$75,303,000 shall be trans-
3 ferred to the Federal Emergency Management Agency
4 “Defense Chemical Stockpile Emergency Preparedness
5 Program” account by October 31, 1999, to provide off-
6 post emergency response and preparedness assistance to
7 the communities surrounding the eight continental United
8 States chemical agent storage and disposal sites; of which
9 \$32,209,000 shall be derived from Operation and mainte-
10 nance, and \$43,094,000 shall be derived from Procure-
11 ment.

12 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
13 DEFENSE
14 (INCLUDING TRANSFER OF FUNDS)

15 For drug interdiction and counter-drug activities of
16 the Department of Defense, for transfer to appropriations
17 available to the Department of Defense for military per-
18 sonnel of the reserve components serving under the provi-
19 sions of title 10 and title 32, United States Code; for Op-
20 eration and maintenance; for Procurement; and for Re-
21 search, development, test and evaluation, \$883,700,000:
22 *Provided*, That of the funds appropriated under this head-
23 ing, \$42,800,000 is hereby transferred to appropriations
24 available for “Military Construction, Air Force” for fiscal
25 year 2000, and the transferred funds shall be available

1 for construction at forward operating locations in the area
2 of responsibility of the United States Southern Command:
3 *Provided further*, That the funds appropriated under this
4 heading shall be available for obligation for the same time
5 period and for the same purpose as the appropriation to
6 which transferred: *Provided further*, That the transfer au-
7 thority provided under this heading is in addition to any
8 transfer authority contained elsewhere in this Act.

9 OFFICE OF THE INSPECTOR GENERAL

10 For expenses and activities of the Office of the In-
11 spector General in carrying out the provisions of the In-
12 spector General Act of 1978, as amended, \$140,844,000,
13 of which \$138,744,000 shall be for Operation and mainte-
14 nance, of which not to exceed \$700,000 is available for
15 emergencies and extraordinary expenses to be expended on
16 the approval or authority of the Inspector General, and
17 payments may be made on the Inspector General's certifi-
18 cate of necessity for confidential military purposes; and
19 of which \$2,100,000 to remain available until September
20 30, 2002, shall be for Procurement.

1 TITLE VII
2 RELATED AGENCIES
3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
4 DISABILITY SYSTEM FUND

5 For payment to the Central Intelligence Agency Re-
6 tirement and Disability System Fund, to maintain proper
7 funding level for continuing the operation of the Central
8 Intelligence Agency Retirement and Disability System,
9 \$209,100,000.

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT
11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Intelligence Commu-
13 nity Management Account, \$144,415,000, of which
14 \$34,923,000 for the Advanced Research and Development
15 Committee shall remain available until September 30,
16 2001: *Provided*, That of the funds appropriated under this
17 heading, \$27,000,000 shall be transferred to the Depart-
18 ment of Justice for the National Drug Intelligence Center
19 to support the Department of Defense's counter-drug in-
20 telligence responsibilities, and of the said amount,
21 \$1,500,000 for Procurement shall remain available until
22 September 30, 2002, and \$1,000,000 for Research, devel-
23 opment, test and evaluation shall remain available until
24 September 30, 2001.

1 PAYMENT TO KAHO'OLAWE ISLAND CONVEYANCE, RE-
2 MEDIATION, AND ENVIRONMENTAL RESTORATION
3 FUND

4 For payment to Kaho'olawe Island Conveyance, Re-
5 mediation, and Environmental Restoration Fund, as au-
6 thorized by law, \$15,000,000, to remain available until ex-
7 pended.

8 NATIONAL SECURITY EDUCATION TRUST FUND

9 For the purposes of title VIII of Public Law 102-
10 183, \$8,000,000, to be derived from the National Security
11 Education Trust Fund, to remain available until ex-
12 pended.

13 TITLE VIII

14 GENERAL PROVISIONS

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

18 SEC. 8002. During the current fiscal year, provisions
19 of law prohibiting the payment of compensation to, or em-
20 ployment of, any person not a citizen of the United States
21 shall not apply to personnel of the Department of Defense:
22 *Provided*, That salary increases granted to direct and indi-
23 rect hire foreign national employees of the Department of
24 Defense funded by this Act shall not be at a rate in excess
25 of the percentage increase authorized by law for civilian

1 employees of the Department of Defense whose pay is
2 computed under the provisions of section 5332 of title 5,
3 United States Code, or at a rate in excess of the percent-
4 age increase provided by the appropriate host nation to
5 its own employees, whichever is higher: *Provided further*,
6 That this section shall not apply to Department of De-
7 fense foreign service national employees serving at United
8 States diplomatic missions whose pay is set by the Depart-
9 ment of State under the Foreign Service Act of 1980: *Pro-*
10 *vided further*, That the limitations of this provision shall
11 not apply to foreign national employees of the Department
12 of Defense in the Republic of Turkey.

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

16 SEC. 8004. No more than 20 per centum of the ap-
17 propriations in this Act which are limited for obligation
18 during the current fiscal year shall be obligated during
19 the last 2 months of the fiscal year: *Provided*, That this
20 section shall not apply to obligations for support of active
21 duty training of reserve components or summer camp
22 training of the Reserve Officers' Training Corps.

23 (TRANSFER OF FUNDS)

24 SEC. 8005. Upon determination by the Secretary of
25 Defense that such action is necessary in the national inter-
26 est, he may, with the approval of the Office of Manage-

1 ment and Budget, transfer not to exceed \$2,000,000,000
2 of working capital funds of the Department of Defense
3 or funds made available in this Act to the Department
4 of Defense for military functions (except military con-
5 struction) between such appropriations or funds or any
6 subdivision thereof, to be merged with and to be available
7 for the same purposes, and for the same time period, as
8 the appropriation or fund to which transferred: *Provided*,
9 That such authority to transfer may not be used unless
10 for higher priority items, based on unforeseen military re-
11 quirements, than those for which originally appropriated
12 and in no case where the item for which funds are re-
13 quested has been denied by Congress: *Provided further*,
14 That the Secretary of Defense shall notify the Congress
15 promptly of all transfers made pursuant to this authority
16 or any other authority in this Act: *Provided further*, That
17 no part of the funds in this Act shall be available to pre-
18 pare or present a request to the Committees on Appropria-
19 tions for reprogramming of funds, unless for higher pri-
20 ority items, based on unforeseen military requirements,
21 than those for which originally appropriated and in no
22 case where the item for which reprogramming is requested
23 has been denied by the Congress: *Provided further*, That
24 the Department of the Army, Department of the Air
25 Force, Defense-Wide Agencies, and the Office of the Sec-

1 retary of Defense may not reprogram funds within any
2 appropriation in title III or IV of this or prior annual De-
3 partment of Defense Acts under the authority of the De-
4 partment of Defense Financial Management Regulation
5 without prior written approval from the Appropriations
6 Committees of Congress.

7 (TRANSFER OF FUNDS)

8 SEC. 8006. During the current fiscal year, cash bal-
9 ances in working capital funds of the Department of De-
10 fense established pursuant to section 2208 of title 10,
11 United States Code, may be maintained in only such
12 amounts as are necessary at any time for cash disburse-
13 ments to be made from such funds: *Provided*, That trans-
14 fers may be made between such funds: *Provided further*,
15 That transfers may be made between working capital
16 funds and the “Foreign Currency Fluctuations, Defense”
17 appropriation and the “Operation and Maintenance” ap-
18 propriation accounts in such amounts as may be deter-
19 mined by the Secretary of Defense, with the approval of
20 the Office of Management and Budget, except that such
21 transfers may not be made unless the Secretary of Defense
22 has notified the Congress of the proposed transfer. Except
23 in amounts equal to the amounts appropriated to working
24 capital funds in this Act, no obligations may be made
25 against a working capital fund to procure or increase the
26 value of war reserve material inventory, unless the Sec-

1 retary of Defense has notified the Congress prior to any
2 such obligation.

3 SEC. 8007. Funds appropriated by this Act may not
4 be used to initiate a special access program without prior
5 notification 30 calendar days in session in advance to the
6 congressional defense committees.

7 SEC. 8008. None of the funds provided in this or any
8 other Act hereafter shall be available to initiate: (1) a
9 multiyear contract that employs economic order quantity
10 procurement in excess of \$20,000,000 in any one year of
11 the contract or that includes an unfunded contingent li-
12 ability in excess of \$20,000,000; or (2) a contract for ad-
13 vance procurement leading to a multiyear contract that
14 employs economic order quantity procurement in excess of
15 \$20,000,000 in any one year; or (3) a contract for any
16 systems or component thereof if the value of the multiyear
17 contract would exceed \$100,000,000: *Provided*, That the
18 limitations in the preceding provisos of this section do not
19 apply to multiyear contracts awarded prior to the date of
20 enactment of this Act or to multiyear contracts for which
21 authority is specifically provided in subsequent defense au-
22 thorization acts and appropriation acts: *Provided further*,
23 That no funds in this or any other Act may be used to
24 initiate, expand, or extend a multiyear contract unless the
25 Secretary of Defense has specifically notified the congress-

1 sional defense committees in writing thirty days in ad-
2 vance of contract award that such a contract is in the na-
3 tional interest: *Provided further*, That no multiyear con-
4 tract may be terminated without ten day prior notification
5 to the congressional defense committees: *Provided further*,
6 That the execution of multiyear authority shall require the
7 use of a present value analysis to determine lowest cost
8 compared to an annual procurement.

9 SEC. 8009. Within the funds appropriated for the op-
10 eration and maintenance of the Armed Forces, funds are
11 hereby appropriated pursuant to section 401 of title 10,
12 United States Code, for humanitarian and civic assistance
13 costs under chapter 20 of title 10, United States Code.
14 Such funds may also be obligated for humanitarian and
15 civic assistance costs incidental to authorized operations
16 and pursuant to authority granted in section 401 of chap-
17 ter 20 of title 10, United States Code, and these obliga-
18 tions shall be reported to Congress on September 30 of
19 each year: *Provided*, That funds available for operation
20 and maintenance shall be available for providing humani-
21 tarian and similar assistance by using Civic Action Teams
22 in the Trust Territories of the Pacific Islands and freely
23 associated states of Micronesia, pursuant to the Compact
24 of Free Association as authorized by Public Law 99-239:
25 *Provided further*, That upon a determination by the Sec-

1 retary of the Army that such action is beneficial for grad-
2 uate medical education programs conducted at Army med-
3 ical facilities located in Hawaii, the Secretary of the Army
4 may authorize the provision of medical services at such
5 facilities and transportation to such facilities, on a non-
6 reimbursable basis, for civilian patients from American
7 Samoa, the Commonwealth of the Northern Mariana Is-
8 lands, the Marshall Islands, the Federated States of Mi-
9 cronesia, Palau, and Guam.

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

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

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

1 SEC. 8011. Notwithstanding any other provision of
2 law, none of the funds made available by this Act shall
3 be used by the Department of Defense to exceed, outside
4 the 50 United States, its territories, and the District of
5 Columbia, 125,000 civilian workyears: *Provided*, That
6 workyears shall be applied as defined in the Federal Per-
7 sonnel Manual: *Provided further*, That workyears ex-
8 pended in dependent student hiring programs for dis-
9 advantaged youths shall not be included in this workyear
10 limitation.

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

15 SEC. 8013. (a) None of the funds appropriated by
16 this Act shall be used to make contributions to the Depart-
17 ment of Defense Education Benefits Fund pursuant to
18 section 2006(g) of title 10, United States Code, rep-
19 resenting the normal cost for future benefits under section
20 3015(c) of title 38, United States Code, for any member
21 of the armed services who, on or after the date of the en-
22 actment of this Act, enlists in the armed services for a
23 period of active duty of less than three years, nor shall
24 any amounts representing the normal cost of such future
25 benefits be transferred from the Fund by the Secretary

1 of the Treasury to the Secretary of Veterans Affairs pur-
2 suant to section 2006(d) of title 10, United States Code;
3 nor shall the Secretary of Veterans Affairs pay such bene-
4 fits to any such member: *Provided*, That these limitations
5 shall not apply to members in combat arms skills or to
6 members who enlist in the armed services on or after July
7 1, 1989, under a program continued or established by the
8 Secretary of Defense in fiscal year 1991 to test the cost-
9 effective use of special recruiting incentives involving not
10 more than nineteen noncombat arms skills approved in ad-
11 vance by the Secretary of Defense: *Provided further*, That
12 this subsection applies only to active components of the
13 Army.

14 (b) None of the funds appropriated by this Act shall
15 be available for the basic pay and allowances of any mem-
16 ber of the Army participating as a full-time student and
17 receiving benefits paid by the Secretary of Veterans Af-
18 fairs from the Department of Defense Education Benefits
19 Fund when time spent as a full-time student is credited
20 toward completion of a service commitment: *Provided*,
21 That this subsection shall not apply to those members who
22 have reenlisted with this option prior to October 1, 1987:
23 *Provided further*, That this subsection applies only to ac-
24 tive components of the Army.

1 SEC. 8014. None of the funds appropriated by this
2 Act shall be available to convert to contractor performance
3 an activity or function of the Department of Defense that,
4 on or after the date of the enactment of this Act, is per-
5 formed by more than ten Department of Defense civilian
6 employees until a most efficient and cost-effective organi-
7 zation analysis is completed on such activity or function
8 and certification of the analysis is made to the Committees
9 on Appropriations of the House of Representatives and the
10 Senate: *Provided*, That this section and subsections (a),
11 (b), and (c) of 10 U.S.C. 2461 shall not apply to a com-
12 mercial or industrial type function of the Department of
13 Defense that: (1) is included on the procurement list es-
14 tablished pursuant to section 2 of the Act of June 25,
15 1938 (41 U.S.C. 47), popularly referred to as the Javits-
16 Wagner-O'Day Act; (2) is planned to be converted to per-
17 formance by a qualified nonprofit agency for the blind or
18 by a qualified nonprofit agency for other severely handi-
19 capped individuals in accordance with that Act; or (3) is
20 planned to be converted to performance by a qualified firm
21 under 51 per centum Native American ownership.

22 (TRANSFER OF FUNDS)

23 SEC. 8015. Funds appropriated in title III of this Act
24 for the Department of Defense Pilot Mentor-Protege Pro-
25 gram may be transferred to any other appropriation con-
26 tained in this Act solely for the purpose of implementing

1 a Mentor-Protege Program developmental assistance
2 agreement pursuant to section 831 of the National De-
3 fense Authorization Act for Fiscal Year 1991 (Public Law
4 101–510; 10 U.S.C. 2301 note), as amended, under the
5 authority of this provision or any other transfer authority
6 contained in this Act.

7 SEC. 8016. None of the funds in this Act may be
8 available for the purchase by the Department of Defense
9 (and its departments and agencies) of welded shipboard
10 anchor and mooring chain 4 inches in diameter and under
11 unless the anchor and mooring chain are manufactured
12 in the United States from components which are substan-
13 tially manufactured in the United States: *Provided*, That
14 for the purpose of this section manufactured will include
15 cutting, heat treating, quality control, testing of chain and
16 welding (including the forging and shot blasting process):
17 *Provided further*, That for the purpose of this section sub-
18 stantially all of the components of anchor and mooring
19 chain shall be considered to be produced or manufactured
20 in the United States if the aggregate cost of the compo-
21 nents produced or manufactured in the United States ex-
22 ceeds the aggregate cost of the components produced or
23 manufactured outside the United States: *Provided further*,
24 That when adequate domestic supplies are not available
25 to meet Department of Defense requirements on a timely

1 basis, the Secretary of the service responsible for the pro-
2 curement may waive this restriction on a case-by-case
3 basis by certifying in writing to the Committees on Appro-
4 priations that such an acquisition must be made in order
5 to acquire capability for national security purposes.

6 SEC. 8017. None of the funds appropriated by this
7 Act available for the Civilian Health and Medical Program
8 of the Uniformed Services (CHAMPUS) shall be available
9 for the reimbursement of any health care provider for in-
10 patient mental health service for care received when a pa-
11 tient is referred to a provider of inpatient mental health
12 care or residential treatment care by a medical or health
13 care professional having an economic interest in the facil-
14 ity to which the patient is referred: *Provided*, That this
15 limitation does not apply in the case of inpatient mental
16 health services provided under the program for the handi-
17 capped under subsection (d) of section 1079 of title 10,
18 United States Code, provided as partial hospital care, or
19 provided pursuant to a waiver authorized by the Secretary
20 of Defense because of medical or psychological cir-
21 cumstances of the patient that are confirmed by a health
22 professional who is not a Federal employee after a review,
23 pursuant to rules prescribed by the Secretary, which takes
24 into account the appropriate level of care for the patient,

1 the intensity of services required by the patient, and the
2 availability of that care.

3 SEC. 8018. Funds available in this Act may be used
4 to provide transportation for the next-of-kin of individuals
5 who have been prisoners of war or missing in action from
6 the Vietnam era to an annual meeting in the United
7 States, under such regulations as the Secretary of Defense
8 may prescribe.

9 SEC. 8019. Notwithstanding any other provision of
10 law, during the current fiscal year, the Secretary of De-
11 fense may, by executive agreement, establish with host na-
12 tion governments in NATO member states a separate ac-
13 count into which such residual value amounts negotiated
14 in the return of United States military installations in
15 NATO member states may be deposited, in the currency
16 of the host nation, in lieu of direct monetary transfers to
17 the United States Treasury: *Provided*, That such credits
18 may be utilized only for the construction of facilities to
19 support United States military forces in that host nation,
20 or such real property maintenance and base operating
21 costs that are currently executed through monetary trans-
22 fers to such host nations: *Provided further*, That the De-
23 partment of Defense's budget submission for fiscal year
24 2001 shall identify such sums anticipated in residual value
25 settlements, and identify such construction, real property

1 maintenance or base operating costs that shall be funded
2 by the host nation through such credits: *Provided further*,
3 That all military construction projects to be executed from
4 such accounts must be previously approved in a prior Act
5 of Congress: *Provided further*, That each such executive
6 agreement with a NATO member host nation shall be re-
7 ported to the congressional defense committees, the Com-
8 mittee on International Relations of the House of Rep-
9 resentatives and the Committee on Foreign Relations of
10 the Senate 30 days prior to the conclusion and endorse-
11 ment of any such agreement established under this provi-
12 sion.

13 SEC. 8020. None of the funds available to the De-
14 partment of Defense may be used to demilitarize or dis-
15 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
16 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols.

17 SEC. 8021. Notwithstanding any other provision of
18 law, none of the funds appropriated by this Act shall be
19 available to pay more than 50 per centum of an amount
20 paid to any person under section 308 of title 37, United
21 States Code, in a lump sum.

22 SEC. 8022. No more than \$500,000 of the funds ap-
23 propriated or made available in this Act shall be used dur-
24 ing a single fiscal year for any single relocation of an orga-
25 nization, unit, activity or function of the Department of

1 Defense into or within the National Capital Region: *Pro-*
2 *vided*, That the Secretary of Defense may waive this re-
3 striction on a case-by-case basis by certifying in writing
4 to the congressional defense committees that such a relo-
5 cation is required in the best interest of the Government.

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

18 SEC. 8024. (a) In addition to the funds provided else-
19 where in this Act, \$8,000,000 is appropriated only for in-
20 centive payments authorized by section 504 of the Indian
21 Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That
22 contractors participating in the test program established
23 by section 854 of Public Law 101-189 (15 U.S.C. 637
24 note) shall be eligible for the program established by sec-

1 tion 504 of the Indian Financing Act of 1974 (25 U.S.C.
2 1544).

3 SEC. 8025. During the current fiscal year, funds ap-
4 propriated or otherwise available for any Federal agency,
5 the Congress, the judicial branch, or the District of Co-
6 lumbia may be used for the pay, allowances, and benefits
7 of an employee as defined by section 2105 of title 5,
8 United States Code, or an individual employed by the gov-
9 ernment of the District of Columbia, permanent or tem-
10 porary indefinite, who—

11 (1) is a member of a Reserve component of the
12 Armed Forces, as described in section 10101 of title
13 10, United States Code, or the National Guard, as
14 described in section 101 of title 32, United States
15 Code;

16 (2) performs, for the purpose of providing mili-
17 tary aid to enforce the law or providing assistance
18 to civil authorities in the protection or saving of life
19 or property or prevention of injury—

20 (A) Federal service under sections 331,
21 332, 333, or 12406 of title 10, or other provi-
22 sion of law, as applicable; or

23 (B) full-time military service for his or her
24 State, the District of Columbia, the Common-

1 wealth of Puerto Rico, or a territory of the
2 United States; and

3 (3) requests and is granted—

4 (A) leave under the authority of this sec-
5 tion; or

6 (B) annual leave, which may be granted
7 without regard to the provisions of sections
8 5519 and 6323(b) of title 5, if such employee
9 is otherwise entitled to such annual leave:

10 *Provided*, That any employee who requests leave under
11 subsection (3)(A) for service described in subsection (2)
12 of this section is entitled to such leave, subject to the pro-
13 visions of this section and of the last sentence of section
14 6323(b) of title 5, and such leave shall be considered leave
15 under section 6323(b) of title 5, United States Code.

16 SEC. 8026. None of the funds appropriated by this
17 Act shall be available to perform any cost study pursuant
18 to the provisions of OMB Circular A-76 if the study being
19 performed exceeds a period of 24 months after initiation
20 of such study with respect to a single function activity or
21 48 months after initiation of such study for a multi-func-
22 tion activity.

23 SEC. 8027. Funds appropriated by this Act for the
24 American Forces Information Service shall not be used for

1 any national or international political or psychological ac-
2 tivities.

3 SEC. 8028. Notwithstanding any other provision of
4 law or regulation, the Secretary of Defense may adjust
5 wage rates for civilian employees hired for certain health
6 care occupations as authorized for the Secretary of Vet-
7 erans Affairs by section 7455 of title 38, United States
8 Code.

9 Sec. 8029. None of the funds appropriated or made
10 available in this Act shall be used to reduce or disestablish
11 the operation of the 53rd Weather Reconnaissance Squad-
12 ron of the Air Force Reserve, if such action would reduce
13 the WC-130 Weather Reconnaissance mission below the
14 levels funded in this Act.

15 SEC. 8030. (a) Of the funds for the procurement of
16 supplies or services appropriated by this Act, qualified
17 nonprofit agencies for the blind or other severely handi-
18 capped shall be afforded the maximum practicable oppor-
19 tunity to participate as subcontractors and suppliers in the
20 performance of contracts let by the Department of De-
21 fense.

22 (b) During the current fiscal year, a business concern
23 which has negotiated with a military service or defense
24 agency a subcontracting plan for the participation by
25 small business concerns pursuant to section 8(d) of the

1 Small Business Act (15 U.S.C. 637(d)) shall be given
2 credit toward meeting that subcontracting goal for any
3 purchases made from qualified nonprofit agencies for the
4 blind or other severely handicapped.

5 (c) For the purpose of this section, the phrase “quali-
6 fied nonprofit agency for the blind or other severely handi-
7 capped” means a nonprofit agency for the blind or other
8 severely handicapped that has been approved by the Com-
9 mittee for the Purchase from the Blind and Other Severely
10 Handicapped under the Javits-Wagner-O’Day Act (41
11 U.S.C. 46–48).

12 SEC. 8031. During the current fiscal year, net re-
13 ceipts pursuant to collections from third party payers pur-
14 suant to section 1095 of title 10, United States Code, shall
15 be made available to the local facility of the uniformed
16 services responsible for the collections and shall be over
17 and above the facility’s direct budget amount.

18 SEC. 8032. During the current fiscal year, the De-
19 partment of Defense is authorized to incur obligations of
20 not to exceed \$350,000,000 for purposes specified in sec-
21 tion 2350j(c) of title 10, United States Code, in anticipa-
22 tion of receipt of contributions, only from the Government
23 of Kuwait, under that section: *Provided*, That upon re-
24 ceipt, such contributions from the Government of Kuwait

1 shall be credited to the appropriations or fund which in-
2 curred such obligations.

3 SEC. 8033. Of the funds made available in this Act,
4 not less than \$26,588,000 shall be available for the Civil
5 Air Patrol Corporation, of which \$22,888,000 shall be
6 available for Civil Air Patrol Corporation operation and
7 maintenance to support readiness activities which includes
8 \$1,418,000 for the Civil Air Patrol counterdrug program:
9 *Provided*, That funds identified for “Civil Air Patrol”
10 under this section are intended for and shall be for the
11 exclusive use of the Civil Air Patrol Corporation and not
12 for the Air Force or any unit thereof.

13 SEC. 8034. (a) None of the funds appropriated in this
14 Act are available to establish a new Department of De-
15 fense (department) federally funded research and develop-
16 ment center (FFRDC), either as a new entity, or as a
17 separate entity administrated by an organization man-
18 aging another FFRDC, or as a nonprofit membership cor-
19 poration consisting of a consortium of other FFRDCs and
20 other non-profit entities.

21 (b) No member of a Board of Directors, Trustees,
22 Overseers, Advisory Group, Special Issues Panel, Visiting
23 Committee, or any similar entity of a defense FFRDC,
24 and no paid consultant to any defense FFRDC, except
25 when acting in a technical advisory capacity, may be com-

1 pensated for his or her services as a member of such enti-
2 ty, or as a paid consultant by more than one FFRDC in
3 a fiscal year: *Provided*, That a member of any such entity
4 referred to previously in this subsection shall be allowed
5 travel expenses and per diem as authorized under the Fed-
6 eral Joint Travel Regulations, when engaged in the per-
7 formance of membership duties.

8 (c) Notwithstanding any other provision of law, none
9 of the funds available to the department from any source
10 during fiscal year 2000 may be used by a defense FFRDC,
11 through a fee or other payment mechanism, for construc-
12 tion of new buildings, for payment of cost sharing for
13 projects funded by government grants, for absorption of
14 contract overruns, or for certain charitable contributions,
15 not to include employee participation in community service
16 and/or development.

17 (d) Notwithstanding any other provision of law, of
18 the funds available to the department during fiscal year
19 2000, not more than 6,206 staff years of technical effort
20 (staff years) may be funded for defense FFRDCs: *Pro-*
21 *vided*, That of the specific amount referred to previously
22 in this subsection, not more than 1,105 staff years may
23 be funded for the defense studies and analysis FFRDCs.

24 (e) Within 60 days after the enactment of this Act,
25 the Secretary of Defense shall submit to the congressional

1 defense committees a report presenting the specific
2 amounts of staff years of technical effort to be allocated
3 by the department for each defense FFRDC during fiscal
4 year 2000: *Provided*, That, after the submission of the re-
5 port required by this subsection, the department may not
6 reallocate more than 5 per centum of an FFRDC's staff
7 years among other defense FFRDCs until 30 days after
8 a detailed justification for any such reallocation is sub-
9 mitted to the congressional defense committees.

10 (f) The Secretary of Defense shall, with the submis-
11 sion of the department's fiscal year 2001 budget request,
12 submit a report presenting the specific amounts of staff
13 years of technical effort to be allocated for each defense
14 FFRDC during that fiscal year.

15 (g) Notwithstanding any other provision of law, none
16 of the reductions for advisory and assistance services con-
17 tained in this Act shall be applied to defense FFRDCs.

18 SEC. 8035. None of the funds appropriated or made
19 available in this Act shall be used to procure carbon, alloy
20 or armor steel plate for use in any Government-owned fa-
21 cility or property under the control of the Department of
22 Defense which were not melted and rolled in the United
23 States or Canada: *Provided*, That these procurement re-
24 strictions shall apply to any and all Federal Supply Class
25 9515, American Society of Testing and Materials (ASTM)

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

14 SEC. 8036. For the purposes of this Act, the term
15 “congressional defense committees” means the Armed
16 Services Committee of the House of Representatives, the
17 Armed Services Committee of the Senate, the Sub-
18 committee on Defense of the Committee on Appropriations
19 of the Senate, and the Subcommittee on Defense of the
20 Committee on Appropriations of the House of Representa-
21 tives.

22 SEC. 8037. During the current fiscal year, the De-
23 partment of Defense may acquire the modification, depot
24 maintenance and repair of aircraft, vehicles and vessels
25 as well as the production of components and other De-

1 fense-related articles, through competition between De-
2 partment of Defense depot maintenance activities and pri-
3 vate firms: *Provided*, That the Senior Acquisition Execu-
4 tive of the military department or defense agency con-
5 cerned, with power of delegation, shall certify that success-
6 ful bids include comparable estimates of all direct and in-
7 direct costs for both public and private bids: *Provided fur-*
8 *ther*, That Office of Management and Budget Circular A-
9 76 shall not apply to competitions conducted under this
10 section.

11 SEC. 8038. (a)(1) If the Secretary of Defense, after
12 consultation with the United States Trade Representative,
13 determines that a foreign country which is party to an
14 agreement described in paragraph (2) has violated the
15 terms of the agreement by discriminating against certain
16 types of products produced in the United States that are
17 covered by the agreement, the Secretary of Defense shall
18 rescind the Secretary's blanket waiver of the Buy Amer-
19 ican Act with respect to such types of products produced
20 in that foreign country.

21 (2) An agreement referred to in paragraph (1) is any
22 reciprocal defense procurement memorandum of under-
23 standing, between the United States and a foreign country
24 pursuant to which the Secretary of Defense has prospec-

1 tively waived the Buy American Act for certain products
2 in that country.

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

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

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

24 (INCLUDING TRANSFER OF FUNDS)

25 SEC. 8040. Amounts deposited during the current fis-
26 cal year to the special account established under 40 U.S.C.

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

10 SEC. 8041. During the current fiscal year, appropria-
11 tions available to the Department of Defense may be used
12 to reimburse a member of a reserve component of the
13 Armed Forces who is not otherwise entitled to travel and
14 transportation allowances and who occupies transient gov-
15 ernment housing while performing active duty for training
16 or inactive duty training: *Provided*, That such members
17 may be provided lodging in kind if transient government
18 quarters are unavailable as if the member was entitled to
19 such allowances under subsection (a) of section 404 of title
20 37, United States Code: *Provided further*, That if lodging
21 in kind is provided, any authorized service charge or cost
22 of such lodging may be paid directly from funds appro-
23 priated for operation and maintenance of the reserve com-
24 ponent of the member concerned.

1 SEC. 8042. The President shall include with each
2 budget for a fiscal year submitted to the Congress under
3 section 1105 of title 31, United States Code, materials
4 that shall identify clearly and separately the amounts re-
5 quested in the budget for appropriation for that fiscal year
6 for salaries and expenses related to administrative activi-
7 ties of the Department of Defense, the military depart-
8 ments, and the Defense agencies.

9 SEC. 8043. Notwithstanding any other provision of
10 law, funds available for “Drug Interdiction and Counter-
11 Drug Activities, Defense” may be obligated for the Young
12 Marines program.

13 SEC. 8044. During the current fiscal year, amounts
14 contained in the Department of Defense Overseas Military
15 Facility Investment Recovery Account established by sec-
16 tion 2921(c)(1) of the National Defense Authorization Act
17 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
18 be available until expended for the payments specified by
19 section 2921(c)(2) of that Act.

20 SEC. 8045. Of the funds appropriated or otherwise
21 made available by this Act, not more than \$119,200,000
22 shall be available for payment of the operating costs of
23 NATO Headquarters: *Provided*, That the Secretary of De-
24 fense may waive this section for Department of Defense

1 support provided to NATO forces in and around the
2 former Yugoslavia.

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

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

21 (b) The fiscal year 2001 budget request for the De-
22 partment of Defense as well as all justification material
23 and other documentation supporting the fiscal year 2001
24 Department of Defense budget shall be prepared and sub-
25 mitted to the Congress on the basis that any equipment

1 which was classified as an end item and funded in a pro-
2 curement appropriation contained in this Act shall be
3 budgeted for in a proposed fiscal year 2001 procurement
4 appropriation and not in the supply management business
5 area or any other area or category of the Department of
6 Defense Working Capital Funds.

7 SEC. 8048. None of the funds appropriated by this
8 Act for programs of the Central Intelligence Agency shall
9 remain available for obligation beyond the current fiscal
10 year, except for funds appropriated for the Reserve for
11 Contingencies, which shall remain available until Sep-
12 tember 30, 2001: *Provided*, That funds appropriated,
13 transferred, or otherwise credited to the Central Intel-
14 ligence Agency Central Services Working Capital Fund
15 during this or any prior or subsequent fiscal year shall
16 remain available until expended.

17 SEC. 8049. Notwithstanding any other provision of
18 law, funds made available in this Act for the Defense In-
19 telligence Agency may be used for the design, develop-
20 ment, and deployment of General Defense Intelligence
21 Program intelligence communications and intelligence in-
22 formation systems for the Services, the Unified and Speci-
23 fied Commands, and the component commands.

24 SEC. 8050. Of the funds appropriated by the Depart-
25 ment of Defense under the heading “Operation and Main-

1 tenance, Defense-Wide”, not less than \$8,000,000 shall be
2 made available only for the mitigation of environmental
3 impacts, including training and technical assistance to
4 tribes, related administrative support, the gathering of in-
5 formation, documenting of environmental damage, and de-
6 veloping a system for prioritization of mitigation and cost
7 to complete estimates for mitigation, on Indian lands re-
8 sulting from Department of Defense activities.

9 SEC. 8051. Amounts collected for the use of the fa-
10 cilities of the National Science Center for Communications
11 and Electronics during the current fiscal year pursuant
12 to section 1459(g) of the Department of Defense Author-
13 ization Act, 1986, and deposited to the special account es-
14 tablished under subsection 1459(g)(2) of that Act are ap-
15 propriated and shall be available until expended for the
16 operation and maintenance of the Center as provided for
17 in subsection 1459(g)(2).

18 SEC. 8052. None of the funds appropriated in this
19 Act may be used to fill the commander’s position at any
20 military medical facility with a health care professional
21 unless the prospective candidate can demonstrate profes-
22 sional administrative skills.

23 SEC. 8053. (a) None of the funds appropriated in this
24 Act may be expended by an entity of the Department of
25 Defense unless the entity, in expending the funds, com-

1 plies with the Buy American Act. For purposes of this
2 subsection, the term “Buy American Act” means title III
3 of the Act entitled “An Act making appropriations for the
4 Treasury and Post Office Departments for the fiscal year
5 ending June 30, 1934, and for other purposes”, approved
6 March 3, 1933 (41 U.S.C. 10a et seq.).

7 (b) If the Secretary of Defense determines that a per-
8 son has been convicted of intentionally affixing a label
9 bearing a “Made in America” inscription to any product
10 sold in or shipped to the United States that is not made
11 in America, the Secretary shall determine, in accordance
12 with section 2410f of title 10, United States Code, wheth-
13 er the person should be debarred from contracting with
14 the Department of Defense.

15 (c) In the case of any equipment or products pur-
16 chased with appropriations provided under this Act, it is
17 the sense of the Congress that any entity of the Depart-
18 ment of Defense, in expending the appropriation, purchase
19 only American-made equipment and products, provided
20 that American-made equipment and products are cost-
21 competitive, quality-competitive, and available in a timely
22 fashion.

23 SEC. 8054. None of the funds appropriated by this
24 Act shall be available for a contract for studies, analysis,
25 or consulting services entered into without competition on

1 the basis of an unsolicited proposal unless the head of the
2 activity responsible for the procurement determines—

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

6 (2) the purpose of the contract is to explore an
7 unsolicited proposal which offers significant sci-
8 entific or technological promise, represents the prod-
9 uct of original thinking, and was submitted in con-
10 fidence by one source; or

11 (3) the purpose of the contract is to take ad-
12 vantage of unique and significant industrial accom-
13 plishment by a specific concern, or to insure that a
14 new product or idea of a specific concern is given fi-
15 nancial support:

16 *Provided*, That this limitation shall not apply to contracts
17 in an amount of less than \$25,000, contracts related to
18 improvements of equipment that is in development or pro-
19 duction, or contracts as to which a civilian official of the
20 Department of Defense, who has been confirmed by the
21 Senate, determines that the award of such contract is in
22 the interest of the national defense.

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

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

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

7 (b) The Secretary of Defense or Secretary of a mili-
8 tary department may waive the limitations in subsection
9 (a), on a case-by-case basis, if the Secretary determines,
10 and certifies to the Committees on Appropriations of the
11 House of Representatives and Senate that the granting
12 of the waiver will reduce the personnel requirements or
13 the financial requirements of the department.

14 (c) This section does not apply to field operating
15 agencies funded within the National Foreign Intelligence
16 Program.

17 SEC. 8056. Funds appropriated by this Act and in
18 Public Law 105-277, or made available by the transfer
19 of funds in this Act and in Public Law 105-277 for intel-
20 ligence activities are deemed to be specifically authorized
21 by the Congress for purposes of section 504 of the Na-
22 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
23 year 2000 until the enactment of the Intelligence Author-
24 ization Act for Fiscal Year 2000.

1 SEC. 8057. Notwithstanding section 303 of Public
2 Law 96–487 or any other provision of law, the Secretary
3 of the Navy is authorized to lease real and personal prop-
4 erty at Naval Air Facility, Adak, Alaska, pursuant to 10
5 U.S.C. 2667(f), for commercial, industrial or other pur-
6 poses: *Provided*, That notwithstanding any other provision
7 of law, the Secretary of the Navy may remove hazardous
8 materials from facilities, buildings, and structures at
9 Adak, Alaska, and may demolish or otherwise dispose of
10 such facilities, buildings, and structures: *Provided further*,
11 That notwithstanding any other provision of law, not more
12 than \$4,650,000 of the funds provided under the heading
13 “Operation and Maintenance, Army” in title II of this Act
14 shall be available to the Secretary of the Army, acting
15 through the Chief of Engineers, only for demolition and
16 removal of facilities, buildings, and structures formerly
17 used as a District Headquarters Office by the Corps of
18 Engineers (Northwest Division, CENWW, Washington
19 State), as described in the study conducted regarding the
20 headquarters pursuant to the Energy and Water Develop-
21 ment Appropriations Act, 1992 (Public Law 102–104;
22 105 Stat. 511).

23 (RESCISSIONS)

24 SEC. 8058. Of the funds provided in Department of
25 Defense Appropriations Acts, the following funds are here-
26 by rescinded as of the date of the enactment of this Act,

1 or October 1, 1999, whichever is later, from the following
2 accounts and programs in the specified amounts:

3 “Other Procurement, Navy, 1998/2000”,
4 \$6,384,000;

5 “Aircraft Procurement, Air Force, 1998/2000”,
6 \$26,100,000;

7 “Missile Procurement, Air Force, 1998/2000”,
8 \$100,000,000;

9 “Other Procurement, Army, 1999/2001”,
10 \$20,700,000;

11 “Aircraft Procurement, Navy, 1999/2001”,
12 \$62,500,000;

13 “Weapons Procurement, Navy, 1999/2001”,
14 \$8,000,000;

15 Under the heading, “Shipbuilding and Conver-
16 sion, Navy, 1999/2003”:

17 New Attack Submarine, \$35,000,000;

18 CVN-69, \$11,400,000;

19 “Other Procurement, Navy, 1999/2001”,
20 \$16,353,000;

21 “Aircraft Procurement, Air Force, 1999/2001”,
22 \$81,229,000;

23 “Missile Procurement, Air Force, 1999/2001”,
24 \$155,500,000;

1 “Research, Development, Test and Evaluation,
2 Army, 1999/2000”, \$16,400,000;

3 “Research, Development, Test and Evaluation,
4 Air Force, 1999/2000”, \$49,921,000; and

5 “Research, Development, Test and Evaluation,
6 Defense-Wide, 1999/2000”, \$23,500,000.

7 SEC. 8059. None of the funds available in this Act
8 may be used to reduce the authorized positions for mili-
9 tary (civilian) technicians of the National Guard, the Air
10 National Guard, Army Reserve and Air Force Reserve for
11 the purpose of applying any administratively imposed civil-
12 ian personnel ceiling, freeze, or reduction on military (ci-
13 vilian) technicians, unless such reductions are a direct re-
14 sult of a reduction in military force structure.

15 SEC. 8060. None of the funds appropriated or other-
16 wise made available in this Act may be obligated or ex-
17 pended for assistance to the Democratic People’s Republic
18 of North Korea unless specifically appropriated for that
19 purpose.

20 SEC. 8061. During the current fiscal year, funds ap-
21 propriated in this Act are available to compensate mem-
22 bers of the National Guard for duty performed pursuant
23 to a plan submitted by a Governor of a State and approved
24 by the Secretary of Defense under section 112 of title 32,
25 United States Code: *Provided*, That during the perform-

1 ance of such duty, the members of the National Guard
2 shall be under State command and control: *Provided fur-*
3 *ther*, That such duty shall be treated as full-time National
4 Guard duty for purposes of sections 12602(a)(2) and
5 (b)(2) of title 10, United States Code.

6 SEC. 8062. Funds appropriated in this Act for oper-
7 ation and maintenance of the Military Departments, Uni-
8 fied and Specified Commands and Defense Agencies shall
9 be available for reimbursement of pay, allowances and
10 other expenses which would otherwise be incurred against
11 appropriations for the National Guard and Reserve when
12 members of the National Guard and Reserve provide intel-
13 ligence or counterintelligence support to Unified Com-
14 mands, Defense Agencies and Joint Intelligence Activities,
15 including the activities and programs included within the
16 National Foreign Intelligence Program (NFIP), the Joint
17 Military Intelligence Program (JMIP), and the Tactical
18 Intelligence and Related Activities (TIARA) aggregate:
19 *Provided*, That nothing in this section authorizes deviation
20 from established Reserve and National Guard personnel
21 and training procedures.

22 SEC. 8063. During the current fiscal year, none of
23 the funds appropriated in this Act may be used to reduce
24 the civilian medical and medical support personnel as-
25 signed to military treatment facilities below the September

1 30, 1999 level: *Provided*, That the Service Surgeons Gen-
2 eral may waive this section by certifying to the congres-
3 sional defense committees that the beneficiary population
4 is declining in some catchment areas and civilian strength
5 reductions may be consistent with responsible resource
6 stewardship and capitation-based budgeting.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8064. (a) None of the funds appropriated in this
9 Act may be transferred to or obligated from the Pentagon
10 Reservation Maintenance Revolving Fund, unless the Sec-
11 retary of Defense certifies that the total cost for the plan-
12 ning, design, construction and installation of equipment
13 for the renovation of the Pentagon Reservation will not
14 exceed \$1,222,000,000.

15 (b) The Secretary shall, in conjunction with the Pen-
16 tagon Renovation, design and construct secure secretarial
17 offices and support facilities and security-related changes
18 to the subway entrance at the Pentagon Reservation.

19 SEC. 8065. (a) None of the funds available to the
20 Department of Defense for any fiscal year for drug inter-
21 diction or counter-drug activities may be transferred to
22 any other department or agency of the United States ex-
23 cept as specifically provided in an appropriations law.

24 (b) None of the funds available to the Central Intel-
25 ligence Agency for any fiscal year for drug interdiction
26 and counter-drug activities may be transferred to any

1 other department or agency of the United States except
2 as specifically provided in an appropriations law.

3 (TRANSFER OF FUNDS)

4 SEC. 8066. Appropriations available in this Act under
5 the heading “Operation and Maintenance, Defense-Wide”
6 for increasing energy and water efficiency in Federal
7 buildings may, during their period of availability, be trans-
8 ferred to other appropriations or funds of the Department
9 of Defense for projects related to increasing energy and
10 water efficiency, to be merged with and to be available
11 for the same general purposes, and for the same time pe-
12 riod, as the appropriation or fund to which transferred.

13 SEC. 8067. None of the funds appropriated by this
14 Act may be used for the procurement of ball and roller
15 bearings other than those produced by a domestic source
16 and of domestic origin: *Provided*, That the Secretary of
17 the military department responsible for such procurement
18 may waive this restriction on a case-by-case basis by certi-
19 fying in writing to the Committees on Appropriations of
20 the House of Representatives and the Senate, that ade-
21 quate domestic supplies are not available to meet Depart-
22 ment of Defense requirements on a timely basis and that
23 such an acquisition must be made in order to acquire ca-
24 pability for national security purposes.

25 SEC. 8068. Notwithstanding any other provision of
26 law, funds available to the Department of Defense shall

1 be made available to provide transportation of medical
2 supplies and equipment, on a nonreimbursable basis, to
3 American Samoa: *Provided*, That notwithstanding any
4 other provision of law, funds available to the Department
5 of Defense shall be made available to provide transpor-
6 tation of medical supplies and equipment, on a non-
7 reimbursable basis, to the Indian Health Service when it
8 is in conjunction with a civil-military project.

9 SEC. 8069. None of the funds in this Act may be
10 used to purchase any supercomputer which is not manu-
11 factured in the United States, unless the Secretary of De-
12 fense certifies to the congressional defense committees
13 that such an acquisition must be made in order to acquire
14 capability for national security purposes that is not avail-
15 able from United States manufacturers.

16 SEC. 8070. Notwithstanding any other provision of
17 law, the Naval shipyards of the United States shall be eli-
18 gible to participate in any manufacturing extension pro-
19 gram financed by funds appropriated in this or any other
20 Act.

21 SEC. 8071. Notwithstanding any other provision of
22 law, each contract awarded by the Department of Defense
23 during the current fiscal year for construction or service
24 performed in whole or in part in a State (as defined in
25 section 381(d) of title 10, United States Code) which is

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

13 SEC. 8072. During the current fiscal year, the Army
14 shall use the former George Air Force Base as the airhead
15 for the National Training Center at Fort Irwin: *Provided*,
16 That none of the funds in this Act shall be obligated or
17 expended to transport Army personnel into Edwards Air
18 Force Base for training rotations at the National Training
19 Center.

20 SEC. 8073. (a) The Secretary of Defense shall sub-
21 mit, on a quarterly basis, a report to the congressional
22 defense committees, the Committee on International Rela-
23 tions of the House of Representatives and the Committee
24 on Foreign Relations of the Senate setting forth all costs
25 (including incremental costs) incurred by the Department

1 of Defense during the preceding quarter in implementing
2 or supporting resolutions of the United Nations Security
3 Council, including any such resolution calling for inter-
4 national sanctions, international peacekeeping operations,
5 and humanitarian missions undertaken by the Depart-
6 ment of Defense. The quarterly report shall include an ag-
7 gregate of all such Department of Defense costs by oper-
8 ation or mission.

9 (b) The Secretary of Defense shall detail in the quar-
10 terly reports all efforts made to seek credit against past
11 United Nations expenditures and all efforts made to seek
12 compensation from the United Nations for costs incurred
13 by the Department of Defense in implementing and sup-
14 porting United Nations activities.

15 SEC. 8074. (a) LIMITATION ON TRANSFER OF DE-
16 FENSE ARTICLES AND SERVICES.—Notwithstanding any
17 other provision of law, none of the funds available to the
18 Department of Defense for the current fiscal year may be
19 obligated or expended to transfer to another nation or an
20 international organization any defense articles or services
21 (other than intelligence services) for use in the activities
22 described in subsection (b) unless the congressional de-
23 fense committees, the Committee on International Rela-
24 tions of the House of Representatives, and the Committee

1 on Foreign Relations of the Senate are notified 15 days
2 in advance of such transfer.

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

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

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

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

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

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

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

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

24 (B) a statement of whether the items pro-
25 posed to be transferred will have to be replaced

1 and, if so, how the President proposes to pro-
2 vide funds for such replacement.

3 SEC. 8075. To the extent authorized by subchapter
4 VI of chapter 148 of title 10, United States Code, the
5 Secretary of Defense may issue loan guarantees in support
6 of United States defense exports not otherwise provided
7 for: *Provided*, That the total contingent liability of the
8 United States for guarantees issued under the authority
9 of this section may not exceed \$15,000,000,000: *Provided*
10 *further*, That the exposure fees charged and collected by
11 the Secretary for each guarantee, shall be paid by the
12 country involved and shall not be financed as part of a
13 loan guaranteed by the United States: *Provided further*,
14 That the Secretary shall provide quarterly reports to the
15 Committees on Appropriations, Armed Services and For-
16 eign Relations of the Senate and the Committees on Ap-
17 propriations, Armed Services and International Relations
18 in the House of Representatives on the implementation of
19 this program: *Provided further*, That amounts charged for
20 administrative fees and deposited to the special account
21 provided for under section 2540c(d) of title 10, shall be
22 available for paying the costs of administrative expenses
23 of the Department of Defense that are attributable to the
24 loan guarantee program under subchapter VI of chapter
25 148 of title 10, United States Code.

1 SEC. 8076. None of the funds available to the De-
2 partment of Defense shall be obligated or expended to
3 make a financial contribution to the United Nations for
4 the cost of an United Nations peacekeeping activity
5 (whether pursuant to assessment or a voluntary contribu-
6 tion) or for payment of any United States arrearage to
7 the United Nations.

8 SEC. 8077. None of the funds available to the De-
9 partment of Defense under this Act shall be obligated or
10 expended to pay a contractor under a contract with the
11 Department of Defense for costs of any amount paid by
12 the contractor to an employee when—

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

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

18 SEC. 8078. (a) None of the funds appropriated or
19 otherwise made available in this Act may be used to trans-
20 port or provide for the transportation of chemical muni-
21 tions or agents to the Johnston Atoll for the purpose of
22 storing or demilitarizing such munitions or agents.

23 (b) The prohibition in subsection (a) shall not apply
24 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
4 subsection (a) during a period of war in which the United
5 States is a party.

6 SEC. 8079. None of the funds provided in title II of
7 this Act for “Former Soviet Union Threat Reduction”
8 may be obligated or expended to finance housing for any
9 individual who was a member of the military forces of the
10 Soviet 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. 8080. During the current fiscal year, no more
14 than \$5,000,000 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 avail-
18 able for the same time period as the appropriations to
19 which transferred, to be used in support of such personnel
20 in connection with support and services for eligible organi-
21 zations and activities outside the Department of Defense
22 pursuant to section 2012 of title 10, United States Code.

23 SEC. 8081. For purposes of section 1553(b) of title
24 31, 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. 8082. 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
10 negative unliquidated or unexpended balance, an obliga-
11 tion or an adjustment of an obligation may be charged
12 to any current appropriation account for the same purpose
13 as the expired 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 obli-
22 gation is not chargeable to a current appropriation
23 of the Department of Defense under the provisions
24 of section 1405(b)(8) of the National Defense Au-
25 thorization Act for Fiscal Year 1991, Public Law

1 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
2 *vided*, That in the case of an expired account, if sub-
3 sequent review or investigation discloses that there
4 was not in fact a negative unliquidated or unex-
5 pended balance in the account, any charge to a cur-
6 rent account under the authority of this section shall
7 be reversed and recorded against the expired ac-
8 count: *Provided further*, That the total amount
9 charged to a current appropriation under this sec-
10 tion may not exceed an amount equal to 1 percent
11 of the total appropriation for that account.

12 (TRANSFER OF FUNDS)

13 SEC. 8083. Upon enactment of this Act, the Sec-
14 retary of Defense shall make the following transfers of
15 funds: *Provided*, That the amounts transferred shall be
16 available for the same purposes as the appropriations to
17 which transferred, and for the same time period as the
18 appropriation from which transferred: *Provided further*,
19 That the amounts shall be transferred between the fol-
20 lowing appropriations in the amount specified:

21 From:

22 Under the heading, “Shipbuilding and
23 Conversion, Navy, 1988/2001”:

24 SSN–688 attack submarine program,

25 \$6,585,000;

26 CG–47 cruiser program, \$12,100,000;

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,
8 \$3,494,000;
9 AO conversion program, \$133,000;
10 Craft, outfitting, and post delivery,
11 \$1,688,000;
12 To:
13 Under the heading, “Shipbuilding and
14 Conversion, Navy, 1995/2001”:
15 DDG-51 destroyer program,
16 \$27,079,000;
17 From:
18 Under the heading, “Shipbuilding and
19 Conversion, Navy, 1989/2000”:
20 DDG-51 destroyer program,
21 \$13,200,000;
22 Aircraft carrier service life extension
23 program, \$186,000;
24 LHD-1 amphibious assault ship pro-
25 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,
10 \$219,000;
11 To:
12 Under the heading, “Shipbuilding and
13 Conversion, Navy, 1996/2000”:
14 LPD-17 amphibious transport dock
15 ship, \$21,163,000;
16 From:
17 Under the heading, “Shipbuilding and
18 Conversion, Navy, 1990/2002”:
19 SSN-688 attack submarine program,
20 \$5,606,000;
21 DDG-51 destroyer program,
22 \$6,000,000;
23 ENTERPRISE refueling/moderniza-
24 tion program, \$2,306,000;

1 LHD-1 amphibious assault ship pro-
2 gram, \$183,000;
3 LSD-41 dock landing ship cargo vari-
4 ant program, \$501,000;
5 LCAC landing craft, air cushioned
6 program, \$345,000;
7 MCM mine countermeasures program,
8 \$1,369,000;
9 Moored training ship demonstration
10 program, \$1,906,000;
11 Oceanographic ship program,
12 \$1,296,000;
13 AOE combat support ship program,
14 \$4,086,000;
15 AO conversion program, \$143,000;
16 Craft, outfitting, post delivery, and
17 ship special support equipment,
18 \$1,209,000;
19 To:
20 Under the heading, “Shipbuilding and
21 Conversion, Navy, 1990/2002”:
22 T-AGOS surveillance ship program,
23 \$5,000,000;
24 Coast Guard icebreaker program,
25 \$8,153,000;

1 Under the heading, “Shipbuilding and
2 Conversion, Navy, 1996/2002”:

3 LPD-17 amphibious transport dock
4 ship, \$7,192,000;

5 Under the heading, “Shipbuilding and
6 Conversion, Navy, 1998/2002”:

7 CVN refuelings, \$4,605,000;

8 From:

9 Under the heading, “Shipbuilding and
10 Conversion, Navy, 1991/2001”:

11 SSN-21(AP) attack submarine pro-
12 gram, \$1,614,000;

13 LHD-1 amphibious assault ship pro-
14 gram, \$5,647,000;

15 LSD-41 dock landing ship cargo vari-
16 ant program, \$1,389,000;

17 LCAC landing craft, air cushioned
18 program, \$330,000;

19 AOE combat support ship program,
20 \$1,435,000;

21 To:

22 Under the heading, “Shipbuilding and
23 Conversion, Navy, 1998/2001”:

24 CVN refuelings, \$10,415,000;

25 From:

1 Under the heading, “Shipbuilding and
2 Conversion, Navy, 1992/2001”:

3 SSN–21 attack submarine program,
4 \$11,983,000;

5 Craft, outfitting, post delivery, and
6 DBOF transfer, \$836,000;

7 Escalation, \$5,378,000;

8 To:

9 Under the heading, “Shipbuilding and
10 Conversion, Navy, 1998/2001”:

11 CVN refuelings, \$18,197,000;

12 From:

13 Under the heading, “Shipbuilding and
14 Conversion, Navy, 1993/2002”:

15 Carrier replacement program (AP),
16 \$30,332,000;

17 LSD–41 cargo variant ship program,
18 \$676,000;

19 AOE combat support ship program,
20 \$2,066,000;

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

24 To:

1 Under the heading, “Shipbuilding and
2 Conversion, Navy, 1998/2002”:

3 CVN refuelings, \$29,844,000;

4 Under the heading, “Shipbuilding and
5 Conversion, Navy, 1999/2002”:

6 Craft, outfitting, post delivery, conver-
7 sions, and first destination transportation,
8 \$5,357,000;

9 From:

10 Under the heading, “Shipbuilding and
11 Conversion, Navy, 1994/2003”:

12 LHD-1 amphibious assault ship pro-
13 gram, \$23,900,000;

14 Oceanographic ship program, \$9,000;

15 To:

16 Under the heading, “Shipbuilding and
17 Conversion, Navy, 1994/2003”:

18 DDG-51 destroyer program,
19 \$18,349,000;

20 Under the heading, “Shipbuilding and
21 Conversion, Navy, 1995/1999”:

22 DDG-51 destroyer program,
23 \$5,383,000;

24 Under the heading, “Shipbuilding and
25 Conversion, Navy, 1996/2000”:

1 LPD-17 amphibious transport dock
2 ship, \$168,000;

3 Under the heading, “Shipbuilding and
4 Conversion, Navy, 1999/2003”:

5 Craft, outfitting, post delivery, conver-
6 sions, and first destination transportation,
7 \$9,000;

8 From:

9 Under the heading, “Shipbuilding and
10 Conversion, Navy, 1996/2000”:

11 SSN-21 attack submarine program,
12 \$10,100,000;

13 LHD-1 amphibious assault ship pro-
14 gram, \$7,100,000;

15 To:

16 Under the heading, “Shipbuilding and
17 Conversion, Navy, 1996/2000”:

18 DDG-51 destroyer program,
19 \$3,723,000;

20 LPD-17 amphibious transport dock
21 ship, \$13,477,000;

22 From:

23 Under the heading, “National Defense
24 Sealift Fund, 1996”:

25 Defense features, \$30,000,000;

1 Under the heading, “National Defense
2 Sealift Fund, 1999”:

3 Research, development, test and eval-
4 uation, \$8,000,000;

5 To:

6 Under the heading, “National Defense
7 Sealift Fund, 1997”:

8 Maritime pre-positioning force en-
9 hancement, \$38,000,000.

10 SEC. 8084. The Under Secretary of Defense (Comp-
11 troller) shall submit to the congressional defense commit-
12 tees by February 1, 2000, a detailed report identifying,
13 by amount and by separate budget activity, activity group,
14 subactivity group, line item, program element, program,
15 project, subproject, and activity, any activity for which the
16 fiscal year 2001 budget request was reduced because Con-
17 gress appropriated funds above the President’s budget re-
18 quest for that specific activity for fiscal year 2000.

19 SEC. 8085. Funds appropriated in title II of this Act
20 and for the Defense Health Program in title VI of this
21 Act for supervision and administration costs for facilities
22 maintenance and repair, minor construction, or design
23 projects may be obligated at the time the reimbursable
24 order is accepted by the performing activity: *Provided*,

1 That for the purpose of this section, supervision and ad-
2 ministration costs includes all in-house Government cost.

3 SEC. 8086. The Secretary of Defense may waive re-
4 imbursement of the cost of conferences, seminars, courses
5 of instruction, or similar educational activities of the Asia-
6 Pacific Center for Security Studies for military officers
7 and civilian officials of foreign nations if the Secretary de-
8 termines that attendance by such personnel, without reim-
9 bursement, is in the national security interest of the
10 United States: *Provided*, That costs for which reimburse-
11 ment is waived pursuant to this subsection shall be paid
12 from appropriations available for the Asia-Pacific Center.

13 SEC. 8087. (a) Notwithstanding any other provision
14 of law, the Chief of the National Guard Bureau may per-
15 mit the use of equipment of the National Guard Distance
16 Learning Project by any person or entity on a space-avail-
17 able, reimbursable basis. The Chief of the National Guard
18 Bureau shall establish the amount of reimbursement for
19 such use on a case-by-case basis.

20 (b) Amounts collected under subsection (a) shall be
21 credited to funds available for the National Guard Dis-
22 tance Learning Project and be available to defray the costs
23 associated with the use of equipment of the project under
24 that subsection. Such funds shall be available for such
25 purposes without fiscal year limitation.

1 SEC. 8088. Using funds available by this Act or any
2 other Act, the Secretary of the Air Force, pursuant to a
3 determination under section 2690 of title 10, United
4 States Code, may implement cost-effective agreements for
5 required heating facility modernization in the
6 Kaiserslautern Military Community in the Federal Repub-
7 lic of Germany: *Provided*, That in the City of
8 Kaiserslautern such agreements will include the use of
9 United States anthracite as the base load energy for mu-
10 nicipal district heat to the United States Defense installa-
11 tions: *Provided further*, That at Landstuhl Army Regional
12 Medical Center and Ramstein Air Base, furnished heat
13 may be obtained from private, regional or municipal serv-
14 ices, if provisions are included for the consideration of
15 United States coal as an energy source.

16 SEC. 8089. Notwithstanding 31 U.S.C. 3902, during
17 the current fiscal year, interest penalties may be paid by
18 the Department of Defense from funds financing the oper-
19 ation of the military department or defense agency with
20 which the invoice or contract payment is associated.

21 SEC. 8090. None of the funds appropriated in title
22 IV of this Act may be used to procure end-items for deliv-
23 ery to military forces for operational training, operational
24 use or inventory requirements: *Provided*, That this restric-
25 tion does not apply to end-items used in development,

1 prototyping, and test activities preceding and leading to
2 acceptance for operational use: *Provided further*, That this
3 restriction does not apply to programs funded within the
4 National Foreign Intelligence Program: *Provided further*,
5 That the Secretary of Defense may waive this restriction
6 on a case-by-case basis by certifying in writing to the
7 Committees on Appropriations of the House of Represent-
8 atives and the Senate that it is in the national security
9 interest to do so.

10 (RESCISSIONS)

11 SEC. 8091. Of the funds provided in the Department
12 of Defense Appropriations Act, 1999 (Public Law 105-
13 262), \$452,100,000, to reflect savings from revised eco-
14 nomic assumptions, is hereby rescinded as of the date of
15 enactment of this Act, or October 1, 1999, whichever is
16 later, from the following accounts in the specified
17 amounts:

18 "Aircraft Procurement, Army", \$8,000,000;

19 "Missile Procurement, Army", \$7,000,000;

20 "Procurement of Weapons and Tracked Combat
21 Vehicles, Army", \$9,000,000;

22 "Procurement of Ammunition, Army",
23 \$6,000,000;

24 "Other Procurement, Army", \$19,000,000;

25 "Aircraft Procurement, Navy", \$44,000,000;

26 "Weapons Procurement, Navy", \$8,000,000;

1 “Procurement of Ammunition, Navy and Ma-
2 rine Corps”, \$3,000,000;
3 “Shipbuilding and Conversion, Navy”,
4 \$37,000,000;
5 “Other Procurement, Navy”, \$23,000,000;
6 “Procurement, Marine Corps”, \$5,000,000;
7 “Aircraft Procurement, Air Force”,
8 \$46,000,000;
9 “Missile Procurement, Air Force”,
10 \$14,000,000;
11 “Procurement of Ammunition, Air Force”,
12 \$2,000,000;
13 “Other Procurement, Air Force”, \$44,400,000;
14 “Procurement, Defense-Wide”, \$5,200,000;
15 “Chemical Agents and Munitions Destruction,
16 Army”, \$5,000,000;
17 “Research, Development, Test and Evaluation,
18 Army”, \$20,000,000;
19 “Research, Development, Test and Evaluation,
20 Navy”, \$40,900,000;
21 “Research, Development, Test and Evaluation,
22 Air Force”, \$76,900,000; and
23 “Research, Development, Test and Evaluation,
24 Defense-Wide”, \$28,700,000:

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

5 SEC. 8092. The budget of the President for fiscal
6 year 2001 submitted to Congress pursuant to section 1105
7 of title 31, United States Code, and each annual budget
8 request thereafter, shall include budget activity groups
9 (known as “subactivities”) in all appropriations accounts
10 provided in this Act, as may be necessary, to separately
11 identify all costs incurred by the Department of Defense
12 to support the North Atlantic Treaty Organization and all
13 Partnership For Peace programs and initiatives. The
14 budget justification materials submitted to Congress in
15 support of the budget of the Department of Defense for
16 fiscal year 2001, and subsequent fiscal years, shall provide
17 complete, detailed estimates for all such costs.

18 SEC. 8093. None of the funds made available in this
19 Act may be used to approve or license the sale of the F-
20 22 advanced tactical fighter to any foreign government.

21 SEC. 8094. (a) The Secretary of Defense may, on a
22 case-by-case basis, waive with respect to a foreign country
23 each limitation on the procurement of defense items from
24 foreign sources provided in law if the Secretary determines
25 that the application of the limitation with respect to that

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

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

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

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

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

1 SEC. 8095. Funds made available to the Civil Air Pa-
2 trol in this Act under the heading “Drug Interdiction and
3 Counter-Drug Activities, Defense” may be used for the
4 Civil Air Patrol Corporation’s counterdrug program, in-
5 cluding its demand reduction program involving youth
6 programs, as well as operational and training drug recon-
7 naissance missions for Federal, State and local govern-
8 ment agencies; for administrative costs, including the hir-
9 ing of Civil Air Patrol Corporation employees; for travel
10 and per diem expenses of Civil Air Patrol Corporation per-
11 sonnel in support of those missions; and for equipment
12 needed for mission support or performance: *Provided*,
13 That of these funds, \$300,000 shall be made available to
14 establish and operate a distance learning program: *Pro-*
15 *vided further*, That the Department of the Air Force
16 should waive reimbursement from the Federal, State and
17 local government agencies for the use of these funds.

18 SEC. 8096. Notwithstanding any other provision of
19 law, the TRICARE managed care support contracts in ef-
20 fect, or in final stages of acquisition as of September 30,
21 1999, may be extended for two years: *Provided*, That any
22 such extension may only take place if the Secretary of De-
23 fense determines that it is in the best interest of the Gov-
24 ernment: *Provided further*, That any contract extension
25 shall be based on the price in the final best and final offer

1 for the last year of the existing contract as adjusted for
2 inflation and other factors mutually agreed to by the con-
3 tractor and the Government: *Provided further*, That not-
4 withstanding any other provision of law, all future
5 TRICARE managed care support contracts replacing con-
6 tracts in effect, or in the final stages of acquisition as of
7 September 30, 1999, may include a base contract period
8 for transition and up to seven one-year option periods.

9 SEC. 8097. None of the funds in this Act may be
10 used to compensate an employee of the Department of De-
11 fense who initiates a new start program without notifica-
12 tion to the Office of the Secretary of Defense, the Office
13 of Management and Budget, and the congressional de-
14 fense committees, as required by Department of Defense
15 financial management regulations.

16 SEC. 8098. section 8118 of the Department of De-
17 fense Appropriations Act, 1999 (Public Law 105–262;
18 112 Stat. 2331; 10 U.S.C. 2241 note) is amended by
19 striking “convicted” and inserting “debarred by the De-
20 partment of Defense based upon a conviction”.

21 SEC. 8099. In addition to the amounts provided else-
22 where in this Act, notwithstanding any other provision of
23 law, \$5,000,000 is hereby appropriated to the Office of
24 the Secretary of Defense, and is available only for a grant
25 to the Women in Military Service for America Memorial

1 Foundation, Inc., only for costs associated with completion
2 of the “Women in Military Service For America” memo-
3 rial at Arlington National Cemetery.

4 TRAINING AND OTHER PROGRAMS

5 SEC. 8100. (a) PROHIBITION.—None of the funds
6 made available by this Act may be used to support any
7 training program involving a unit of the security forces
8 of a foreign country if the Secretary of Defense has re-
9 ceived credible information from the Department of State
10 that the unit has committed a gross violation of human
11 rights, unless all necessary corrective steps have been
12 taken.

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

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

24 SEC. 8101. Notwithstanding any other provision in
25 this Act, the total amount appropriated in this Act is here-
26 by reduced by \$171,000,000 to reflect savings from favor-

1 able foreign currency fluctuations, to be distributed as fol-
2 lows:

3 “Military Personnel, Army”, \$19,100,000;

4 “Military Personnel, Navy”, \$2,200,000;

5 “Military Personnel, Air Force”, \$9,900,000;

6 “Operation and Maintenance, Army”,
7 \$80,700,000;

8 “Operation and Maintenance, Navy”,
9 \$13,700,000;

10 “Operation and Maintenance, Air Force,”
11 \$26,900,000;

12 “Operation and Maintenance, Defense-Wide”,
13 \$8,700,000; and

14 “Defense Health Program”, \$9,800,000.

15 SEC. 8102. Notwithstanding any other provision of
16 law, the Secretary of Defense may retain all or a portion
17 of the family housing at Fort Buchanan, Puerto Rico, as
18 the Secretary deems necessary to meet military family
19 housing needs arising out of the relocation of elements of
20 the United States Army South to Fort Buchanan.

21 U.S. ARMY NATIONAL TRAINING CENTER ACCESS AND
22 TRAINING ENHANCEMENTS

23 SEC. 8103. From within amounts made available in
24 title II of this Act, under the heading “Operation and
25 Maintenance, Army”, and notwithstanding any other pro-
26 vision of law, \$12,500,000 shall be available only for re-

1 pairs and safety improvements to the segment of Fort
2 Irwin Road which extends from Interstate 15 northeast
3 toward the boundary of Fort Irwin, California and the
4 originating intersection of Irwin Road: *Provided*, That
5 these funds shall remain available until expended: *Pro-*
6 *vided further*, That the authorized scope of work includes,
7 but is not limited to, environmental documentation and
8 mitigation, engineering and design, improving safety, re-
9 surfacing, widening lanes, and replacing signs and pave-
10 ment markings: *Provided further*, That these funds may
11 be used for advances to the Federal Highway Administra-
12 tion, Department of Transportation, for the authorized
13 scope of work.

14 SEC. 8104. Funds appropriated to the Department
15 of the Navy in title II of this Act may be available to re-
16 place lost and canceled Treasury checks issued to Trans
17 World Airlines in the total amount of \$255,333.24 for
18 which timely claims were filed and for which detailed sup-
19 porting records no longer exist.

20 SEC. 8105. Notwithstanding any other provision of
21 law, section 112 of Public Law 105–261 shall apply only
22 to phase III of the Army’s second source acquisition strat-
23 egy for medium tactical vehicles.

24 SEC. 8106. None of the funds appropriated or made
25 available in this Act to the Department of the Navy shall

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

13 SEC. 8107. From within amounts made available in
14 title II of this Act under the heading “Operation and
15 Maintenance, Defense-Wide”, and notwithstanding any
16 other provision of law, \$2,500,000 shall be available only
17 for a grant for “America’s Promise—The Alliance for
18 Youth, Inc.”, only to support, on a dollar-for-dollar match-
19 ing basis with non-departmental funds, efforts to mobilize
20 individuals, groups and organizations to build and
21 strengthen the character and competence of the Nation’s
22 youth.

23 SEC. 8108. Of the funds made available in this Act,
24 not less than \$47,100,000 shall be available to maintain
25 an attrition reserve force of 23 B-52 aircraft, of which

1 \$3,000,000 shall be available from “Military Personnel,
2 Air Force”, \$34,500,000 shall be available from “Oper-
3 ation and Maintenance, Air Force”, and \$9,600,000 shall
4 be available from “Aircraft Procurement, Air Force”: *Pro-*
5 *vided*, That the Secretary of the Air Force shall maintain
6 a total force of 94 B-52 aircraft, including 23 attrition
7 reserve aircraft, during fiscal year 2000: *Provided further*,
8 That the Secretary of Defense shall include in the Air
9 Force budget request for fiscal year 2001 amounts suffi-
10 cient to maintain a B-52 force totaling 94 aircraft.

11 SEC. 8109. Notwithstanding any other provision in
12 this Act, the total amount appropriated in title II is hereby
13 reduced by \$100,000,000 to reflect savings resulting from
14 reviews of Department of Defense missions and functions
15 conducted pursuant to Office of Management and Budget
16 Circular A-76, to be distributed as follows:

17 “Operation and Maintenance, Army”,
18 \$34,300,000;

19 “Operation and Maintenance, Navy”,
20 \$22,800,000;

21 “Operation and Maintenance, Marine Corps”,
22 \$1,400,000; and

23 “Operation and Maintenance, Air Force”,
24 \$41,500,000:

1 *Provided*, That none of the funds appropriated or other-
2 wise made available by this Act may be obligated or ex-
3 pended for the purpose of contracting out functions di-
4 rectly related to the award of Department of Defense con-
5 tracts, oversight of contractors with the Department of
6 Defense, or the payment of such contractors including, but
7 not limited to: contracting technical officers, contract ad-
8 ministration officers, accounting and finance officers, and
9 budget officers.

10 SEC. 8110. (a) REPORT ON OMB CIRCULAR A-76
11 REVIEWS OF WORK PERFORMED BY DOD EMPLOYEES.—
12 The Secretary of Defense shall submit a report not later
13 than 90 days after the enactment of this Act which lists
14 all instances since 1995 in which missions or functions
15 of the Department of Defense have been reviewed by the
16 Department of Defense pursuant to OMB Circular A-76.
17 The report shall list the disposition of each such review
18 and indicate whether the review resulted in the perform-
19 ance of such missions or functions by Department of De-
20 fense civilian and military personnel, or whether such re-
21 views resulted in performance by contractors. The report
22 shall include a description of the types of missions or func-
23 tions, the locations where the missions or functions are
24 performed, the name of the contractor performing the
25 work (if applicable), the cost to perform the missions or

1 functions at the time the review was conducted, and the
2 current cost to perform the missions or functions.

3 (b) REPORT ON OMB CIRCULAR A-76 REVIEWS OF
4 WORK PERFORMED BY DOD CONTRACTORS.—The report
5 shall also identify those instances in which work performed
6 by a contractor has been converted to performance by ci-
7 vilian or military employees of the Department of Defense.
8 For each instance of contracting in, the report shall in-
9 clude a description of the types of work, the locations
10 where the work was performed, the name of the contractor
11 that was performing the work, the cost of contractor per-
12 formance at the time the work was contracted in, and the
13 current cost of performance by civilian or military employ-
14 ees of the Department of Defense. In addition, the report
15 shall include recommendations for maximizing the possi-
16 bility of effective public-private competition for work that
17 has been contracted out.

18 (c) COMPTROLLER GENERAL REVIEW.—Not later
19 than 90 days after the date on which the Secretary sub-
20 mits the annual report, the Comptroller General shall sub-
21 mit to the House and Senate Committees on Appropria-
22 tions the Comptroller General's views on whether the De-
23 partment has complied with the requirements for the re-
24 port.

1 SEC. 8111. The budget of the President for fiscal
2 year 2001 submitted to Congress pursuant to section 1105
3 of title 31, United States Code, and each annual budget
4 request thereafter, shall include separate budget justifica-
5 tion documents for costs of United States armed forces'
6 participation in contingency operations for the Military
7 Personnel accounts, the Procurement accounts, and the
8 Overseas Contingency Operations Transfer Fund: *Pro-*
9 *vided*, That these budget justification documents shall in-
10 clude a description of the funding requested for each an-
11 ticipated contingency operation, for each military service,
12 to include active duty and Guard and Reserve components,
13 and for each appropriation account: *Provided further*, That
14 these documents shall include estimated costs for each ele-
15 ment of expense or object class, a reconciliation of in-
16 creases and decreases for ongoing contingency operations,
17 and programmatic data including, but not limited to troop
18 strength for each active duty and Guard and Reserve com-
19 ponent, and estimates of the major weapons systems de-
20 ployed in support of each contingency.

21 SEC. 8112. In addition to amounts otherwise appro-
22 priated or made available by this Act, \$20,000,000 is ap-
23 propriated to the Army National Guard and shall be avail-
24 able only for the purpose of the procurement or lease of
25 fire-fighting aircraft or systems.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8113. In addition to amounts appropriated or
3 otherwise made available in this Act, \$50,000,000 is here-
4 by appropriated, only to initiate and expand activities of
5 the Department of Defense to prevent, prepare for, and
6 respond to a terrorist attack in the United States involving
7 weapons of mass destruction: *Provided*, That funds made
8 available under this section shall be transferred to the fol-
9 lowing accounts:

10 "Reserve Personnel, Army", \$2,000,000;

11 "National Guard Personnel, Army",
12 \$4,310,000;

13 "National Guard Personnel, Air Force",
14 \$1,080,000;

15 "Operation and Maintenance, Army",
16 \$12,110,000;

17 "Operation and Maintenance, Army National
18 Guard", \$12,320,000;

19 "Other Procurement, Army", \$12,180,000; and

20 "Research, Development, Test and Evaluation,
21 Army", \$6,000,000:

22 *Provided further*, That funds transferred pursuant to this
23 section shall be merged with and be available for the same
24 purposes and for the same time period as the appropria-
25 tion to which transferred: *Provided further*, That the

1 transfer authority provided in this section is in addition
2 to any other transfer authority available to the Depart-
3 ment of Defense: *Provided further*, That of the funds
4 transferred to “Operation and Maintenance, Army Na-
5 tional Guard”, not less than \$3,000,000 shall be made
6 available only to establish cost effective counter-terrorism
7 training of first responders and concurrent testing of re-
8 sponse apparatus and equipment at the Memorial Tunnel
9 Facility as part of the WMD Study under the WMD Task
10 Force: *Provided further*, That of the funds transferred to
11 “Operation and Maintenance, Army National Guard”, not
12 less than \$2,000,000 shall be made available only to sup-
13 port development of a structured undergraduate research
14 program designed to produce graduates with specialized
15 laboratory training and scientific skills required by mili-
16 tary and industrial laboratories engaged in combating the
17 threat of biological and chemical terrorism: *Provided fur-*
18 *ther*, That of the funds transferred to “Operation and
19 Maintenance, Army National Guard”, not less than
20 \$3,500,000 shall be made available only to enhance dis-
21 tance learning technologies and develop related courseware
22 to provide training for counter-terrorism and related con-
23 cerns: *Provided further*, That of the funds transferred to
24 “Research, Development, Test and Evaluation, Army”,
25 not less than \$3,000,000 shall be made available only to

1 continue development and presentation of advanced dis-
2 tributed learning consequence management response
3 courses and conventional courses.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8114. In addition to the amounts made available
6 elsewhere in this Act, \$150,000,000, to remain available
7 until expended, is hereby appropriated to “Operation and
8 Maintenance, Defense-Wide”, only for information assur-
9 ance programs, to include protection from non-authorized
10 access to information technology systems and computer
11 systems, and for related infrastructure expenses: *Provided*,
12 That funds under this heading may only be obligated after
13 the approval of the Deputy Secretary of Defense: *Provided*
14 *further*, That none of the funds provided by this provision
15 may be obligated or transferred to other appropriations
16 accounts until fifteen days after the Deputy Secretary of
17 Defense has submitted to the House and Senate Commit-
18 tees on Appropriations a proposed funding allocation and
19 a plan for the Department of Defense to achieve informa-
20 tion superiority and information assurance: *Provided fur-*
21 *ther*, That the Deputy Secretary of Defense shall provide
22 written notification to the House and Senate Committees
23 on Appropriations prior to the transfer of any amount in
24 excess of \$10,000,000 to a specific program or project:
25 *Provided further*, That funds made available under this
26 heading may be transferred only to operation and mainte-

1 nance accounts, procurement accounts, the Defense
2 Health Program appropriation, and research, develop-
3 ment, test and evaluation accounts: *Provided further*, That
4 the funds transferred shall be merged with and shall be
5 available for the same purposes and for the same time pe-
6 riod as the appropriation to which transferred: *Provided*
7 *further*, That the transfer authority provided in this sec-
8 tion shall be in addition to the transfer authority provided
9 to the Department of Defense in this Act or any other
10 Act.

11 SEC. 8115. (a) The Secretary of Defense shall, along
12 with submission of the fiscal year 2001 budget request for
13 the Department of Defense, submit to the congressional
14 defense committees a report, in both unclassified and clas-
15 sified versions, which contains an assessment of the ad-
16 vantages or disadvantages of deploying a ground-based
17 National Missile Defense system at more than one site.

18 (b) This report shall include, but not be limited to,
19 an assessment of the following issues:

20 (1) The ability of a single site, versus multiple
21 sites, to counter the expected ballistic missile threat;

22 (2) The optimum basing locations for a single
23 and multiple site National Missile Defense system;

1 (3) The survivability and redundancy of poten-
2 tial National Missile Defense systems under a single
3 or multiple site architecture;

4 (4) The estimated costs (including development,
5 construction and infrastructure, and procurement of
6 equipment) associated with different site deployment
7 options; and

8 (5) Other issues bearing on deploying a Na-
9 tional Missile Defense system at one or more sites.

10 SEC. 8116. The Secretary of the Navy and the Sec-
11 retary of the Air Force each shall submit a report to the
12 congressional defense committees within 90 days of enact-
13 ment of this Act in both classified and unclassified form
14 which shall provide a detailed description of the dedicated
15 aggressor squadrons used to conduct combat flight train-
16 ing for the Navy, Marine Corps and Air Force covering
17 the period from fiscal year 1990 through the present. For
18 each year of the specified time period, each report shall
19 provide a detailed description of the following: the assets
20 which comprise dedicated aggressor squadrons including
21 both aircrews, and the types and models of aircraft as-
22 signed to these squadrons; the number of training sorties
23 for all forms of combat flight training which require ag-
24 gressor aircraft, and the number of sorties that the dedi-
25 cated aggressor squadrons can generate to meet these re-

1 requirements; the ratio of the total inventory of attack and
2 fighter aircraft to the number of aircraft available for
3 dedicated aggressor squadrons; a comparison of the per-
4 formance characteristics of the aircraft assigned to dedi-
5 cated aggressor squadrons compared to the performance
6 characteristics of the aircraft they are intended to rep-
7 resent in training scenarios; an assessment of pilot pro-
8 ficiency by year from 1986 to the present; Service rec-
9 ommendations to enhance aggressor squadron proficiency
10 to include number of dedicated aircraft, equipment, facili-
11 ties, and personnel; and a plan that proposes improve-
12 ments in dissimilar aircraft air combat training.

13 SEC. 8117. None of the funds appropriated or other-
14 wise made available by this or other Department of De-
15 fense Appropriations Acts may be obligated or expended
16 for the purpose of performing repairs or maintenance to
17 military family housing units of the Department of De-
18 fense, including areas in such military family housing
19 units that may be used for the purpose of conducting offi-
20 cial Department of Defense business: *Provided*, That the
21 Department of Defense Office of the Inspector General
22 shall provide a report to the House and Senate Commit-
23 tees on Appropriations not later than 60 days after the
24 enactment of this Act which assesses the compliance of
25 each of the military services with applicable appropriations

1 law, Office of Management and Budget circulars, and Un-
2 dersecretary of Defense (Comptroller) directives which
3 govern funding for maintenance and repairs to flag officer
4 quarters: *Provided further*, That this report shall include
5 an assessment as to whether there have been violations
6 of the Anti-Deficiency Act resulting from instances of im-
7 proper funding of such maintenance and repair projects.

8 SEC. 8118. Notwithstanding any other provision of
9 law, funds appropriated in this Act under the heading
10 “Research, Development, Test and Evaluation, Defense-
11 Wide” for any advanced concept technology demonstration
12 project may only be obligated thirty days after a report,
13 including a description of the project and its estimated
14 annual and total cost, has been provided in writing to the
15 congressional defense committees: *Provided*, That the Sec-
16 retary of Defense may waive this restriction on a case-
17 by-case basis by certifying to the congressional defense
18 committees that it is in the national interest to do so: *Pro-*
19 *vided further*, That none of the funds appropriated under
20 the heading “Research, Development, Test and Evalua-
21 tion, Defense-Wide” in the Department of Defense Appro-
22 priations Act, 1999 (Public Law 105–262) are available
23 for the Line of Sight Anti-Tank Program: *Provided fur-*
24 *ther*, That of the funds appropriated under the heading
25 “Research, Development, Test and Evaluation, Defense-

1 Wide” in Public Law 105–262, \$10,027,000 shall be
2 available only for the Air Directed Surface to Air Missile.

3 SEC. 8119. Notwithstanding any other provision of
4 law, none of the funds appropriated or otherwise made
5 available by this Act may be used for concept development,
6 pre-engineering management and development, engineer-
7 ing management and development, risk reduction, pro-
8 gram office operations, travel of Department of Defense
9 personnel, or contributions to international cooperative ef-
10 forts for the Medium Extended Air Defense System, or
11 successor systems: *Provided*, That none of the funds ap-
12 propriated under the heading “Research, Development,
13 Test and Evaluation, Defense-Wide” in the Department
14 of Defense Appropriations Act, 1999 (Public Law 105–
15 262) are available for the Medium Extended Air Defense
16 System or successor systems.

17 SEC. 8120. None of the funds in this Act may be
18 used to conduct a Defense Acquisition Board oversight re-
19 view of a major weapon system acquisition unless the
20 Commander-in-Chief of the United States Atlantic Com-
21 mand is a fully participating member of the Board which
22 is conducting the review: *Provided*, That none of the funds
23 in this Act may be used for the Defense Acquisition Board
24 to approve a major weapon system acquisition to proceed
25 into a subsequent phase of development or production un-

1 less the Commander-in-Chief of the United States Atlantic
2 Command certifies to the congressional defense commit-
3 tees that the acquisition fully meets joint service interoper-
4 ability requirements as determined by the theater Com-
5 manders-in-Chief: *Provided further*, That no additional
6 funds or personnel beyond those contained in the fiscal
7 year 2000 President's budget for ongoing United States
8 Atlantic Command activities are available to support par-
9 ticipation by the Commander-in-Chief of the United States
10 Atlantic Command in Defense Acquisition Board weapon
11 system reviews.

12 SEC. 8121. Of the funds appropriated in title II of
13 this Act under the heading "Operation and Maintenance,
14 Army", \$250,000 shall be available only for a grant to
15 the Nebraska Game and Parks Commission for the pur-
16 pose of locating, identifying the boundaries of, acquiring,
17 preserving, and memorializing the cemetery site that is lo-
18 cated in close proximity to Fort Atkinson, Nebraska. The
19 Secretary of the Army shall require as a condition of such
20 grant that the Nebraska Game and Parks Commission,
21 in carrying out the purposes of which the grant is made,
22 work in conjunction with the Nebraska State Historical
23 Society. The grant under this section shall be made with-
24 out regard to section 1301 of title 31, United States Code,
25 or any other provision of law.

1 SEC. 8122. Notwithstanding any other provision of
2 law, for the purpose of establishing all Department of De-
3 fense policies governing the provision of care provided by
4 and financed under the military health care system, the
5 term “custodial care” shall be defined as care designed
6 essentially to assist an individual in meeting the activities
7 of daily living and which does not require the supervision
8 of trained medical, nursing, paramedical or other specially
9 trained individuals.

10 SEC. 8123. During the current fiscal year—

11 (1) refunds attributable to the use of the Gov-
12 ernment travel card and refunds attributable to offi-
13 cial Government travel arranged by Government
14 Contracted Travel Management Centers may be
15 credited to operation and maintenance accounts of
16 the Department of Defense which are current when
17 the refunds are received; and

18 (2) refunds attributable to the use of the Gov-
19 ernment Purchase Card by military personnel and
20 civilian employees of the Department of Defense
21 may be credited to accounts of the Department of
22 Defense that are current when the refunds are re-
23 ceived and that are available for the same purposes
24 as the accounts originally charged.

1 SEC. 8124. During the current fiscal year and here-
2 after, any Federal grant of funds to an institution of high-
3 er education to be available solely for student financial as-
4 sistance or related administrative costs may be used for
5 the purpose for which the grant is made without regard
6 to any provision to the contrary in section 514 of the De-
7 partments of Labor, Health and Human Services, Edu-
8 cation, and Related Agencies Appropriations Act, 1997
9 (10 U.S.C. 503 note), or section 983 of title 10, United
10 States Code.

11 INFORMATION TECHNOLOGY SYSTEMS

12 SEC. 8125. (a) REGISTERING WITH DOD CHIEF IN-
13 FORMATION OFFICER.—After March 31, 2000, none of
14 the funds appropriated in this Act may be used for an
15 information technology system that is not registered with
16 the Chief Information Officer of the Department of De-
17 fense. A system shall be considered to be registered with
18 that officer upon the furnishing to that officer of notice
19 of the system, together with such information concerning
20 the system as the Secretary of Defense may prescribe.

21 (b) MILESTONE CERTIFICATIONS TO CONGRES-
22 SIONAL COMMITTEES.—An information technology system
23 may not receive Milestone I approval, Milestone II ap-
24 proval, or Milestone III approval until the Chief Informa-
25 tion Officer of the Department of Defense provides to the
26 congressional defense committees written certification,

1 with respect to that milestone, that the system is being
2 developed in accordance with the sections 5122 and 5123
3 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422 and
4 1423). The Chief Information Officer shall include with
5 any such certification a report providing, at a minimum,
6 the funding baseline and milestone schedule for the system
7 and confirmation that the following steps have been taken
8 with respect to the system:

9 (1) Business process reengineering.

10 (2) An analysis of alternatives.

11 (3) An economic analysis that includes a cal-
12 culation of the return on investment.

13 (4) Performance measures.

14 (5) Effective information security measure.

15 (c) DEFINITIONS.—For purposes of this section:

16 (1) The term “Chief Information Officer”
17 means the senior official of the Department of De-
18 fense designated by the Secretary of Defense pursu-
19 ant to section 3506 of title 44, United States Code.

20 (2) The term “information technology” has the
21 meaning given that term in section 5002 of the
22 Clinger-Cohen Act of 1996 (40 U.S.C. 1401), but
23 does not include a national security system.

1 (3) The term “national security system” has
2 the meaning given that term in section 5142 of such
3 Act (40 U.S.C. 1452).

4 SEC. 8126. During the current fiscal year, none of
5 the funds available to the Department of Defense may be
6 used to provide support to another department or agency
7 of the United States if such department or agency is more
8 than 90 days in arrears in making payment to the Depart-
9 ment of Defense for goods or services previously provided
10 to such department or agency on a reimbursable basis:
11 *Provided*, That this restriction shall not apply if the De-
12 partment is authorized by law to provide support to such
13 department or agency on a nonreimbursable basis, and is
14 providing the requested support pursuant to such author-
15 ity: *Provided further*, That the Secretary of Defense may
16 waive this restriction on a case-by-case basis by certifying
17 in writing to the Committees on Appropriations of the
18 House of Representatives and the Senate that it is in the
19 national security interest to do so.

20 SEC. 8127. (a) RECOVERY OF CERTAIN DOD ADMIN-
21 ISTRATIVE EXPENSES IN CONNECTION WITH FOREIGN
22 MILITARY SALES PROGRAM.—Charges for administrative
23 services calculated under section 21(e) of the Arms Export
24 Control Act (22 U.S.C. 2761(e)) in connection with the
25 sale of defense articles or defense services shall (notwith-

1 standing paragraph (3) of section 43(b) of such Act (22
2 U.S.C. 2792(b)) include recovery of administrative ex-
3 penses incurred by the Department of Defense during fis-
4 cal year 2000 that are attributable to (1) salaries of mem-
5 bers of the Armed Forces, and (2) unfunded estimated
6 costs of civilian retirement and other benefits.

7 (b) REIMBURSEMENT OF APPLICABLE MILITARY
8 PERSONNEL ACCOUNTS.—During the current fiscal year,
9 amounts in the Foreign Military Sales Trust Fund shall
10 be available in an amount not to exceed \$63,000,000 to
11 reimburse the applicable military personnel accounts in
12 title I of this Act for the value of administrative expenses
13 referred in subsection (a)(1).

14 (c) REDUCTIONS TO REFLECT AMOUNTS EXPECTED
15 TO BE RECOVERED.—(1) The amounts in title I of this
16 Act are hereby reduced by an aggregate of \$63,000,000
17 (such amount being the amount expected to be recovered
18 by reason of subsection (a)(1)).

19 (2) The amounts in title II of this Act are hereby
20 reduced by an aggregate of \$31,000,000 (such amount
21 being that amount expected to be recovered by reason of
22 subsection (a)(2)).

23 SEC. 8128. (a) The Communications Act of 1934 is
24 amended in section 337(b) (47 U.S.C. 337(b)), by deleting
25 paragraph (2). Upon enactment of this provision, the FCC

1 shall initiate the competitive bidding process in fiscal year
2 1999 and shall conduct the competitive bidding in a man-
3 ner that ensures that all proceeds of such bidding are de-
4 posited in accordance with section 309(j)(8) of the Act not
5 later than September 30, 2000. To expedite the assign-
6 ment by competitive bidding of the frequencies identified
7 in section 337(a)(2) of the Act, the rules governing such
8 frequencies shall be effective immediately upon publication
9 in the Federal Register, notwithstanding 5 U.S.C. 553(d),
10 801(a)(3), 804(2), and 806(a). Chapter 6 of such title,
11 15 U.S.C. 632, and 44 U.S.C. 3507 and 3512, shall not
12 apply to the rules and competitive bidding procedures gov-
13 erning such frequencies. Notwithstanding section 309(b)
14 of the Act, no application for an instrument of authoriza-
15 tion for such frequencies shall be granted by the Commis-
16 sion earlier than 7 days following issuance of public notice
17 by the Commission of the acceptance for filing of such ap-
18 plication or of any substantial amendment thereto. Not-
19 withstanding section 309(d)(1) of such Act, the Commis-
20 sion may specify a period (no less than 5 days following
21 issuance of such public notice) for the filing of petitions
22 to deny any application for an instrument of authorization
23 for such frequencies.

24 (b)(1) Not later than 15 days after the date of the
25 enactment of this Act, the Director of the Office of Man-

1 agement and Budget and the Federal Communications
2 Commission shall each submit to the appropriate congres-
3 sional committees a report which shall—

4 (A) set forth the anticipated schedule (including
5 specific dates) for—

6 (i) preparing and conducting the competi-
7 tive bidding process required by subsection (a);
8 and

9 (ii) depositing the receipts of the competi-
10 tive bidding process;

11 (B) set forth each significant milestone in the
12 rulemaking process with respect to the competitive
13 bidding process;

14 (C) include an explanation of the effect of each
15 requirement in subsection (a) on the schedule for the
16 competitive bidding process and any post-bidding ac-
17 tivities (including the deposit of receipts) when com-
18 pared with the schedule for the competitive bidding
19 and any post-bidding activities (including the deposit
20 of receipts) that would otherwise have occurred
21 under section 337(b)(2) of the Communications Act
22 of 1934 (47 U.S.C. 337(b)(2)) if not for the enact-
23 ment of subsection (a);

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

4 (i) the time required for each stage of
5 preparation for the auction;

6 (ii) the date of the commencement and of
7 the completion of the auction;

8 (iii) the time which elapsed between the
9 date of the completion of the auction and the
10 date of the first deposit of receipts from the
11 auction in the Treasury; and

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

14 (E) include an assessment of how the stages of
15 the competitive bidding process required by sub-
16 section (a), including preparation, commencement
17 and completion, and deposit of receipts, will differ
18 from similar stages in the auctions referred to in
19 subparagraph (D).

20 (2) Not later than October 5, 2000, the Director of
21 the Office of Management and Budget and the Federal
22 Communications Commission shall each submit to the ap-
23 propriate congressional committees the report which
24 shall—

1 (A) describe the course of the competitive bid-
2 ding process required by subsection (a) through Sep-
3 tember 30, 2000, including the amount of any re-
4 ceipts from the competitive bidding process depos-
5 ited in the Treasury as of September 30, 2000; and

6 (B) if the course of the competitive bidding
7 process has included any deviations from the sched-
8 ule set forth under paragraph (1)(A), an explanation
9 for 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 DEPARTMENT OF DEFENSE REPORT ON THE CONDUCT
22 OF OPERATION DESERT FOX AND OPERATION AL-
23 LIED FORCE

24 SEC. 8129. (a) REPORT REQUIRED.—Not later than
25 January 31, 2000, the Secretary of Defense shall submit
26 to the congressional defense committees in both classified

1 and unclassified form a report on the conduct of Operation
2 Desert Fox and Operation Allied Force (also referred to
3 as Operation Noble Anvil). The Secretary of Defense shall
4 submit to such committees a preliminary report on the
5 conduct of these operations not later than October 15,
6 1999. The report (including the preliminary report) should
7 be prepared in consultation with the Chairman of the
8 Joint Chiefs of Staff, the Commander in Chief of the
9 United States Central Command, and the Commander in
10 Chief of the United States European Command.

11 (b) REVIEW OF SUCCESSES AND DEFICIENCIES.—
12 The report should contain a thorough review of the suc-
13 cesses and deficiencies of these operations, with respect
14 to the following matters:

15 (1) United States military objectives in these
16 operations.

17 (2) With respect to Operation Allied Force, the
18 military strategy of the North Atlantic Treaty Orga-
19 nization (NATO) to obtain said military objectives.

20 (3) The command structure for the execution of
21 Operation Allied Force.

22 (4) The process for identifying, nominating, se-
23 lecting, and verifying targets to be attacked during
24 Operation Desert Fox and Operation Allied Force.

1 (5) A comprehensive battle damage assessment
2 of targets prosecuted during the conduct of the air
3 campaigns in these operations, to include—

4 (A) fixed targets, both military and civil-
5 ian, to include bridges, roads, rail lines, air-
6 fields, power generating plants, broadcast facili-
7 ties, oil refining infrastructure, fuel and muni-
8 tions storage installations, industrial plants pro-
9 ducing military equipment, command and con-
10 trol nodes, civilian leadership bunkers and mili-
11 tary barracks;

12 (B) mobile military targets such as tanks,
13 armored personnel carriers, artillery pieces,
14 trucks, and air defense assets;

15 (C) with respect to Operation Desert Fox,
16 research and production facilities associated
17 with Iraq's weapons of mass destruction and
18 ballistic missile programs, and any military
19 units or organizations associated with such ac-
20 tivities within Iraq; and

21 (D) a discussion of decoy, deception and
22 counter-intelligence techniques employed by the
23 Iraqi and Serbian military.

24 (6) The use and performance of United States
25 military equipment, weapon systems, munitions, and

1 national and tactical reconnaissance and surveillance
2 assets (including items classified under special ac-
3 cess procedures) and an analysis of—

4 (A) any equipment or capabilities that
5 were in research and development and if avail-
6 able could have been used in these operations’
7 respective theater of operations;

8 (B) any equipment or capabilities that
9 were available and could have been used but
10 were not introduced into these operations’ re-
11 spective theater of operations; and

12 (C) any equipment or capabilities that
13 were introduced to these operations’ respective
14 theater of operations that could have been used
15 but were not.

16 (7) Command, control, communications and
17 operational security of NATO forces as a whole and
18 United States forces separately during Operation Al-
19 lied Force, including the ability of United States air-
20 craft to operate with aircraft of other nations with-
21 out degradation of capabilities or protection of
22 United States forces.

23 (8) The deployment of United States forces and
24 supplies to the theater of operations, including an
25 assessment of airlift and sealift (to include a specific

1 assessment of the deployment of Task Force Hawk
2 during Operation Allied Force, to include detailed
3 explanations for the delay in initial deployment, the
4 suitability of equipment deployed compared to other
5 equipment in the U.S. inventory that was not de-
6 ployed, and a critique of the training provided to
7 operational personnel prior to and during the deploy-
8 ment).

9 (9) The use of electronic warfare assets, in par-
10 ticular an assessment of the adequacy of EA-6B air-
11 craft in terms of inventory, capabilities, deficiencies,
12 and ability to provide logistics support.

13 (10) The effectiveness of reserve component
14 forces including their use and performance in the
15 theater of operations.

16 (11) The contributions of United States (and
17 with respect to Operation Allied Force, NATO) in-
18 telligence and counterintelligence systems and per-
19 sonnel, including an assessment of the targeting se-
20 lection and bomb damage assessment process.

21 (c) The report should also contain:

22 (1) An analysis of the transfer of operational
23 assets from other United States Unified Commands
24 to these operations' theater of operations and the

1 impact on the readiness, warfighting capability and
2 deterrence value of those commands.

3 (2) An analysis of the implications of these op-
4 erations as regards the ability of United States
5 armed forces and intelligence capabilities to carry
6 out the current national security strategy,
7 including—

8 (A) whether the Department of Defense
9 and its components, and the intelligence com-
10 munity and its components, have sufficient
11 force structure and manning as well as equip-
12 ment (to include items such as munitions
13 stocks) to deploy, prosecute and sustain oper-
14 ations in a second major theater of war as
15 called for under the current national security
16 strategy;

17 (B) which, if any aspects, of currently pro-
18 grammed manpower, operations, training and
19 other readiness programs, and weapons and
20 other systems are found to be inadequate in
21 terms of supporting the national military strat-
22 egy; and

23 (C) what adjustments need to be made to
24 current defense planning and budgets, and spe-

1 cific programs to redress any deficiencies identi-
2 fied by this analysis.

3 SEC. 8130. None of the funds provided in this Act
4 may be used to transfer to any nongovernmental entity
5 ammunition held by the Department of Defense that has
6 a center-fire cartridge and a United States military no-
7 menclature designation of “armor penetrator”, “armor
8 piercing (AP)”, “armor piercing incendiary (API)”, or
9 “armor-piercing incendiary-tracer (API-T)”.

10 SEC. 8131. None of the funds made available in this
11 Act may be used by the Armed Forces to participate in,
12 or to provide support for, any airshow or trade exhibition
13 held outside the United States.

14 This Act may be cited as the “Department of Defense
15 Appropriations Act, 2000”.

Passed the House of Representatives July 22, 1999.

Attest:

JEFF TRANDAHL,

Clerk.