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House of Representatives

CONFERENCE REPORT ON H.R. 5408, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. STUMP submitted the following conference report and statement on the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–945)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4205), to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. ENACTMENT OF FISCAL YEAR 2001 NATIONAL DEFENSE AUTHORIZATION ACT.

The provisions of H.R. 5408 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

SEC. 2. PUBLICATION OF ACT.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1.

And the Senate agree to the same.

JOEL HEFLEY,
JIM SAXTON,
STEVE BUYER,
TILLIE K. FOWLER,
JOHN M. MCHUGH,
JAMES M. TALENT,
TERRY EVERETT,
ROSCOE G. BARTLETT,

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

FLOYD SPENCE,
BOB STUMP,
DUNCAN HUNTER,
JOHN R. KASICH,
JAMES V. HANSEN,
CURT WELDON,
HOWARD ''BUCK'' MCKEON,
J.C. WATTS, JR.,
MACK THORNBERRY,
JOHN N. HASTETTLER,
SAXBY CHAMBLISS,
IKE SKELTON,
NORMAN SISISKY
JOHN SPRATT,
SOLOMON P. ORTIZ,
OWEN B. PICKETT,
LANE EVANS,
GENE TAYLOR,
NEIL ABERCROMBIE,
MARTIN T. MEEHAN,
THOMAS ALLEN,
VIC SNYDER,
JAMES H. MALONEY,
MIKE MCINTYRE,
ELLEN O. TAUSCHER,
MIKE THOMPSON,

Provided that Mr. Kuykendall is appointed in lieu of Mr. Kasich for consideration of section 2863 of the House bill, and section 2862 of the Senate amendment, and modifications committed to conference:

STEVEN T. KUYKENDALL,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PORTER J. GOSS,
JERRY LEWIS,
JULIAN C. DIXON,

From the Committee on Commerce, for consideration of sections 601, 725, and 1501 of the House bill, and sections 342, 601, 618, 701, 1073, 1402, 2812, 3131, 3133, 3134, 3138, 3152, 3154, 3155, 3167–3169, 3171, 3201, and 3301–3303 of the Senate amendment, and modifications committed to conference:

TOM BLILEY,
JOE BARTON,
JOHN D. DINGELL,

Provided that Mr. Bilirakis is appointed in lieu of Mr. Barton of Texas for consideration of sections 601 and 725 of the House bill, and sections 601, 618, 701, and 1073 of the Senate amendment, and modifications committed to conference:

MIKE BILIRAKIS,

Provided that Mr. Oxley is appointed in lieu of Mr. Barton of Texas for consideration of section 1501 of the House bill, and sections 342 and 2812 of the Senate amendment, and modifications committed to conference:

MICHAEL G. OXLEY,

From the Committee on Education and the Workforce, for consideration of sections 341, 342, 504, and 1106 of the House bill, and sections 311, 379, 553, 669, 1053, and title XXXV of the Senate amendment, and modifications committed to conference:

BILL GOODLING,
VAN HILLEARY,
PASTY T. MINK,

From the Committee on Government Reform, for consideration of sections 518, 651, 723, 801, 906, 1101–1104, 1106, 1107, and 3137 of the House bill, and sections 643, 651, 801, 806, 810, 814–816, 1010A 1044, 1057, 1063, 1069, 1073, 1101, 1102, 1004, and 1106–1118, title XIV, and sections 2871, 2881, 3155, and 3171 of the Senate amendment, and modifications committed to conference:

DAN BURTON,
JOE SCARBOROUGH,
HENRY A. WAXMAN,

Provided that Mr. Horn is appointed in lieu of Mr. Scarborough for consideration of section 801 of the House bill, and sections 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, and 1101, title XIV, and sections 2871 and 2881 of the Senate amendment, and modifications committee to conference:

STEPHEN HORN,

Provided that Mr. McHugh is appointed in lieu of Mr. Scarborough for consideration of section 1073 of the Senate amendment, and modifications committed to conference:

JOHN M. MCHUGH,

From the Committee on House Administration, for consideration of sections 561–563 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,
JOHN BOEHNER,
STENY H. HOYER,

From the Committee on International Relations, for consideration of sections 1201, 1205, 1209, and 1210, title XIII, and section 3136 of

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the House bill, and sections 1011, 1201–1203, 1206 1208, 1209, 1212, 1214, 3178, and 3193 of the Senate amendment, and modifications committed to conference:

BILL GOODLING,

From the Committee on the Judiciary, for consideration of sections 543 and 906 of the House bill, and sections 506, 645, 663, 668, 909, 1068, and 1106, title XV, and title XXXV of the Senate amendment, and modifications committed to conference:

HENRY HYDE,
CHARLES T. CANADY,

From the Committee on Resources, for consideration of sections 312, 601, 1501, 2853, 2883, and 3402 of the House bill, and sections 601 and 1059, title XIII, and sections 2871, 2893, and 3303 of the Senate amendment, and modifications committed to conference:

DON YOUNG of Alaska,
BILLY TAUZIN,

From the Committee on Transportation and Infrastructure, for consideration of sections 601, 2839, and 2881 of the House bill, and sections 502, 601, and 1072 of the Senate amendment, and modifications committed to conference:

BUD SHUSTER,
WAYNE T. GILCHREST
BRIAN BAIRD,

Provided that Mr. Pascrell is appointed in lieu of Mr. Baird for consideration of section 1072 of the Senate amendment, and modifications committed to conference:

BILL PASCRELL, Jr.,

From the Committee on Veterans' Affairs, for consideration of sections 535, 738, and 2831 of the House bill, and sections 561–563, 648, 664–666, 671, 672, 682–684, 721, 722, and 1067 of the Senate amendment, and modifications committed to conference:

MICHAEL BILIRAKIS,
JACK QUINN,
CORRINE BROWN of Florida,

From the Committee on Ways and Means, for consideration of section 725 of the House bill, and section 701 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,

Managers on the Part of the House.

JOHN W. WARNER,
STROM THURMOND,
JOHN MCCAIN,
BOB SMITH of New Hampshire,
JAMES INHOFE,
RICK SANTORUM,
OLYMPIA J. SNOWE,
PAT ROBERTS,
WAYNE ALLARD,
TIM HUTCHINSON,
JEFF SESSIONS,
CARL LEVIN,
EDWARD KENNEDY,
JEFF BINGAMAN,
ROBERT C. BYRD,
CHUCK ROBB,
JOE LIEBERMAN,
MAX CLELAND,
MS. MARY L. LANDRIEU,
JACK REED,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

The conference agreement would enact the provisions of H.R. 5408 as introduced on October 6, 2000. The text of that bill follows:

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001''.

(b) FINDINGS.—Congress makes the following findings:

(1) Representative Floyd D. Spence of South Carolina was elected to the House of Representatives in 1970, for service in the 92d Congress, after serving in the South Carolina legislature for 10 years, and he has been reelected to each subsequent Congress.

(2) Representative Spence came to Congress as a distinguished veteran of service in the Armed Forces of the United States.

(3) Upon graduation from college in 1952, Representative Spence was commissioned as an ensign in the United States Naval Reserve. After entering active duty, he served with distinction aboard the USS CARTER HALL and the USS LSM–397 during the Korean War and later served as commanding officer of a Naval Reserve Surface Division and as group commander of all Naval Reserve units in Columbia, South Carolina. Representative Spence retired from the Naval Reserve in 1988 in the grade of captain, after 41 years of dedicated service.

(4) Upon election to the House of Representatives, Representative Spence became a member of the Committee on Armed Services of that body. During 30 years of service on that committee (4 years of which were served while the committee was known as the Committee on National Security), Representative Spence's contributions to the national defense and security of the United States have been profound and long lasting.

(5) Representative Spence served as chairman of that committee while known as the Committee on National Security during the 104th and 105th Congresses and serves as chairman of that committee for the 106th Congress. In addition, Representative Spence served as the ranking minority member of the Committee on Armed Services during the 103d Congress.

(6) Dozens of awards from active duty and reserve military, veterans service, military retiree, and industry organizations and associations have recognized the distinguished character of Representative Spence's service to the Nation.

(7) Representative Spence has been a leading figure in the debate over many of the most critical military readiness, health care, recruiting, and retention issues currently confronting the Nation's military. His concern for the men and women in uniform has been unwavering, and his accomplishments in promoting and gaining support for those issues that preserve the combat effectiveness, morale, and quality of life of the Nation's military personnel have been unparalleled.

(8) During his tenure as chairman of the Committee on National Security and the Committee on Armed Services of the House of Representatives, Representative Spence has—

(A) led efforts to identify and reverse the effect that declining resources and rising commitments have had on military quality of life for service members and their families, on combat readiness, and on equipment modernization, with a direct result of those diligent efforts and of his willingness to be an outspoken proponent for America's military being that Congress has added nearly $50,000,000,000 to the President's defense budgets over the past 5 years;

(B) been a leading proponent of the need to expeditiously develop and field a national missile defense to protect American citizens and forward deployed military forces from growing ballistic missile threats;

(C) advocated reversing the growing disparity between actual military capability and the requirements associated with the National Military Strategy; and

(D) led efforts in Congress to reform Department of Defense acquisition and management headquarters and infrastructure and business practices.

(9) This Act is the 30th annual authorization bill for the Department of Defense for which Representative Spence has taken a major responsibility as a member of the Committee on Armed Services of the House of Representatives (including 4 years while that committee was known as the Committee on National Security).

(10) In light of the findings in the preceding paragraphs, it is altogether fitting and proper that this Act be named in honor of Representative Floyd D. Spence of South Carolina, as provided in subsection (a).

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; findings.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

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

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority.
Sec. 112. Increase in limitation on number of bunker defeat munitions that may be acquired.
Sec. 113. Reports and limitations relating to Army transformation.

Subtitle C—Navy Programs

Sec. 121. CVNX–1 nuclear aircraft carrier program.
Sec. 122. Arleigh Burke class destroyer program.
Sec. 123. Virginia class submarine program.
Sec. 124. Limitation during fiscal year 2001 on changes in submarine force structure.
Sec. 125. ADC(X) ship program.
Sec. 126. Refueling and complex overhaul program of the U.S.S. Dwight D. Eisenhower.
Sec. 127. Analysis of certain shipbuilding programs.
Sec. 128. Helicopter support of FFG–7 frigates during fiscal year 2001.

Sec. 129. V–22 cockpit aircraft voice and flight data recorders.

Subtitle D—Air Force Programs

Sec. 131. Annual report on B–2 bomber.
Sec. 132. Report on modernization of Air National Guard F–16A units.

Subtitle E—Joint Programs

Sec. 141. Study of final assembly and checkout alternatives for the Joint Strike Fighter program.

Subtitle F—Chemical Demilitarization

Sec. 151. Pueblo Chemical Depot chemical agent and munitions destruction technologies.
Sec. 152. Report on assessment of need for Federal economic assistance for communities impacted by chemical demilitarization activities.
Sec. 153. Prohibition against disposal of nonstockpile chemical warfare material at Anniston chemical stockpile disposal facility.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Management of Space-Based Infrared System—Low.
Sec. 212. Joint Strike Fighter program.
Sec. 213. Fiscal year 2002 joint field experiment.
Sec. 214. Nuclear aircraft carrier design and production modeling.
Sec. 215. DD–21 class destroyer program.
Sec. 216. Limitation on Russian American Observation Satellites program.
Sec. 217. Joint biological defense program.
Sec. 218. Report on biological warfare defense vaccine research and development programs.
Sec. 219. Cost limitations applicable to F–22 aircraft program.
Sec. 220. Unmanned advanced capability combat aircraft and ground combat vehicles.
Sec. 221. Global Hawk high altitude endurance unmanned aerial vehicle.
Sec. 222. Army space control technology development.

Subtitle C—Ballistic Missile Defense

Sec. 231. Funding for fiscal year 2001.
Sec. 232. Reports on ballistic missile threat posed by North Korea.
Sec. 233. Plan to modify ballistic missile defense architecture.
Sec. 234. Management of Airborne Laser program.

Subtitle D—High Energy Laser Programs

Sec. 241. Funding.
Sec. 242. Implementation of High Energy Laser Master Plan.
Sec. 243. Designation of senior official for high energy laser programs.
Sec. 244. Site for Joint Technology Office.
Sec. 245. High energy laser infrastructure improvements.
Sec. 246. Cooperative programs and activities.
Sec. 247. Technology plan.
Sec. 248. Annual report.
Sec. 249. Definition.
Sec. 250. Review of defense-wide directed energy programs.

Subtitle E—Other Matters

Sec. 251. Reports on mobile offshore base concept and potential use for certain purposes of technologies associated with that concept.
Sec. 252. Air Force science and technology planning.
Sec. 253. Enhancement of authorities regarding education partnerships for purposes of encouraging scientific study.
Sec. 254. Recognition of those individuals instrumental to naval research efforts during the period from before World War II through the end of the Cold War.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working capital funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Transfer from National Defense Stockpile Transaction Fund.
Sec. 305. Joint warfighting capabilities assessment teams.

Subtitle B—Environmental Provisions

Sec. 311. Establishment of additional environmental restoration account and use of accounts for operation and monitoring of environmental remedies.
Sec. 312. Certain environmental restoration activities.
Sec. 313. Annual reports under Strategic Environmental Research and Development Program.
Sec. 314. Payment of fines and penalties for environmental compliance at Fort Wainwright, Alaska.
Sec. 315. Payment of fines or penalties imposed for environmental compliance violations at other Department of Defense facilities.
Sec. 316. Reimbursement for certain costs in connection with the former Nansemond Ordnance Depot Site, Suffolk, Virginia.
Sec. 317. Necessity of military low-level flight training to protect national security and enhance military readiness.
Sec. 318. Ship disposal project.
Sec. 319. Defense Environmental Security Corporate Information Management Program.
Sec. 320. Report on Plasma Energy Pyrolysis System.
Sec. 321. Sense of Congress regarding environmental restoration of former defense manufacturing site, Santa Clarita, California.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Sec. 331. Use of appropriated funds to cover operating expenses of commissary stores.
Sec. 332. Adjustment of sales prices of commissary store goods and services to cover certain expenses.
Sec. 333. Use of surcharges for construction and improvement of commissary stores.
Sec. 334. Inclusion of magazines and other periodicals as an authorized commissary merchandise category.
Sec. 335. Use of most economical distribution method for distilled spirits.
Sec. 336. Report on effects of availability of slot machines on United States military installations overseas.

Subtitle D—Department of Defense Industrial Facilities

Sec. 341. Designation of Centers of Industrial and Technical Excellence and public-private partnerships to increase utilization of such centers.
Sec. 342. Unutilized and underutilized plant-capacity costs of United States arsenals.
Sec. 343. Arsenal support program initiative.
Sec. 344. Codification and improvement of armament retooling and manufacturing support programs.

Subtitle E—Performance of Functions by Private-Sector Sources

Sec. 351. Inclusion of additional information in reports to Congress required before conversion of commercial or industrial type functions to contractor performance.
Sec. 352 Effects of outsourcing on overhead costs of Centers of Industrial and Technical Excellence and Army ammunition plants.
Sec. 353. Consolidation, restructuring, or reengineering of Department of Defense organizations, functions, or activities.
Sec. 354. Monitoring of savings resulting from workforce reductions as part of conversion of functions to performance by private sector or other strategic sourcing initiatives.
Sec. 355. Performance of emergency response functions at chemical weapons storage installations.
Sec. 356. Suspension of reorganization or relocation of Naval Audit Service.

Subtitle F—Defense Dependents Education

Sec. 361. Eligibility of dependents of American Red Cross employees for enrollment in Department of Defense domestic dependent schools in Puerto Rico.
Sec. 362. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 363. Impact aid for children with severe disabilities.
Sec. 364. Assistance for maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense civilian employees.

Subtitle G—Military Readiness Issues

Sec. 371. Measuring cannibalization of parts, supplies, and equipment under readiness reporting system.
Sec. 372. Reporting requirements regarding transfers from high-priority readiness appropriations.
Sec. 373. Effects of worldwide contingency operations on readiness of military aircraft and equipment.
Sec. 374. Identification of requirements to reduce backlog in maintenance and repair of defense facilities.
Sec. 375. New methodology for preparing budget requests to satisfy Army readiness requirements.
Sec. 376. Review of AH–64 aircraft program.
Sec. 377. Report on Air Force spare and repair parts program for C–5 aircraft.

Subtitle H—Other Matters

Sec. 381. Annual report on public sale of certain military equipment identified on United States Munitions List.
Sec. 382. Resale of armor-piercing ammunition disposed of by the Army.
Sec. 383. Reimbursement by civil air carriers for support provided at Johnston Atoll.
Sec. 384. Travel by Reserves on military aircraft.
Sec. 385. Overseas airlift service on Civil Reserve Air Fleet aircraft.
Sec. 386. Additions to plan for ensuring visibility over all in-transit end items and secondary items.
Sec. 387. Reauthorization of pilot program for acceptance and use of landing fees charged for use of domestic military airfields by civil aircraft.
Sec. 388. Extension of authority to sell certain aircraft for use in wildfire suppression.

Sec. 389. Damage to aviation facilities caused by alkali silica reactivity.
Sec. 390. Demonstration project to increase reserve component internet access and services in rural communities.
Sec. 391. Additional conditions on implementation of Defense Joint Accounting System.
Sec. 392. Report on Defense Travel System.
Sec. 393. Review of Department of Defense costs of maintaining historical properties.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent end strength minimum levels.
Sec. 403. Adjustment to end strength flexibility authority.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2001 limitation on non-dual status technicians.
Sec. 415. Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves.

Subtitle C—Other Matters Relating to Personnel Strengths

Sec. 421. Authority for Secretary of Defense to suspend certain personnel strength limitations during war or national emergency.
Sec. 422. Exclusion from active component end strengths of certain reserve component members on active duty in support of the combatant commands.
Sec. 423. Exclusion of Army and Air Force medical and dental officers from limitation on strengths of reserve commissioned officers in grades below brigadier general.
Sec. 424. Authority for temporary increases in number of reserve component personnel serving on active duty or full-time national guard duty in certain grades.

Subtitle D—Authorization of Appropriations

Sec. 431. Authorization of appropriations for military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Eligibility of Army and Air Force Reserve colonels and brigadier generals for position vacancy promotions.
Sec. 502. Flexibility in establishing promotion zones for Coast Guard Reserve officers.
Sec. 503. Time for release of reports of officer promotion selection boards.
Sec. 504. Clarification of requirements for composition of active-duty list selection boards when reserve officers are under consideration.
Sec. 505. Authority to issue posthumous commissions in the case of members dying before official recommendation for appointment or promotion is approved by Secretary concerned.
Sec. 506. Technical corrections relating to retired grade of reserve commissioned officers.
Sec. 507. Grade of chiefs of reserve components and directors of National Guard components.
Sec. 508. Revision to rules for entitlement to separation pay for regular and reserve officers.

Subtitle B—Reserve Component Personnel Policy

Sec. 521. Exemption from active-duty list for reserve officers on active duty for a period of three years or less.
Sec. 522. Termination of application requirement for consideration of officers for continuation on the reserve active-status list.
Sec. 523. Authority to retain Air Force Reserve officers in all medical specialties until specified age.
Sec. 524. Authority for provision of legal services to reserve component members following release from active duty.
Sec. 525. Extension of involuntary civil service retirement date for certain reserve technicians.

Subtitle C—Education and Training

Sec. 531. Eligibility of children of Reserves for Presidential appointment to service academies.
Sec. 532. Selection of foreign students to receive instruction at service academies.
Sec. 533. Revision of college tuition assistance program for members of Marine Corps Platoon Leaders Class program.
Sec. 534. Review of allocation of Junior Reserve Officers Training Corps units among the services.
Sec. 535. Authority for Naval Postgraduate School to enroll certain defense industry civilians in specified programs relating to defense product development.

Subtitle D—Decorations, Awards, and Commendations

Sec. 541. Limitation on award of Bronze Star to members in receipt of imminent danger pay.
Sec. 542. Consideration of proposals for posthumous or honorary promotions or appointments of members or former members of the Armed Forces and other qualified persons.
Sec. 543. Waiver of time limitations for award of certain decorations to certain persons.
Sec. 544. Addition of certain information to markers on graves containing remains of certain unknowns from the U.S.S. Arizona who died in the Japanese attack on Pearl Harbor on December 7, 1941.
Sec. 545. Sense of Congress on the court-martial conviction of Captain Charles Butler McVay, Commander of the U.S.S. Indianapolis, and on the courageous service of the crew of that vessel.
Sec. 546. Posthumous advancement on retired list of Rear Admiral Husband E. Kimmel and Major General Walter C. Short, senior officers in command in Hawaii on December 7, 1941.
Sec. 547. Commendation of citizens of Remy, France, for World War II actions.
Sec. 548. Authority for Award of the Medal of Honor to William H. Pitsenbarger for valor during the Vietnam War.

Subtitle E—Military Justice and Legal Assistance Matters

Sec. 551. Recognition by States of military testamentary instruments.
Sec. 552. Policy concerning rights of individuals whose names have been entered into Department of Defense official criminal investigative reports.
Sec. 553. Limitation on Secretarial authority to grant clemency for military prisoners serving sentence of confinement for life without eligibility for parole.
Sec. 554. Authority for civilian special agents of military department criminal investigative organizations to execute warrants and make arrests.
Sec. 555. Requirement for verbatim record in certain special court-martial cases.
Sec. 556. Commemoration of the 50th anniversary of the Uniform Code of Military Justice.

Subtitle F—Matters Relating to Recruiting

Sec. 561. Army recruiting pilot programs.
Sec. 562. Enhancement of recruitment market research and advertising programs.
Sec. 563. Access to secondary schools for military recruiting purposes.
Sec. 564. Pilot program to enhance military recruiting by improving military awareness of school counselors and educators.

Subtitle G—Other Matters

Sec. 571. Extension to end of calendar year of expiration date for certain force drawdown transition authorities.
Sec. 572. Voluntary separation incentive.
Sec. 573. Congressional review period for assignment of women to duty on submarines and for any proposed reconfiguration or design of submarines to accommodate female crew members.
Sec. 574. Management and per diem requirements for members subject to lengthy or numerous deployments.
Sec. 575. Pay in lieu of allowance for funeral honors duty.
Sec. 576. Test of ability of reserve component intelligence units and personnel to meet current and emerging defense intelligence needs.
Sec. 577. National Guard Challenge Program.
Sec. 578. Study of use of civilian contractor pilots for operational support missions.
Sec. 579. Reimbursement for expenses incurred by members in connection with cancellation of leave on short notice.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay for fiscal year 2001.
Sec. 602. Additional restructuring of basic pay rates for enlisted members.
Sec. 603. Revised method for calculation of basic allowance for subsistence.
Sec. 604. Family subsistence supplemental allowance for low-income members of the Armed Forces.
Sec. 605. Basic allowance for housing.
Sec. 606. Additional amount available for fiscal year 2001 increase in basic allowance for housing inside the United States.
Sec. 607. Equitable treatment of junior enlisted members in computation of basic allowance for housing.
Sec. 608. Eligibility of members in grade E–4 to receive basic allowance for housing while on sea duty.
Sec. 609. Personal money allowance for senior enlisted members of the Armed Forces.
Sec. 610. Increased uniform allowances for officers.
Sec. 611. Cabinet-level authority to prescribe requirements and allowance for clothing of enlisted members.
Sec. 612. Increase in monthly subsistence allowance for members of precommissioning programs.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 621. Extension of certain bonuses and special pay authorities for reserve forces.

Sec. 622. Extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.
Sec. 623. Extension of authorities relating to payment of other bonuses and special pays.
Sec. 624. Revision of enlistment bonus authority.
Sec. 625. Consistency of authorities for special pay for reserve medical and dental officers.
Sec. 626. Elimination of required congressional notification before implementation of certain special pay authority.
Sec. 627. Special pay for physician assistants of the Coast Guard.
Sec. 628. Authorization of special pay and accession bonus for pharmacy officers.
Sec. 629. Correction of references to Air Force veterinarians.
Sec. 630. Career sea pay.
Sec. 631. Increased maximum rate of special duty assignment pay.
Sec. 632. Entitlement of members of the National Guard and other reserves not on active duty to receive special duty assignment pay.
Sec. 633. Authorization of retention bonus for members of the Armed Forces qualified in a critical military skill.
Sec. 634. Entitlement of active duty officers of the Public Health Service Corps to special pays and bonuses of health professional officers of the Armed Forces.

Subtitle C—Travel and Transportation Allowances

Sec. 641. Advance payments for temporary lodging of members and dependents.
Sec. 642. Additional transportation allowance regarding baggage and household effects.
Sec. 643. Incentive for shipping and storing household goods in less than average weights.
Sec. 644. Equitable dislocation allowances for junior enlisted members.
Sec. 645. Authority to reimburse military recruiters, Senior ROTC cadre, and military entrance processing personnel for certain parking expenses.
Sec. 646. Expansion of funded student travel for dependents.

Subtitle D—Retirement and Survivor Benefit Matters

Sec. 651. Exception to high-36 month retired pay computation for members retired following a disciplinary reduction in grade.
Sec. 652. Increase in maximum number of Reserve retirement points that may be credited in any year.
Sec. 653. Retirement from active reserve service after regular retirement.
Sec. 654. Same treatment for Federal judges as for other Federal officials regarding payment of military retired pay.
Sec. 655. Reserve component Survivor Benefit Plan spousal consent requirement.
Sec. 656. Sense of Congress on increasing Survivor Benefit Plan annuities for surviving spouses age 62 or older.
Sec. 657. Revision to special compensation authority to repeal exclusion of uniformed services retirees in receipt of disability retired pay.

Subtitle E—Other Matters

Sec. 661. Participation in Thrift Savings Plan.
Sec. 662. Determinations of income eligibility for special supplemental food program.
Sec. 663. Billeting services for reserve members traveling for inactive-duty training.
Sec. 664. Settlement of claims for payments for unused accrued leave and for retired pay.
Sec. 665. Additional benefits and protections for personnel incurring injury, illness, or disease in the performance of funeral honors duty.
Sec. 666. Authority for extension of deadline for filing claims associated with capture and internment of certain persons by North Vietnam.
Sec. 667. Back pay for members of the Navy and Marine Corps selected for promotion while interned as prisoners of war during World War II.
Sec. 668. Sense of Congress concerning funding for reserve components.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Health Care Services

Sec. 701. Provision of domiciliary and custodial care for CHAMPUS beneficiaries and certain former CHAMPUS beneficiaries.
Sec. 702. Chiropractic health care for members on active duty.
Sec. 703. School-required physical examinations for certain minor dependents.
Sec. 704. Two-year extension of dental and medical benefits for surviving dependents of certain deceased members.
Sec. 705. Two-year extension of authority for use of contract physicians at military entrance processing stations and elsewhere outside medical treatment facilities.
Sec. 706. Medical and dental care for Medal of Honor recipients.

Subtitle B—Senior Health Care

Sec. 711. Implementation of TRICARE senior pharmacy program.
Sec. 712. Conditions for eligibility for CHAMPUS and TRICARE upon the attainment of age 65; expansion and modification of medicare subvention project.
Sec. 713. Accrual funding for health care for medicare-eligible retirees and dependents.

Subtitle C—TRICARE Program

Sec. 721. Improvement of access to health care under the TRICARE program.
Sec. 722. Additional beneficiaries under TRICARE Prime Remote program in the continental United States.
Sec. 723. Modernization of TRICARE business practices and increase of use of military treatment facilities.
Sec. 724. Extension of TRICARE managed care support contracts.
Sec. 725. Report on protections against health care providers seeking direct reimbursement from members of the uniformed services.
Sec. 726. Voluntary termination of enrollment in TRICARE retiree dental program.
Sec. 727. Claims processing improvements.
Sec. 728. Prior authorizations for certain referrals and nonavailability-of-health-care statements.

Subtitle D—Demonstration Projects

Sec. 731. Demonstration project for expanded access to mental health counselors.
Sec. 732. Teleradiology demonstration project.
Sec. 733. Health care management demonstration program.

Subtitle E—Joint Initiatives With Department of Veterans Affairs

Sec. 741. VA-DOD sharing agreements for health services.
Sec. 742. Processes for patient safety in military and veterans health care systems.
Sec. 743. Cooperation in developing pharmaceutical identification technology.

Subtitle F—Other Matters

Sec. 751. Management of anthrax vaccine immunization program.
Sec. 752. Elimination of copayments for immediate family.
Sec. 753. Medical informatics.
Sec. 754. Patient care reporting and management system.
Sec. 755. Augmentation of Army Medical Department by detailing Reserve officers of the Public Health Service.
Sec. 756. Privacy of Department of Defense medical records.
Sec. 757. Authority to establish special locality-based reimbursement rates; reports.
Sec. 758. Reimbursement for certain travel expenses.
Sec. 759. Reduction of cap on payments.
Sec. 760. Training in health care management and administration.
Sec. 761. Studies on feasibility of sharing biomedical research facility.
Sec. 762. Study on comparability of coverage for physical, speech, and occupational therapies.

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

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 801. Department of Defense acquisition pilot programs.
Sec. 802. Multiyear services contracts.
Sec. 803. Clarification and extension of authority to carry out certain prototype projects.
Sec. 804. Clarification of authority of Comptroller General to review records of participants in certain prototype projects.
Sec. 805. Extension of time period of limitation on procurement of ball bearings and roller bearings.
Sec. 806. Reporting requirements relating to multiyear contracts.
Sec. 807. Eligibility of small business concerns owned and controlled by women for assistance under the mentor-protege program.
Sec. 808. Qualifications required for employment and assignment in contracting positions.
Sec. 809. Revision of authority for solutions-based contracting pilot program.
Sec. 810. Procurement notice of contracting opportunities through electronic means.

Subtitle B—Information Technology

Sec. 811. Acquisition and management of information technology.
Sec. 812. Tracking and management of information technology purchases.
Sec. 813. Appropriate use of requirements regarding experience and education of contractor personnel in the procurement of information technology services.
Sec. 814. Navy-Marine Corps Intranet.
Sec. 815. Sense of Congress regarding information technology systems for Guard and Reserve components.

Subtitle C—Other Acquisition-Related Matters

Sec. 821. Improvements in procurements of services.
Sec. 822. Financial analysis of use of dual rates for quantifying overhead costs at Army ammunition plants.

Sec. 823. Repeal of prohibition on use of Department of Defense funds for procurement of nuclear-capable shipyard crane from a foreign source.
Sec. 824. Extension of waiver period for live-fire survivability testing for MH–47E and MH–60K helicopter modification programs.
Sec. 825. Compliance with existing law regarding purchases of equipment and products.
Sec. 826. Requirement to disregard certain agreements in awarding contracts for the purchase of firearms or ammunition.

Subtitle D—Studies and Reports

Sec. 831. Study on impact of foreign sourcing of systems on long-term military readiness and related industrial infrastructure.
Sec. 832. Study of policies and procedures for transfer of commercial activities.
Sec. 833. Study and report on practice of contract bundling in military construction contracts.
Sec. 834. Requirement to conduct study on contract bundling.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Duties and Functions of Department of Defense Officers

Sec. 901. Overall supervision of Department of Defense activities for combating terrorism.
Sec. 902. Change of title of certain positions in the Headquarters, Marine Corps.
Sec. 903. Clarification of scope of Inspector General authorities under military whistleblower law.
Sec. 904. Policy to ensure conduct of science and technology programs so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation.
Sec. 905.. Additional components of Chairman of the Joint Chiefs of staff annual report on combatant command requirements.

Subtitle B—Department of Defense Organizations

Sec. 911. Western Hemisphere Institute for Security Cooperation.
Sec. 912. Department of Defense regional centers for security studies.
Sec. 913. Change in name of Armed Forces Staff College to Joint Forces Staff College.
Sec. 914. Special authority for administration of Navy Fisher Houses.
Sec. 915. Supervisory control of Armed Forces Retirement Home board by Secretary of Defense.
Sec. 916. Semiannual report on Joint Requirements Oversight Council reform initiative.
Sec. 917. Comptroller General review of operations of Defense Logistics Agency.
Sec. 918. Comptroller General review of operations of Defense Information Systems Agency.

Subtitle C—Information Security

Sec. 921. Institute for Defense Computer Security and Information Protection.
Sec. 922. Information security scholarship program.

Subtitle D—Reports

Sec. 931. Date of submittal of reports on shortfalls in equipment procurement and military construction for the reserve components in future-years defense programs.
Sec. 932. Report on number of personnel assigned to legislative liaison functions.
Sec. 933. Joint report on establishment of national collaborative information analysis capability.
Sec. 934. Network centric warfare.
Sec. 935. Report on Air Force Institute of Technology.

Subtitle E—Other Matters

Sec. 941. Flexibility in implementation of limitation on major Department of Defense headquarters activities personnel.
Sec. 942. Consolidation of certain Navy gift funds.
Sec. 943. Temporary authority to dispose of a gift previously accepted for the Naval Academy.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. Transfer authority.
Sec. 1002. Incorporation of classified annex.
Sec. 1003. Authorization of emergency supplemental appropriations for fiscal year 2000.
Sec. 1004. United States contribution to NATO common-funded budgets in fiscal year 2001.
Sec. 1005. Limitation on funds for Bosnia and Kosovo peacekeeping operations for fiscal year 2001.
Sec. 1006. Requirement for prompt payment of contract vouchers.
Sec. 1007. Plan for prompt recording of obligations of funds for contractual transactions.
Sec. 1008. Electronic submission and processing of claims for contract payments.
Sec. 1009. Administrative offsets for overpayment of transportation costs.
Sec. 1010. Interest penalties for late payment of interim payments due under Government service contracts.

Subtitle B—Naval Vessels and Shipyards

Sec. 1011. Revisions to national defense features program.
Sec. 1012. Sense of Congress on the naming of the CVN–77 aircraft carrier.
Sec. 1013. Authority to transfer naval vessels to certain foreign countries.
Sec. 1014. Authority to consent to retransfer of alternative former naval vessel by Government of Greece.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension of authority to provide support for counter-drug activities of Colombia.
Sec. 1022. Report on Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1023. Recommendations on expansion of support for counter-drug activities.
Sec. 1024. Review of riverine counter-drug program.
Sec. 1025. Report on tethered aerostat radar system.
Sec. 1026. Sense of Congress regarding use of Armed Forces for counter-drug and counter-terrorism activities.

Subtitle D—Counterterrorism and Domestic Preparedness

Sec. 1031. Preparedness of military installation first responders for incidents involving weapons of mass destruction.
Sec. 1032. Additional weapons of mass destruction civil support teams.
Sec. 1033. Authority to provide loan guarantees to improve domestic preparedness to combat cyberterrorism.
Sec. 1034. Report on the status of domestic preparedness against the threat of biological terrorism.
Sec. 1035. Report on strategy, policies, and programs to combat domestic terrorism.

Subtitle E—Strategic Forces

Sec. 1041. Revised nuclear posture review.
Sec. 1042. Plan for the long-term sustainment and modernization of United States strategic nuclear forces.
Sec. 1043. Modification of scope of waiver authority for limitation on retirement or dismantlement of strategic nuclear delivery systems.
Sec. 1044. Report on the defeat of hardened and deeply buried targets.
Sec. 1045. Sense of Congress on the maintenance of the strategic nuclear triad.

Subtitle F—Miscellaneous Reporting Requirements

Sec. 1051. Management review of working-capital fund activities.
Sec. 1052. Report on submarine rescue support vessels.
Sec. 1053. Report on Federal Government progress in developing information assurance strategies.
Sec. 1054. Department of Defense process for decisionmaking in cases of false claims.

Subtitle G—Government Information Security Reform

Sec. 1061. Coordination of Federal information policy.
Sec. 1062. Responsibilities of certain agencies.
Sec. 1063. Relationship of Defense Information Assurance Program to Government-wide information security program.
Sec. 1064. Technical and conforming amendments.
Sec. 1065. Effective date.

Subtitle H—Security Matters

Sec. 1071. Limitation on granting of security clearances.
Sec. 1072. Process for prioritizing background investigations for security clearances for Department of Defense personnel and defense contractor personnel.
Sec. 1073. Authority to withhold certain sensitive information from public disclosure.
Sec. 1074. Expansion of authority to exempt geodetic products of the Department of Defense from public disclosure.
Sec. 1075. Expenditures for declassification activities.
Sec. 1076. Enhanced access to criminal history record information for national security and other purposes
Sec. 1077. Two-year extension of authority to engage in commercial activities as security for intelligence collection activities.
Sec. 1078. Coordination of nuclear weapons secrecy policies and consideration of health of workers at former Department of Defense nuclear facilities.

Subtitle I—Other Matters

Sec. 1081. Funds for administrative expenses under Defense Export Loan Guarantee program.
Sec. 1082. Transit pass program for Department of Defense personnel in poor air quality areas.
Sec. 1083. Transfer of Vietnam era TA–4 aircraft to nonprofit foundation.
Sec. 1084. Transfer of 19th century cannon to museum.
Sec. 1085. Fees for providing historical information to the public.
Sec. 1086. Grants to American Red Cross for Armed Forces emergency services.
Sec. 1087. Technical and clerical amendments.
Sec. 1088. Maximum size of parcel post packages transported overseas for Armed Forces post offices.

Sec. 1089. Sense of Congress regarding tax treatment of members receiving special pay for duty subject to hostile fire or imminent danger.
Sec. 1090. Organization and management of Civil Air Patrol.
Sec. 1091. Additional duties for Commission to Assess United States National Security Space Management and Organization.
Sec. 1092. Commission on the Future of the United States Aerospace Industry.
Sec. 1093. Drug addiction treatment.

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

Subtitle A—Civilian Personnel Management Generally

Sec. 1101. Employment and compensation of employees for temporary organizations established by law or Executive order.
Sec. 1102. Assistive technology accommodations program.
Sec. 1103. Extension of authority for voluntary separations in reductions in force.
Sec. 1104. Electronic maintenance of performance appraisal systems.
Sec. 1105. Study on civilian personnel services.

Subtitle B—Demonstration and Pilot Programs

Sec. 1111. Pilot program for reengineering the equal employment opportunity complaint process.
Sec. 1112. Work safety demonstration program.
Sec. 1113. Extension, expansion, and revision of authority for experimental personnel program for scientific and technical personnel.
Sec. 1114. Clarification of personnel management authority under personnel demonstration project.

Subtitle C—Educational Assistance

Sec. 1121. Restructuring the restriction on degree training.
Sec. 1122. Student loan repayment programs.
Sec. 1123. Extension of authority for tuition reimbursement and training for civilian employees in the defense acquisition workforce.

Subtitle D—Other Benefits

Sec. 1131. Additional special pay for foreign language proficiency beneficial for United States national security interests.
Sec. 1132. Approval authority for cash awards in excess of $10,000.
Sec. 1133. Leave for crews of certain vessels.
Sec. 1134. Life insurance for emergency essential Department of Defense employees.

Subtitle E—Intelligence Civilian Personnel

Sec. 1141. Expansion of defense civilian intelligence personnel system positions.
Sec. 1142. Increase in number of positions authorized for the Defense Intelligence Senior Executive Service.

Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

Sec. 1151. Extension, revision, and expansion of authorities for use of voluntary separation incentive pay and voluntary early retirement.
Sec. 1152. Department of Defense employee voluntary early retirement authority.
Sec. 1153. Limitations.

TITLE XII—MATTERS RELATING TO OTHER NATIONS

Subtitle A—Matters Related to Arms Control

Sec. 1201. Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities.
Sec. 1202. Support of consultations on Arab and Israeli arms control and regional security issues.
Sec. 1203. Furnishing of nuclear test monitoring equipment to foreign governments.
Sec. 1204. Additional matters for annual report on transfers of militarily sensitive technology to countries and entities of concern.

Subtitle B—Matters Relating to the Balkans

Sec. 1211. Annual report assessing effect of continued operations in the Balkans region on readiness to execute the national military strategy.
Sec. 1212. Situation in the Balkans.
Sec. 1213. Semiannual report on Kosovo peacekeeping.

Subtitle C—North Atlantic Treaty Organization and United States Forces in Europe

Sec. 1221. NATO fair burdensharing.
Sec. 1222. Repeal of restriction preventing cooperative airlift support through acquisition and cross-servicing agreements.
Sec. 1223. GAO study on the benefits and costs of United States military engagement in Europe.

Subtitle D—Other Matters

Sec. 1231. Joint data exchange center with Russian Federation on early warning systems and notification of ballistic missile launches.
Sec. 1232. Report on sharing and exchange of ballistic missile launch early warning data.
Sec. 1233. Annual report of Communist Chinese military companies operating in the United States.
Sec. 1234. Adjustment of composite theoretical performance levels of high performance computers.
Sec. 1235. Increased authority to provide health care services as humanitarian and civic assistance.
Sec. 1236. Sense of Congress regarding the use of children as soldiers.
Sec. 1237. Sense of Congress regarding undersea rescue and recovery.
Sec. 1238. United States-China Security Review Commission.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Sec. 1301. Specification of cooperative threat reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Prohibition on use of funds for elimination of conventional weapons.
Sec. 1304. Limitations on use of funds for fissile material storage facility.
Sec. 1305. Limitation on use of funds to support warhead dismantlement processing.
Sec. 1306. Agreement on nuclear weapons storage sites.
Sec. 1307. Limitation on use of funds for construction of fossil fuel energy plants; report.
Sec. 1308. Reports on activities and assistance under cooperative threat reduction programs.
Sec. 1309. Russian chemical weapons elimination.
Sec. 1310. Limitation on use of funds for elimination of weapons grade plutonium program.
Sec. 1311. Report on audits of Cooperative Threat Reduction programs.

TITLE XIV—COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE (EMP) ATTACK

Sec. 1401. Establishment of commission.
Sec. 1402. Duties of commission.
Sec. 1403. Reports.
Sec. 1404. Powers.
Sec. 1405. Commission procedures.
Sec. 1406. Personnel matters.
Sec. 1407. Miscellaneous administrative provisions.
Sec. 1408. Funding.
Sec. 1409. Termination of the commission.

TITLE XV—NAVY ACTIVITIES ON THE ISLAND OF VIEQUES, PUERTO RICO

Sec. 1501. Assistance for economic growth on Vieques.
Sec. 1502. Conveyance of Naval Ammunition Support Detachment, Vieques Island.
Sec. 1503. Determination regarding continuation of Navy training.
Sec. 1504. Actions if training is approved.
Sec. 1505. Requirements if training is not approved or mandate for referendum is vitiated.
Sec. 1506. Certain properties exempt from conveyance or transfer.
Sec. 1507. Moratorium on improvements at Fort Buchanan.
Sec. 1508. Transfer and management of Conservation Zones.

TITLE XVI—GI BILL EDUCATIONAL ASSISTANCE AND VETERANS CLAIMS ASSISTANCE

Subtitle A—Veterans Education Benefits

Sec. 1601. Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery GI Bill.
Sec. 1602. Modification of authority to pay tuition for off-duty training and education.

Subtitle B—Veterans Claims Assistance

Sec. 1611. Clarification of Department of Veterans Affairs duty to assist.

TITLE XVII—ASSISTANCE TO FIREFIGHTERS

Sec. 1701. Firefighter assistance.
Sec. 1702. Volunteer fire assistance program.
Sec. 1703. Burn research.
Sec. 1704. Study and demonstration projects regarding cases of hepatitis C among certain emergency response employees.
Sec. 1705. Report on progress on spectrum sharing.
Sec. 1706. Sale or donation of excess defense property to assist firefighting agencies.
Sec. 1707. Identification of defense technologies suitable for use, or conversion for use, in providing fire and emergency medical services.

TITLE XVIII—IMPACT AID

Sec. 1801. Short title.
Sec. 1802. Purpose.
Sec. 1803. Payments relating to Federal acquisition of real property.
Sec. 1804. Payments for eligible federally connected children.
Sec. 1805. Maximum amount of basic support payments.
Sec. 1806. Basic support payments for heavily impacted local educational agencies.
Sec. 1807. Basic support payments for local educational agencies affected by removal of Federal property.
Sec. 1808. Additional payments for local educational agencies with high concentrations of children with severe disabilities.
Sec. 1809. Application for payments under sections 8002 and 8003.
Sec. 1810. Payments for sudden and substantial increases in attendance of military dependents.
Sec. 1811. Construction.
Sec. 1812. State consideration of payments in providing State aid.
Sec. 1813. Federal administration.
Sec. 1814. Administrative hearings and judicial review.

Sec. 1815. Forgiveness of overpayments.
Sec. 1816. Definitions.
Sec. 1817. Authorization of appropriations.
Sec. 1818. Effective date.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.
Sec. 2105. Modification of authority to carry out certain fiscal year 2000 projects.
Sec. 2106. Modification of authority to carry out certain fiscal year 1999 projects.
Sec. 2107. Modification of authority to carry out fiscal year 1998 project.
Sec. 2108. Authority to accept funds for realignment of certain military construction project, Fort Campbell, Kentucky.

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Modification of authority to carry out fiscal year 1997 project at Marine Corps Combat Development Command, Quantico, Virginia.

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Energy conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Modification of authority to carry out certain fiscal year 1990 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.
Sec. 2602. Authority to contribute to construction of airport tower, Cheyenne Airport, Cheyenne, Wyoming.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Extension of authorizations of certain fiscal year 1998 projects.
Sec. 2703. Extension of authorizations of certain fiscal year 1997 projects.
Sec. 2704. Effective date.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Joint use military construction projects.
Sec. 2802. Exclusion of certain costs from determination of applicability of limitation on use of funds for improvement of family housing.
Sec. 2803. Revision of space limitations for military family housing.
Sec. 2804. Modification of lease authority for high-cost military family housing.
Sec. 2805. Provision of utilities and services under alternative authority for acquisition and improvement of military housing.
Sec. 2806. Extension of alternative authority for acquisition and improvement of military housing.
Sec. 2807. Expansion of definition of armory to include readiness centers.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Increase in threshold for notice and wait requirements for real property transactions.
Sec. 2812. Enhancement of authority of military departments to lease non-excess property.
Sec. 2813. Conveyance authority regarding utility systems of military departments.
Sec. 2814. Permanent conveyance authority to improve property management.

Subtitle C—Defense Base Closure and Realignment

Sec. 2821. Scope of agreements to transfer property to redevelopment authorities without consideration under the base closure laws.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

Sec. 2831. Transfer of jurisdiction, Rock Island Arsenal, Illinois.
Sec. 2832. Land conveyance, Army Reserve Center, Galesburg, Illinois.
Sec. 2833. Land conveyance, Charles Melvin Price Support Center, Illinois.
Sec. 2834. Land conveyance, Fort Riley, Kansas.
Sec. 2835. Land conveyance, Fort Polk, Louisiana.
Sec. 2836. Land conveyance, Army Reserve Center, Winona, Minnesota.
Sec. 2837. Land conveyance, Fort Dix, New Jersey.
Sec. 2838. Land conveyance, Nike Site 43, Elrama, Pennsylvania.
Sec. 2839. Land exchange, Army Reserve Local Training Center, Chattanooga, Tennessee.
Sec. 2840. Land exchange, Fort Hood, Texas.
Sec. 2841. Land conveyance, Fort Pickett, Virginia.
Sec. 2842. Land conveyance, Fort Lawton, Washington.
Sec. 2843. Land conveyance, Vancouver Barracks, Washington.

PART II—NAVY CONVEYANCES

Sec. 2846. Modification of land conveyance, Marine Corps Air Station, El Toro, California.
Sec. 2847. Modification of authority for Oxnard Harbor District, Port Hueneme, California, to use certain Navy property.
Sec. 2848. Transfer of jurisdiction, Marine Corps Air Station, Miramar, California.
Sec. 2849. Land exchange, Marine Corps Recruit Depot, San Diego, California.
Sec. 2850. Lease of property, Naval Air Station, Pensacola, Florida.
Sec. 2851. Land conveyance, Naval Reserve Center, Tampa, Florida.
Sec. 2852. Modification of land conveyance, Defense Fuel Supply Point, Casco Bay, Maine.
Sec. 2853. Land conveyance, Naval Computer and Telecommunications Station, Cutler, Maine.
Sec. 2854. Modification of land conveyance authority, former Naval Training Center, Bainbridge, Cecil County, Maryland.
Sec. 2855. Land conveyance, Marine Corps Base, Camp Lejeune, North Carolina.
Sec. 2856. Land exchange, Naval Air Reserve Center, Columbus, Ohio.
Sec. 2857. Land conveyance, Naval Station, Bremerton, Washington.

PART III—AIR FORCE CONVEYANCES

Sec. 2861. Land conveyance, Los Angeles Air Force Base, California.
Sec. 2862. Land conveyance, Point Arena Air Force Station, California.
Sec. 2863. Land conveyance, Lowry Air Force Base, Colorado.
Sec. 2864. Land conveyance, Wright Patterson Air Force Base, Ohio.
Sec. 2865. Modification of land conveyance, Ellsworth Air Force Base, South Dakota.
Sec. 2866. Land conveyance, Mukilteo Tank Farm, Everett, Washington.

PART IV—OTHER CONVEYANCES

Sec. 2871. Land conveyance, Army and Air Force Exchange Service property, Farmers Branch, Texas.
Sec. 2872. Land conveyance, former National Ground Intelligence Center, Charlottesville, Virginia.

Subtitle E—Other Matters

Sec. 2881. Relation of easement authority to leased parkland, Marine Corps Base, Camp Pendleton, California.
Sec. 2882. Extension of demonstration project for purchase of fire, security, police, public works, and utility services from local government agencies.
Sec. 2883. Acceptance and use of gifts for construction of third building at United States Air Force Museum, Wright-Patterson Air Force Base, Ohio.
Sec. 2884. Development of Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia.
Sec. 2885. Activities relating to greenbelt at Fallon Naval Air Station, Nevada.
Sec. 2886. Establishment of World War II memorial on Guam.
Sec. 2887. Naming of Army missile testing range at Kwajalein Atoll as the Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll.
Sec. 2888. Designation of building at Fort Belvoir, Virginia, in honor of Andrew T. McNamara.
Sec. 2889. Designation of Balboa Naval Hospital, San Diego, California, in honor of Bob Wilson, a former member of the House of Representatives.
Sec. 2890. Sense of Congress regarding importance of expansion of National Training Center, Fort Irwin, California.
Sec. 2891. Sense of Congress regarding land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental restoration and waste management.
Sec. 3103. Other defense activities.
Sec. 3104. Defense environmental management privatization.
Sec. 3105. Defense nuclear waste disposal.

Subtitle B—Recurring General Provisions

Sec. 3121. Reprogramming.
Sec. 3122. Limits on general plant projects.
Sec. 3123. Limits on construction projects.
Sec. 3124. Fund transfer authority.
Sec. 3125. Authority for conceptual and construction design.
Sec. 3126. Authority for emergency planning, design, and construction activities.
Sec. 3127. Funds available for all national security programs of the Department of Energy.
Sec. 3128. Availability of funds.
Sec. 3129. Transfers of defense environmental management funds.

Subtitle C—Program Authorizations, Restrictions, and Limitations

Sec. 3131. Funding for termination costs of River Protection Project, Richland, Washington.
Sec. 3132. Enhanced cooperation between National Nuclear Security Administration and Ballistic Missile Defense Organization.
Sec. 3133. Reprogramming of funds available for infrastructure upgrades or maintenance in certain accounts of the National Nuclear Security Administration.
Sec. 3134. Adjustment of composite theoretical performance levels for post-shipment verification reports on advanced supercomputer sales to certain foreign nations.
Sec. 3135. Modification of counterintelligence polygraph program.
Sec. 3136. Employee incentives for employees at closure project facilities.
Sec. 3137. Continuation of processing, treatment, and disposition of legacy nuclear materials.
Sec. 3138. Limitation on use of certain funds pending certification of compliance with Formerly Utilized Sites Remedial Action Program funding prohibition.
Sec. 3139. Conceptual design for Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho.
Sec. 3140. Report on National Ignition Facility, Lawrence Livermore National Laboratory, Livermore, California.
Sec. 3141. River Protection Project, Richland, Washington.
Sec. 3142. Report on tank waste remediation system, Hanford Reservation, Richland, Washington.

Subtitle D—Matters Relating to Management of National Nuclear Security Administration

Sec. 3151. Term of office of person first appointed as Under Secretary for Nuclear Security of the Department of Energy.
Sec. 3152. Membership of Under Secretary for Nuclear Security on the Joint Nuclear Weapons Council.
Sec. 3153. Organization plan for field offices of the National Nuclear Security Administration.
Sec. 3154. Required contents of future-years nuclear security program.
Sec. 3155. Future-years nuclear security program for fiscal year 2001.
Sec. 3156. Engineering and manufacturing research, development, and demonstration by plant managers of certain nuclear weapons production plants.
Sec. 3157. Prohibition on individuals engaging in concurrent service or duties within National Nuclear Security Administration and outside that Administration but within Department of Energy.
Sec. 3158. Annual plan for obligation of funds of the National Nuclear Security Administration.
Sec. 3159. Authority to reorganize National Nuclear Security Administration.

Subtitle E—National Laboratories Partnership Improvement

Sec. 3161. Technology Infrastructure Pilot Program.
Sec. 3162. Report on small business participation in National Nuclear Security Administration activities.
Sec. 3163. Study and report related to improving mission effectiveness, partnerships, and technology transfer at national security laboratories and nuclear weapons production facilities.
Sec. 3164. Report on effectiveness of National Nuclear Security Administration technology development partnerships with non-Federal entities.
Sec. 3165. Definitions.

Subtitle F—Matters Relating to Defense Nuclear Nonproliferation

Sec. 3171. Annual report on status of nuclear materials protection, control, and accounting program.
Sec. 3172. Nuclear Cities Initiative.
Sec. 3173. Department of Energy nonproliferation monitoring.
Sec. 3174. Sense of Congress on the need for coordination of nonproliferation programs.
Sec. 3175. Limitation on use of funds for International Nuclear Safety Program.

Subtitle G—Other Matters

Sec. 3191. Extension of authority for appointment of certain scientific, engineering, and technical personnel.
Sec. 3192. Biennial report containing update on nuclear test readiness postures.
Sec. 3193. Frequency of reports on inadvertent releases of Restricted Data and Formerly Restricted Data.
Sec. 3194. Form of certifications regarding the safety or reliability of the nuclear weapons stockpile.
Sec. 3195. Authority to provide certificate of commendation to Department of Energy and contractor employees for exemplary service in stockpile stewardship and security.
Sec. 3196. Cooperative research and development agreements for government-owned, contractor-operated laboratories.
Sec. 3197. Office of Arctic Energy.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3301. Authorized uses of stockpile funds.
Sec. 3302. Increased receipts under prior disposal authority.
Sec. 3303. Disposal of titanium.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Minimum price of petroleum sold from certain naval petroleum reserves.
Sec. 3402. Repeal of authority to contract for cooperative or unit plans affecting Naval Petroleum Reserve Numbered 1.
Sec. 3403. Disposal of Oil Shale Reserve Numbered 2.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for fiscal year 2001.
Sec. 3502.. Scrapping of National Defense Reserve Fleet vessels.
Sec. 3503. Authority to convey National Defense Reserve Fleet vessel, Glacier.
Sec. 3504. Maritime intermodal research.
Sec. 3505. Maritime research and technology development.
Sec. 3506. Reporting of administered and oversight funds.

TITLE XXXVI—ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

Sec. 3601. Short title.
Sec. 3602. Findings; sense of Congress.

Subtitle A—Establishment of Compensation Program and Compensation Fund

Sec. 3611. Establishment of Energy Employees Occupational Illness Compensation Program.
Sec. 3612. Establishment of Energy Employees Occupational Illness Compensation Fund.
Sec. 3613. Legislative proposal.
Sec. 3614. Authorization of appropriations.

Subtitle B—Program Administration

Sec. 3621. Definitions for program administration.
Sec. 3622. Expansion of list of beryllium vendors.
Sec. 3623. Exposure in the performance of duty.
Sec. 3624. Advisory Board on Radiation and Worker Health.
Sec. 3625. Responsibilities of Secretary of Health and Human Services.
Sec. 3626. Designation of additional members of Special Exposure Cohort.
Sec. 3627. Separate treatment of chronic silicosis.
Sec. 3628. Compensation and benefits to be provided.
Sec. 3629. Medical benefits.
Sec. 3630. Separate treatment of certain uranium employees.
Sec. 3631. Assistance for claimants and potential claimants.

Subtitle C—Treatment, Coordination, and Forfeiture of Compensation and Benefits

Sec. 3641. Offset for certain payments.
Sec. 3642. Subrogation of the United States.
Sec. 3643. Payment in full settlement of claims.
Sec. 3644. Exclusivity of remedy against the United States and against contractors and subcontractors.
Sec. 3645. Election of remedy for beryllium employees and atomic weapons employees.
Sec. 3646. Certification of treatment of payments under other laws.
Sec. 3647. Claims not assignable or transferable; choice of remedies.
Sec. 3648. Attorney fees.
Sec. 3649. Certain claims not affected by awards of damages.
Sec. 3650. Forfeiture of benefits by convicted felons.
Sec. 3651. Coordination with other Federal radiation compensation laws.

Subtitle D—Assistance in State Workers' Compensation Proceedings

Sec. 3661. Agreements with States.

SEC. . CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

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

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority.
Sec. 112. Increase in limitation on number of bunker defeat munitions that may be acquired.
Sec. 113. Reports and limitations relating to Army transformation.

Subtitle C—Navy Programs

Sec. 121. CVNX–1 nuclear aircraft carrier program.
Sec. 122. Arleigh Burke class destroyer program.
Sec. 123. Virginia class submarine program.
Sec. 124. Limitation during fiscal year 2001 on changes in submarine force structure.
Sec. 125. ADC(X) ship program.
Sec. 126. Refueling and complex overhaul program of the U.S.S. Dwight D. Eisenhower.
Sec. 127. Analysis of certain shipbuilding programs.
Sec. 128. Helicopter support of FFG–7 frigates during fiscal year 2001.
Sec. 129. V–22 cockpit aircraft voice and flight data recorders.

Subtitle D—Air Force Programs

Sec. 131. Annual report on B–2 bomber.
Sec. 132. Report on modernization of Air National Guard F–16A units.

Subtitle E—Joint Programs

Sec. 141. Study of final assembly and checkout alternatives for the Joint Strike Fighter program.

Subtitle F—Chemical Demilitarization

Sec. 151. Pueblo Chemical Depot chemical agent and munitions destruction technologies.
Sec. 152. Report on assessment of need for Federal economic assistance for communities impacted by chemical demilitarization activities.
Sec. 153. Prohibition against disposal of nonstockpile chemical warfare material at Anniston chemical stockpile disposal facility.

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

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

(1) For aircraft, $1,550,012,000.

(2) For missiles, $1,320,681,000.

(3) For weapons and tracked combat vehicles, $2,436,324,000.

(4) For ammunition, $1,179,916,000.

(5) For other procurement, $4,235,719,000.

(6) For chemical agents and munitions destruction, $980,100,000, for—

(A) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(B) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Navy as follows:

(1) For aircraft, $8,394,338,000.

(2) For weapons, including missiles and torpedoes, $1,443,600,000.

(3) For shipbuilding and conversion, $12,826,919,000.

(4) For other procurement, $3,380,680,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Marine Corps in the amount of $1,212,768,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement of ammunition for the Navy and the Marine Corps in the amount of $487,749,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Air Force as follows:

(1) For aircraft, $9,923,868,000.

(2) For missiles, $2,863,778,000.

(3) For ammunition, $646,808,000.

(4) For other procurement, $7,711,647,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

(a) AMOUNT AUTHORIZED.—Funds are hereby authorized to be appropriated for fiscal year 2001 for Defense-wide procurement in the amount of $2,278,408,000.

(b) AMOUNT FOR NATIONAL MISSILE DEFENSE.—Of the funds authorized to be appropriated in subsection (a), $74,530,000 shall be available for the National Missile Defense program.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Inspector General of the Department of Defense in the amount of $3,300,000.

SEC. 106. DEFENSE HEALTH PROGRAMS.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $290,006,000.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY.

(a) M2A3 BRADLEY FIGHTING VEHICLE.—(1) Beginning with the fiscal year 2001 program year, the Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into one or more multiyear contracts for procurement of M2A3 Bradley fighting vehicles.

(2) The Secretary of the Army may execute a contract authorized by paragraph (1) only after—

(A) there is a successful completion of a M2A3 Bradley initial operational test and evaluation (IOT&E); and

(B) the Secretary certifies in writing to the congressional defense committees that the vehicle met all required test parameters.

(b) UTILITY HELICOPTERS.—Beginning with the fiscal year 2002 program year, the Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into one or more multiyear contracts for procurement of UH–60 Blackhawk utility helicopters and, acting as executive agent for the Department of the Navy, CH–60 Knighthawk utility helicopters.

SEC. 112. INCREASE IN LIMITATION ON NUMBER OF BUNKER DEFEAT MUNITIONS THAT MAY BE ACQUIRED.

Section 116(2) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2682) is amended by striking ''6,000'' and inserting ''8,500''.

SEC. 113. REPORTS AND LIMITATIONS RELATING TO ARMY TRANSFORMATION.

(a) SECRETARY OF THE ARMY REPORT ON OBJECTIVE FORCE DEVELOPMENT PROCESS.—The Secretary of the Army shall submit to the congressional defense committees a report on the process for developing the objective force in the transformation of the Army. The report shall include the following:

(1) The operational environments envisioned for the objective force.

(2) The threat assumptions on which research and development efforts for transformation of the Army into the objective force are based.

(3) The potential operational and organizational concepts for the objective force.

(4) The operational requirements anticipated for the operational requirements document of the objective force.

(5) The anticipated schedule of Army transformation activities through fiscal year 2012, together with—

(A) the projected funding requirements through that fiscal year for research and development activities and procurement activities related to transition to the objective force; and

(B) a summary of the anticipated investments of the Defense Advanced Research Projects Agency in programs designed to lead to the fielding of future combat systems for the objective force.

(6) A proposed plan for the comparison referred to in subsection (c).

If any of the information required by paragraphs (1) through (5) is not available at the time the report is submitted, the Secretary shall include in the report the anticipated schedule for the availability of that information.

(b) SECRETARY OF DEFENSE REPORT ON OBJECTIVE FORCE DEVELOPMENT PROCESS.—Not later than March 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the process for developing the objective force in the transformation of the Army. The report shall include the following:

(1) The joint warfighting requirements that will be supported by the fielding of the objective force, together with a description of the adjustments that are planned to be made in the war plans of the commanders of the unified combatant commands in relation to the fielding of the objective force.

(2) The changes in lift requirements that may result from the establishment and fielding of the combat brigades of the objective force.

(3) The evaluation process that will be used to support decisionmaking on the course of the Army transformation, including a description of the operational evaluations and experimentation that will be used to validate the operational requirements for the operational requirements document of the objective force.

If any of the information required by paragraphs (1) through (3) is not available at the time the report is submitted, the Secretary shall include in the report the anticipated schedule for the availability of that information.

(c) COSTS AND EFFECTIVENESS OF MEDIUM ARMORED COMBAT VEHICLES FOR THE INTERIM BRIGADE COMBAT TEAMS.—(1) The Secretary of the Army shall develop a plan for comparing—

(A) the costs and operational effectiveness of the infantry carrier variant of the interim armored vehicles selected for the infantry battalions of the interim brigade combat teams; and

(B) the costs and operational effectiveness of the troop-carrying medium armored vehicles currently in the Army inventory for the use of infantry battalions.

(2) The Secretary of the Army may not carry out the comparison described in paragraph (1) until the Director of Operational Test and Evaluation of the Department of Defense approves the plan for that comparison developed under that paragraph.

(d) LIMITATION PENDING RECEIPT OF SECRETARY OF THE ARMY REPORT.—Not more than 80 percent of the amount appropriated for fiscal year 2001 for the procurement of armored vehicles in the family of new medium armored vehicles may be obligated until—

(1) the Secretary of the Army submits to the congressional defense committees the report required under subsection (a); and

(2) a period of 30 days has elapsed from the date of the submittal of such report.

(e) LIMITATION PENDING COMPARISON AND CERTIFICATION.—No funds appropriated or otherwise made available to the Department of the Army for any fiscal year may be obligated for acquisition of medium armored combat vehicles to equip a third interim brigade combat team until—

(1) the plan for a comparison of costs and operational effectiveness developed under subsection (c)(1), as approved under subsection (c)(2), is carried out;

(2) the Secretary of Defense submits to the congressional defense committees, after the completion of the comparison referred to in paragraph (1), a certification that—

(A) the Secretary approves of the obligation of funds for that purpose; and

(B) the force structure resulting from the acquisition and subsequent operational capability of interim brigade combat teams will not diminish the combat power of the Army; and

(3) a period of 30 days has elapsed from the date of the certification under paragraph (2).

(f) DEFINITIONS.—In this section:

(1) The term ''transformation'', with respect to the Army, means the actions being undertaken to transform the Army, as it is constituted in terms of organization, equipment, and doctrine in 2000, into the objective force.

(2) The term ''objective force'' means the Army that has the organizational structure, the most advanced equipment that early twenty-first century science and technology can provide, and the appropriate doctrine to ensure that the Army is responsive, deployable, agile, versatile, lethal, survivable, and sustainable for the full spectrum of the operations anticipated to be required of the Army during the early years of the twenty-first century following 2010.

(3) The term ''interim brigade combat team'' means an Army brigade that is designated by the Secretary of the Army as a brigade combat team and is reorganized and equipped with currently available equipment in a configuration that effectuates an evolutionary advancement toward transformation of the Army to the objective force.

Subtitle C—Navy Programs

SEC. 121. CVNX–1 NUCLEAR AIRCRAFT CARRIER PROGRAM.

(a) AUTHORIZATION OF SHIP.—The Secretary of the Navy is authorized to procure the aircraft carrier to be designated CVNX–1.

(b) ADVANCE PROCUREMENT AND CONSTRUCTION.—The Secretary may enter into one or more contracts for the advance procurement and advance construction of components for the ship authorized under subsection (a).

(c) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amounts authorized to be appropriated under section 102(a)(3) for fiscal year 2001, $21,869,000 is available for the advance procurement and advance construction of components (including nuclear components) for the CVNX–1 aircraft carrier program.

SEC. 122. ARLEIGH BURKE CLASS DESTROYER PROGRAM.

(a) ECONOMICAL MULTIYEAR PROCUREMENT OF PREVIOUSLY AUTHORIZED VESSELS AND ONE ADDITIONAL VESSEL.—(1) Subsection (b) of section 122 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2446), as amended by section 122(a) of Public Law 106–65 (113 Stat. 534), is further amended by striking ''a total of 18 Arleigh Burke class destroyers'' in the first sentence and all that follows through the period at the end of that sentence and inserting ''Arleigh Burke class destroyers in accordance with this subsection and subsection (a)(4) at procurement rates not in excess of three ships in each of the fiscal years beginning after September 30, 1998, and before October 1, 2005. The authority under the preceding sentence is subject to the availability of appropriations for such destroyers.''.

(2) The heading for such subsection is amended by striking ''18''.

(b) ECONOMICAL RATE OF PROCUREMENT.—It is the sense of Congress that, for the procurement of the Arleigh Burke class destroyers to be procured after fiscal year 2001 under multiyear contracts authorized under section 122(b) of Public Law 104–201, as amended by subsection (a)—

(1) the Secretary of the Navy should—

(A) achieve the most economical rate of procurement; and

(B) enter into such contracts for advance procurement as may be necessary to achieve that rate of procurement;

(2) the most economical rate of procurement would be achieved by procuring three of those vessels in each of fiscal years 2002 and 2003 and procuring another vessel in fiscal year 2004; and

(3) the Secretary has the authority under section 122(b) of Public Law 104–201 (110 Stat. 2446) and subsections (b) and (c) of section 122 of Public Law 106–65 (113 Stat. 534) to provide for procurement at the most economical rate, as described in paragraph (2).

(c) UPDATE OF 1993 REPORT ON DDG–51 CLASS SHIPS.—(1) The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than November 1, 2000, a report that updates the information provided in the report of the Secretary of the Navy entitled the ''Arleigh Burke (DDG–51) Class Industrial Base Study of 1993''. The Secretary shall transmit a copy of the updated report to the Comptroller General not later than the date on which the Secretary submits the report to the committees.

(2) The Comptroller General shall review the updated report submitted under paragraph (1) and, not later than December 1, 2000, submit to the Committees on Armed Services of the Senate and House of Representatives the Comptroller General's comments on the updated report.

SEC. 123. VIRGINIA CLASS SUBMARINE PROGRAM.

(a) AMOUNTS AUTHORIZED FROM SCN ACCOUNT.—Of the amounts authorized to be appropriated by section 102(a)(3) for fiscal year 2001, $1,706,234,000 is available for the Virginia class submarine program.

(b) CONTRACT AUTHORITY.—(1) The Secretary of the Navy is authorized to enter into a contract for the procurement of up to five Virginia class submarines, including the procurement of material in economic order quantities when cost savings are achievable, during fiscal years 2003 through 2006. The submarines authorized under the preceding sentence are in addition to the submarines authorized under section 121(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1648).

(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose.

(c) SHIPBUILDER TEAMING.—Paragraphs (2)(A), (3), and (4) of section 121(b) of Public Law 105–85 apply to the procurement of submarines under this section.

(d) LIMITATION OF LIABILITY.—If a contract entered into under this section is terminated, the United States shall not be liable for termination costs in excess of the total of the amounts appropriated for the Virginia class submarine program that remain available for the program.

(e) REPORT REQUIREMENT.—At that same time that the President submits the budget for fiscal year 2002 to Congress under section 1105(a) of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the Navy's fleet of fast attack submarines. The report shall include the following:

(1) A plan for maintaining at least 55 fast attack submarines in commissioned service through 2015, including, by 2015, 18 Virginia class submarines.

(2) Two assessments of the potential savings that would be achieved under the Virginia class submarine program if the production rate for that program were at least two submarines each fiscal year, as follows:

(A) An assessment if that were the production rate beginning in fiscal year 2004.

(B) An assessment if that were the production rate beginning in fiscal year 2006.

(3) An analysis of the advantages and disadvantages of various contracting strategies for the Virginia class submarine program, including one or more multiyear procurement strategies and one or more strategies for block buy with economic order quantity.

SEC. 124. LIMITATION DURING FISCAL YEAR 2001 ON CHANGES IN SUBMARINE FORCE STRUCTURE.

(a) LIMITATION ON RETIREMENT OF SUBMARINES.—During fiscal year 2001, the Secretary of the Navy may not retire from the active force structure of the Navy any Los Angeles class nuclear-powered attack submarine or any Ohio class nuclear-powered ballistic missile submarine unless the Secretary of the Navy certifies to Congress in writing that he cannot assure the continued safe and militarily effective operation of that submarine.

(b) REPORT.—Not later than April 15, 2001, the President shall submit to Congress a report on the required force structure for nuclear-powered submarines, including attack submarines (SSNs), ballistic missile submarines (SSBNs), and cruise missile submarines (SSGNs), to support the national military strategy through 2020. The report shall include a detailed discussion of the acquisition strategy and fleet maintenance requirements to achieve and maintain that force structure through—

(1) the procurement of new construction submarines;

(2) the refueling of Los Angeles class attack submarines (SSNs) to achieve the maximum amount of operational useful service; and

(3) the conversion of Ohio class submarines that are no longer required for the strategic deterrence mission from their current ballistic missile (SSBN) configuration to a cruise-missile (SSGN) configuration.

SEC. 125. ADC(X) SHIP PROGRAM.

The Secretary of the Navy may procure the construction of all ADC(X) class ships in one shipyard if the Secretary determines that it is more cost effective to do so than to procure the construction of such ships from more than one shipyard.

SEC. 126. REFUELING AND COMPLEX OVERHAUL PROGRAM OF THE U.S.S. DWIGHT D. EISENHOWER.

(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amount authorized to be appropriated by section 102(a)(3) for fiscal year 2001, $698,441,000 is available for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Dwight D. Eisenhower (CVN–69) during fiscal year 2001. The amount made available in the preceding sentence is the first increment in the incremental funding planned for the nuclear refueling and complex overhaul of that vessel.

(b) CONTRACT AUTHORITY.—The Secretary of the Navy is authorized to enter into a contract during fiscal year 2001 for the nuclear refueling and complex overhaul of the U.S.S. Dwight D. Eisenhower.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2001 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 127. ANALYSIS OF CERTAIN SHIPBUILDING PROGRAMS.

(a) ALTERNATIVE FUNDING ANALYSIS.—The Secretary of the Navy shall conduct an analysis

on the potential benefits and risks associated with alternative funding mechanisms for the procurement of various classes of naval vessels and other naval capabilities beginning in fiscal year 2002.

(b) ALTERNATIVE FUNDING MECHANISMS.—For purposes of this section, the term ''alternative funding mechanism'' means any of the following:

(1) The use of multiyear procurement.

(2) The use of advance procurement for block buys of materials in economic order quantities.

(3) The use of advance procurement and advance construction required in the number of years appropriate to minimize the cost of ship construction.

(4) The use of advance procurement and advance construction apportioned roughly evenly across some number of fiscal years.

(5) The use of resources from the National Defense Sealift Fund to budget for auxiliary ships and strategic lift ships.

(6) The use of the resources from the National Defense Sealift Fund to provide advance payments for national defense features to establish an active Ready Reserve Force.

(c) REPORT.—The Secretary shall submit to the congressional defense committees a report providing the results of the analysis under subsection (a). The report shall be submitted concurrently with the submission of the President's budget for fiscal year 2002, but in no event later than February 5, 2001. The report shall include the following:

(1) A detailed description of the funding mechanisms considered.

(2) The potential savings or costs associated with each such funding mechanism.

(3) The year-to-year effect of each such funding mechanism on production stability of other shipbuilding programs funded within the Shipbuilding and Conversion, Navy, account, given the current acquisition plan of the Navy through fiscal year 2010.

(4) The variables and constants used in the analysis which should include economic, industrial base, and budget realities.

(5) A description and discussion of any statutory or regulatory restrictions that would preclude the use of any of the funding mechanisms considered.

SEC. 128. HELICOPTER SUPPORT OF FFG–7 FRIGATES DURING FISCAL YEAR 2001.

During fiscal year 2001, the Secretary of the Navy shall operate one squadron of six SH-2G helicopters to provide organic helicopter assets for operational support of missions that are to be carried out by FFG–7 Flight I and Flight II frigates during that fiscal year.

SEC. 129. V–22 COCKPIT AIRCRAFT VOICE AND FLIGHT DATA RECORDERS.

The Secretary of Defense shall require that all V–22 Osprey aircraft be equipped with a state-of-the-art cockpit voice recorder and a state-of-the-art flight data recorder each of which meets, at a minimum, the standards for such devices recommended by the National Transportation Safety Board.

Subtitle D—Air Force Programs

SEC. 131. ANNUAL REPORT ON B–2 BOMBER.

(a) IN GENERAL.—(1) Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2282. B–2 bomber: annual report

''Not later than March 1 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the B–2 bomber aircraft. Each such report shall include the following:

''(1) Identification of the average full-mission capable rate of B–2 aircraft for the preceding fiscal year and the Secretary's overall assessment of the implications of that full-mission capable rate on mission accomplishment for the B–2 aircraft, together with the Secretary's determination as to whether that rate is adequate for the accomplishment of each of the missions assigned to the B–2 aircraft as of the date of the assessment.

''(2) An assessment of the technical capabilities of the B–2 aircraft and whether these capabilities are adequate to accomplish each of the missions assigned to that aircraft as of the date of the assessment.

''(3) Identification of all ongoing and planned development of technologies to enhance the capabilities of that aircraft.

''(4) Identification and assessment of additional technologies that would make that aircraft more capable or survivable against known and evolving threats.

''(5) A fiscally phased program for each technology identified in paragraphs (3) and (4) for the budget year and the future-years defense program, based on the following three funding situations:

''(A) The President's current budget.

''(B) The President's current budget and the current Department of Defense unfunded priority list.

''(C) The maximum executable funding for the B–2 aircraft given the requirement to maintain enough operationally ready aircraft to accomplish missions assigned to the B-2 aircraft.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2282. B–2 bomber: annual report.''.

(b) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189) is repealed.

SEC. 132. REPORT ON MODERNIZATION OF AIR NATIONAL GUARD F–16A UNITS.

The Secretary of the Air Force shall, not later than February 1, 2001, submit to Congress a plan to modernize and upgrade the combat capabilities of those Air National Guard units that, as of the date of the enactment of this Act, are assigned F–16A aircraft so that those units can be deployed as part of Air Expeditionary Forces.

Subtitle E—Joint Programs

SEC. 141. STUDY OF FINAL ASSEMBLY AND CHECKOUT ALTERNATIVES FOR THE JOINT STRIKE FIGHTER PROGRAM.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the award of a contract for engineering and manufacturing development for the Joint Strike Fighter aircraft program, the Secretary of Defense shall submit to Congress a report providing the results of a study of final assembly and checkout alternatives for that aircraft.

(b) MATTERS TO BE INCLUDED.—The report under subsection (a) shall include the following:

(1) Examination of alternative final assembly and checkout strategies for the program, including—

(A) final assembly and checkout of all aircraft under the program at one location;

(B) final assembly and checkout at dual locations; and

(C) final assembly and checkout at multiple locations.

(2) Identification of each Government and industry facility that is a potential location for such final assembly and checkout.

(3) Identification of the anticipated costs of final assembly and checkout at each facility identified pursuant to paragraph (2), based upon a reasonable profile for the annual procurement of that aircraft once it enters production.

(4) A comparison of the anticipated costs of carrying out such final assembly and checkout at each such location.

(c) COST COMPARISON.—In identifying costs under subsection (b)(3) and carrying out the cost comparisons required by subsection (b)(4), the Secretary shall include consideration of each of the following factors:

(1) State tax credits.

(2) State and local incentives.

(3) Skilled resident workforce.

(4) Supplier and technical support bases.

(5) Available stealth production facilities.

(6) Environmental standards.

Subtitle F—Chemical Demilitarization

SEC. 151. PUEBLO CHEMICAL DEPOT CHEMICAL AGENT AND MUNITIONS DESTRUCTION TECHNOLOGIES.

(a) LIMITATION.—In determining the technologies to be used for the destruction of the stockpile of lethal chemical agents and munitions at Pueblo Chemical Depot, Colorado, whether under the assessment required by section 141(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 537; 50 U.S.C. 1521 note), the Assembled Chemical Weapons Assessment, or any other assessment, the Secretary of Defense may consider only the following technologies:

(1) Incineration.

(2) Any technologies demonstrated under the Assembled Chemical Weapons Assessment on or before May 1, 2000.

(b) ASSEMBLED CHEMICAL WEAPONS ASSESSMENT DEFINED.—As used in subsection (a), the term ''Assembled Chemical Weapons Assessment'' means the pilot program carried out under section 8065 of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104–208; 110 Stat. 3009–101; 50 U.S.C. 1521 note).

SEC. 152. REPORT ON ASSESSMENT OF NEED FOR FEDERAL ECONOMIC ASSISTANCE FOR COMMUNITIES IMPACTED BY CHEMICAL DEMILITARIZATION ACTIVITIES.

(a) REPORT REQUIRED.—Not later than April 1, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a report on the impact of the Department of Defense chemical agents and munitions destruction program on the communities in the vicinity of the chemical weapons stockpile storage sites and associated chemical agent demilitarization activities at the following facilities:

(1) Anniston Chemical Activity, Alabama.

(2) Blue Grass Chemical Activity, Kentucky.

(3) Deseret Chemical Depot, Utah.

(4) Edgewood Chemical Activity, Maryland.

(5) Newport Chemical Activity, Indiana.

(6) Pine Bluff Chemical Activity, Arkansas.

(7) Pueblo Chemical Activity, Colorado.

(8) Umatilla Chemical Depot, Oregon.

(b) RECOMMENDATION.—The Secretary shall include in the report a recommendation regarding whether Federal economic assistance for any or all of those communities to assist in meeting the impact of that program is needed and appropriate. If the Secretary's recommendation is that such economic assistance is needed and appropriate for any or all of such communities, the Secretary shall include in the report criteria for determining the amount of such economic assistance.

(c) MATTERS TO BE CONSIDERED IN ASSESSING IMPACT.—In assessing the impact of the program referred to in subsection (a) for purposes of preparing the report required by that subsection and the recommendation required by subsection (b), the Secretary shall consider the following:

(1) The impact that any change in population as a result of chemical agent demilitarization activities would have on the community.

(2) The possible temporary nature of such a change in population and the long-range financial impact of such a change in population on the permanent residents of the community.

(3) The initial capitalization required for the services, facilities, or infrastructure to support any increase in population.

(4) The operating costs for sustaining or upgrading the services, facilities, or infrastructure to support any increase in population.

(5) The costs incurred by local government entities for improvements to emergency evacuation

routes required by the chemical demilitarization activities.

(6) Such other factors as the Secretary considers appropriate.

SEC. 153. PROHIBITION AGAINST DISPOSAL OF NON-STOCKPILE CHEMICAL WARFARE MATERIAL AT ANNISTON CHEMICAL STOCKPILE DISPOSAL FACILITY.

No funds authorized to be made available under this or any other Act may be used to facilitate the disposal using the chemical stockpile disposal facility at Anniston, Alabama, of any non-stockpile chemical warfare material that is not stored (as of the date of the enactment of this Act) at the Anniston Army Depot.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Management of Space-Based Infrared System—Low.
Sec. 212. Joint Strike Fighter program.
Sec. 213. Fiscal year 2002 joint field experiment.
Sec. 214. Nuclear aircraft carrier design and production modeling.
Sec. 215. DD–21 class destroyer program.
Sec. 216. Limitation on Russian American Observation Satellites program.
Sec. 217. Joint biological defense program.
Sec. 218. Report on biological warfare defense vaccine research and development programs.
Sec. 219. Cost limitations applicable to F–22 aircraft program.
Sec. 220. Unmanned advanced capability combat aircraft and ground combat vehicles.
Sec. 221. Global Hawk high altitude endurance unmanned aerial vehicle.
Sec. 222. Army space control technology development.

Subtitle C—Ballistic Missile Defense

Sec. 231. Funding for fiscal year 2001.
Sec. 232. Reports on ballistic missile threat posed by North Korea.
Sec. 233. Plan to modify ballistic missile defense architecture.
Sec. 234. Management of Airborne Laser program.

Subtitle D—High Energy Laser Programs

Sec. 241. Funding.
Sec. 242. Implementation of High Energy Laser Master Plan.
Sec. 243. Designation of senior official for high energy laser programs.
Sec. 244. Site for Joint Technology Office.
Sec. 245. High energy laser infrastructure improvements.
Sec. 246. Cooperative programs and activities.
Sec. 247. Technology plan.
Sec. 248. Annual report.
Sec. 249. Definition.
Sec. 250. Review of Defense-wide directed energy programs.

Subtitle E—Other Matters

Sec. 251. Reports on mobile offshore base concept and potential use for certain purposes of technologies associated with that concept.
Sec. 252. Air Force science and technology planning.
Sec. 253. Enhancement of authorities regarding education partnerships for purposes of encouraging scientific study.
Sec. 254. Recognition of those individuals instrumental to naval research efforts during the period from before World War II through the end of the Cold War.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $5,568,482,000.

(2) For the Navy, $8,715,335,000.

(3) For the Air Force, $13,779,144,000.

(4) For Defense-wide activities, $10,873,712,000, of which $192,060,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2001.—Of the amounts authorized to be appropriated by section 201, $4,557,188,000 shall be available for basic research and applied research projects.

(b) BASIC RESEARCH AND APPLIED RESEARCH DEFINED.—For purposes of this section, the term ''basic research and applied research'' means work funded in program elements for defense research and development under Department of Defense category 6.1 or 6.2.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MANAGEMENT OF SPACE-BASED INFRARED SYSTEM—LOW.

Not later than October 1, 2001, the Secretary of Defense shall direct that the Director of the Ballistic Missile Defense Organization shall have authority for program management for the ballistic missile defense program known on the date of the enactment of this Act as the Space-Based Infrared System—Low.

SEC. 212. JOINT STRIKE FIGHTER PROGRAM.

(a) REPORT.—Not later than December 15, 2000, the Secretary of Defense shall submit to the congressional defense committees a report on the Joint Strike Fighter aircraft program describing the criteria for exit of the program from the demonstration and validation phase, and entry of the program into the engineering and manufacturing development phase, of the acquisition process.

(b) CERTIFICATION.—The Joint Strike Fighter program may not be approved for entry into the engineering and manufacturing development phase of the acquisition process until the Secretary of Defense certifies to the congressional defense committees that—

(1) the exit criteria established in the report submitted under subsection (a) have been accomplished;

(2) the technological maturity of key technologies for the program is sufficient to warrant entry of the program into the engineering and manufacturing development phase; and

(3) the short take-off, vertical-landing aircraft variant selected for engineering and manufacturing development has successfully flown at least 20 hours.

(c) TRANSFERS WITHIN THE JOINT STRIKE FIGHTER NAVY AND AIR FORCE ACCOUNTS.—(1) The Secretary of Defense may, subject to established congressional notification and reprogramming procedures, transfer within the Joint Strike Fighter program the following amounts:

(A) Of the funds authorized to be appropriated for PE 64800N, up to $100,000,000 to PE 63800N.

(B) Of the funds authorized to be appropriated for PE 64800F, up to $100,000,000 to PE 63800F.

(2) The transfer authority authorized in paragraph (1) is in addition to the transfer authority provided in section 1001.

SEC. 213. FISCAL YEAR 2002 JOINT FIELD EXPERIMENT.

(a) REQUIREMENTS.—The Secretary of Defense shall carry out a joint field experiment in fiscal year 2002. The Secretary shall ensure that the planning for the joint field experiment is carried out in fiscal year 2001.

(b) PURPOSE.—The purpose of the joint field experiment is to explore critical war fighting challenges at the operational level of war that will confront United States joint military forces after 2010.

(c) PARTICIPATING FORCES.—(1) The joint field experiment shall involve elements of the Army, Navy, Marine Corps, and Air Force, and shall include special operations forces.

(2) The forces designated to participate in the joint field experiment shall exemplify the concepts for organization, equipment, and doctrine that are conceived for the forces after 2010 under Joint Vision 2010 and Joint Vision 2020 (issued by the Joint Chiefs of Staff) and the current vision statements of the Chief of Staff of the Army, the Chief of Naval Operations, the Commandant of the Marine Corps, and the Chief of Staff of the Air Force, including the following concepts:

(A) Army medium weight brigades.

(B) Navy Forward-From-The-Sea.

(C) Air Force expeditionary aerospace forces.

(d) REPORT.—Not later than March 1, 2001, the Secretary shall submit to the congressional defense committees a report on the concept plan for the joint field experiment required under subsection (a). The report shall include the following:

(1) The objectives of the experiment.

(2) The forces participating in the experiment.

(3) The schedule and location of the experiment.

(4) For each joint command, defense agency, and service component participating in the experiment, an identification of—

(A) the funding required for the experiment by that command, agency, or component; and

(B) any shortfall in the budget request for the Department of Defense for fiscal year 2002 for that funding for that command, agency, or component.

SEC. 214. NUCLEAR AIRCRAFT CARRIER DESIGN AND PRODUCTION MODELING.

(a) ASSESSMENT REQUIRED.—The Secretary of the Navy shall conduct an assessment of the cost-effectiveness of—

(1) converting design data for the Nimitz-class aircraft carrier from non-electronic to electronic form; and

(2) developing an electronic, three-dimensional design product model for the CVNX class aircraft carrier.

(b) CONDUCT OF THE ASSESSMENT.—The Secretary of the Navy shall carry out the assessment in a manner that ensures the participation of the nuclear aircraft carrier shipbuilding industry.

(c) REPORT.—The Secretary of the Navy shall submit a report to the congressional defense committees on the assessment. The report shall include the results of the assessment and plans and funding requirements for developing the model specified in subsection (a)(2). The report shall be submitted with the submission of the budget request for the Department of Defense for fiscal year 2002.

(d) FUNDING.—Of the amount authorized to be appropriated under section 201(2) for research, development, test, and evaluation for the Navy, $8,000,000 shall be available to initiate the conversion and development of nuclear aircraft carrier design data into an electronic, three-dimensional product model.

SEC. 215. DD–21 CLASS DESTROYER PROGRAM.

(a) AUTHORITY.—The Secretary of the Navy is authorized to pursue a technology insertion approach for the construction of the DD–21 destroyer that is based on the assumption of the following schedule:

(1) Award of a contract for advance procurement for construction of components for the DD–21 destroyer during fiscal year 2004.

(2) Delivery of the completed ship during fiscal year 2009.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there are compelling reasons for starting the program for constructing the DD–21 destroyer during fiscal year 2004 with available

procurement funds and continuing with sequential construction of DD–21 class destroyers during the ensuing fiscal years until 32 DD–21 class destroyers have been constructed; and

(2) the Secretary of the Navy, in providing for the acquisition of DD–21 class destroyers, should consider that—

(A) the Marine Corps needs the surface fire-support capabilities of the DD–21 class destroyers as soon as possible in order to mitigate the inadequacies of the surface fire-support capabilities that are currently available;

(B) the Navy and Marine Corps need to resolve whether there is a requirement for surface fire-support missile weapon systems to be easily sustainable by means of replenishment while under way;

(C) the technology insertion approach has been successful for other ship construction programs and is being pursued for the CVNX aircraft carrier program and the Virginia class submarine program;

(D) the establishment of a stable configuration for the first 10 DD–21 class destroyers should enable the construction of those ships with the greatest capabilities at the lowest cost; and

(E) action to acquire DD–21 class destroyers should be taken as soon as possible in order to realize fully the cost savings that can be derived from the construction and operation of DD–21 class destroyers, including—

(i) savings in construction costs that would result from achievement of the Navy's target per-ship cost of $750,000,000 by the fifth ship constructed in each construction yard;

(ii) savings that would result from the estimated reduction of the crews of destroyers by 200 or more personnel for each ship; and

(iii) savings that would result from a reduction in the operating costs for destroyers by an estimated 70 percent.

(c) NAVY PLAN FOR USE OF TECHNOLOGY INSERTION APPROACH FOR CONSTRUCTION OF THE DD–21 SHIP.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than April 18, 2001, a plan for pursuing a technology insertion approach for the construction of the DD–21 destroyer as authorized under subsection (a). The plan shall include estimates of the resources necessary to carry out the plan.

(d) REPORT ON ACQUISITION AND MAINTENANCE PLAN FOR DD–21 CLASS SHIPS.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than April 18, 2001, a report on the Navy's plan for the acquisition and maintenance of DD–21 class destroyers. The report shall include a discussion of each of the following matters:

(1) The technical feasibility of contracting for, and commencing construction of, the first destroyer in that class during fiscal year 2004 and achieving delivery of the completed ship during fiscal year 2009.

(2) An analysis of alternative contracting strategies for the construction of the first 10 destroyers in that class, including one or more multiyear procurement strategies and one or more strategies for block buy in economic order quantity.

(3) A comparison of the effects on the destroyer industrial base and on costs to other Navy shipbuilding programs of the following two options:

(A) Commencing construction of the first destroyer in that class during fiscal year 2004, with delivery of the completed ship during fiscal year 2009, and delaying commencement of construction of the next destroyer in that class until fiscal year 2006.

(B) Commencing construction of the first destroyer in that class during fiscal year 2005 (rather than fiscal year 2004), with advance procurement during fiscal year 2004 and delivery of the completed ship during fiscal year 2010, and delaying commencement of construction of the next destroyer in that class until fiscal year 2007 (rather than fiscal year 2006).

(4) The effects on the fleet maintenance strategies of Navy fleet commanders, on commercial maintenance facilities in fleet concentration areas, and on the administration of funds in compliance with section 2466 of title 10, United States Code, of awarding to a contractor for the construction of a destroyer in that class all maintenance workloads for destroyers in that class that are below depot-level maintenance and above ship-level maintenance.

SEC. 216. LIMITATION ON RUSSIAN AMERICAN OBSERVATION SATELLITES PROGRAM.

None of the funds authorized to be appropriated under section 201(4) for the Russian American Observation Satellites program may be obligated or expended until 30 days after the Secretary of Defense submits to Congress a report explaining how the Secretary plans to protect United States advanced military technology that may be associated with the Russian American Observation Satellites program.

SEC. 217. JOINT BIOLOGICAL DEFENSE PROGRAM.

(a) LIMITATION.—Subject to subsection (c), funds authorized to be appropriated by this Act may not be obligated for the procurement of a vaccine for the biological agent anthrax until the Secretary of Defense has submitted to the congressional defense committees each of the following:

(1) A written notification that the Food and Drug Administration has approved the current manufacturer for production of the vaccine.

(2) A report on the contingencies associated with continuing to rely on the current manufacturer to supply the vaccine.

(b) CONTENT OF REPORT.—The report required under subsection (a)(2) shall include each of the following:

(1) Recommended strategies to mitigate the risk to the Department of Defense of losing the current manufacturer as a source of anthrax vaccine, together with a discussion of the criteria to be applied in determining whether to carry out any of the strategies and which strategy to carry out.

(2) Recommended strategies to ensure that the Department of Defense can procure, from one or more sources other than the current manufacturer, an anthrax vaccine approved by the Food and Drug Administration that meets the requirements of the Department if—

(A) the Food and Drug Administration does not approve the release of the anthrax vaccine available from the current manufacturer; or

(B) the current manufacturer terminates the production of anthrax vaccine permanently.

(3) A five-year budget to support each strategy recommended under paragraph (1) or (2).

(c) PERMISSIBLE OBLIGATIONS.—(1) This section does not limit the obligation of funds for any of the following purposes:

(A) The support of any action that is necessary for the current manufacturer to comply with standards of the Food and Drug Administration (including those purposes necessary to obtain or maintain a biological license application) applicable to anthrax vaccine.

(B) Establishing an additional source (other than or in conjunction with the current manufacturer) for the production of anthrax vaccine.

(C) Any action that the Secretary determines necessary to ensure production of anthrax vaccine for meeting an urgent and immediate national defense requirement.

(2) Not later than seven days after the total amount of the funds obligated (or obligated and expended) for purposes specified in paragraph (1) exceeds $5,000,000, the Secretary shall submit to Congress a notification that the total obligations exceed that amount, together with a written justification for the obligation of funds in excess of that amount.

(d) CURRENT MANUFACTURER.—In this section, the term ''current manufacturer'' means the manufacturing source from which the Department of Defense is procuring anthrax vaccine as of the date of the enactment of this Act.

SEC. 218. REPORT ON BIOLOGICAL WARFARE DEFENSE VACCINE RESEARCH AND DEVELOPMENT PROGRAMS.

(a) REPORT REQUIRED.—Not later than February 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the acquisition of biological warfare defense vaccines for the Department of Defense.

(b) CONTENTS.—The report shall include the following:

(1) The Secretary's evaluation of the implications of reliance on the commercial sector to meet the requirements of the Department of Defense for biological warfare defense vaccines.

(2) A design for a government-owned, contractor-operated facility for the production of biological warfare defense vaccines that meets the requirements of the Department for such vaccines, and the assumptions on which that design is based.

(3) A preliminary cost estimate of, and schedule for, establishing and bringing into operation such a facility, and the estimated annual cost of operating such a facility thereafter.

(4) A determination, developed in consultation with the Surgeon General, of the utility of such a facility to support the production of vaccines for the civilian sector, and a discussion of the effects that the use of such a facility for that purpose might have on—

(A) the production of vaccines for the Armed Forces; and

(B) the annual cost of operating such a facility.

(5) An analysis of the effects that international requirements for vaccines, and the production of vaccines in response to those requirements, might have on—

(A) the production of vaccines for the Armed Forces; and

(B) the annual cost of operating such a facility.

(c) BIOLOGICAL WARFARE DEFENSE VACCINE DEFINED.—In this section, the term ''biological warfare defense vaccine'' means a vaccine useful for the immunization of military personnel to protect against biological agents on the Validated Threat List issued by the Joint Chiefs of Staff, whether such vaccine is in production or is being developed.

SEC. 219. COST LIMITATIONS APPLICABLE TO F–22 AIRCRAFT PROGRAM.

(a) FLEXIBILITY IN ENGINEERING AND MANUFACTURING DEVELOPMENT COST CAP.—Section 217(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1660) is amended by adding at the end the following new paragraph:

''(3) With respect to the limitation in subsection (a), an increase by an amount that does not exceed 1½ percent of the total amount of that limitation (taking into account the increases and decreases, if any, under paragraphs (1) and (2)) if the Director of Operational Test and Evaluation, after consulting with the Under Secretary of Defense for Acquisition, Technology, and Logistics, determines that the increase is necessary in order to ensure adequate testing.''.

(b) REESTABLISHMENT OF SEPARATE ENGINEERING AND MANUFACTURING DEVELOPMENT COST CAP AND PRODUCTION COST CAP.—The provisions of subsections (a) and (b) of section 217 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1660) shall continue to apply with respect to amounts obligated and expended for engineering and manufacturing development, and for production, respectively, for the F–22 aircraft program without regard to any provision of law establishing a single limitation on amounts obligated and expended for engineering and manufacturing development and for production for that program.

SEC. 220. UNMANNED ADVANCED CAPABILITY COMBAT AIRCRAFT AND GROUND COMBAT VEHICLES.

(a) GOAL.—It shall be a goal of the Armed Forces to achieve the fielding of unmanned, remotely controlled technology such that—

(1) by 2010, one-third of the aircraft in the operational deep strike force aircraft fleet are unmanned; and

(2) by 2015, one-third of the operational ground combat vehicles are unmanned.

(b) REPORT ON UNMANNED ADVANCED CAPABILITY COMBAT AIRCRAFT AND GROUND COMBAT VEHICLES.—(1) Not later than January 31, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the programs to demonstrate unmanned advanced capability combat aircraft and ground combat vehicles undertaken jointly between the Director of the Defense Advanced Research Projects Agency and any of the following:

(A) The Secretary of the Army.

(B) The Secretary of the Navy.

(C) The Secretary of the Air Force.

(2) The report shall include, for each program referred to in paragraph (1), the following:

(A) A schedule for the demonstration to be carried out under that program.

(B) An identification of the funding required for fiscal year 2002 and for the future-years defense program to carry out that program and for the demonstration to be carried out under that program.

(C) In the case of the program relating to the Army, the plan for modification of the existing memorandum of agreement with the Defense Advanced Research Projects Agency for demonstration and development of the Future Combat System to reflect an increase in unmanned, remotely controlled enabling technologies.

(3) The report shall also include, for each Secretary referred to in paragraphs (1)(A), (1)(B), and (1)(C), a description and assessment of the acquisition strategy for unmanned advanced capability combat aircraft and ground combat vehicles planned by that Secretary, which shall include a detailed estimate of all research and development, procurement, operation, support, ownership, and other costs required to carry out such strategy through the year 2030, and—

(A) in the case of the acquisition strategy relating to the Army, the transition from the planned acquisition strategy for the Future Combat System to an acquisition strategy capable of meeting the goal specified in subsection (a)(2);

(B) in the case of the acquisition strategy relating to the Navy—

(i) the plan to implement a program that examines the ongoing Air Force unmanned combat air vehicle program and identifies an approach to develop a Navy unmanned combat air vehicle program that has the goal of developing an aircraft that is suitable for aircraft carrier use and has maximum commonality with the aircraft under the Air Force program; and

(ii) an analysis of alternatives between the operational deep strike force aircraft fleet and that fleet together with an additional 10 to 20 unmanned advanced capability combat aircraft that are suitable for aircraft carrier use and capable of penetrating fully operational enemy air defense systems; and

(C) in the case of the acquisition strategy relating to the Air Force—

(i) the schedule for evaluation of demonstration results for the ongoing unmanned combat air vehicle program and the earliest possible transition of that program into engineering and manufacturing development and procurement; and

(ii) an analysis of alternatives between the currently planned deep strike force aircraft fleet and the operational deep strike force aircraft fleet that could be acquired by fiscal year 2010 to meet the goal specified in subsection (a)(1).

(c) FUNDS.—Of the amount authorized to be appropriated for Defense-wide activities under section 201(4) for the Defense Advanced Research Projects Agency, $100,000,000 shall be available only to carry out the programs referred to in subsection (b)(1).

(d) DEFINITIONS.—For purposes of this section:

(1) An aircraft or ground combat vehicle has ''unmanned advanced capability'' if it is an autonomous, semi-autonomous, or remotely controlled system that can be deployed, re-tasked, recovered, and re-deployed.

(2) The term ''currently planned deep strike force aircraft fleet'' means the early entry, deep strike aircraft fleet (composed of F–117 stealth aircraft and B–2 stealth aircraft) that is currently planned for fiscal year 2010.

(3) The term ''operational deep strike force aircraft fleet'' means the currently planned deep strike force aircraft fleet, together with at least 30 unmanned advanced capability combat aircraft that are capable of penetrating fully operational enemy air defense systems.

(4) The term ''operational ground combat vehicles'' means ground combat vehicles acquired through the Future Combat System acquisition program of the Army to equip the future objective force, as outlined in the vision statement of the Chief of Staff of the Army.

SEC. 221. GLOBAL HAWK HIGH ALTITUDE ENDURANCE UNMANNED AERIAL VEHICLE.

(a) CONCEPT DEMONSTRATION REQUIRED.—The Secretary of Defense shall require and coordinate a concept demonstration of the Global Hawk high altitude endurance unmanned aerial vehicle.

(b) PURPOSE OF DEMONSTRATION.—The purpose of the concept demonstration is to demonstrate the capability of the Global Hawk high altitude endurance unmanned aerial vehicle to operate in an airborne surveillance mode, using available, non-developmental technology.

(c) TIME FOR DEMONSTRATION.—The Secretary shall initiate the demonstration not later than March 1, 2001.

(d) PARTICIPATION BY CINCS.—The Secretary shall require the commander of the United States Joint Forces Command and the commander of the United States Southern Command jointly to provide guidance for the demonstration and otherwise to participate in the demonstration.

(e) SCENARIO FOR DEMONSTRATION.—The demonstration shall be conducted in a counter-drug surveillance scenario that is designed to replicate factual conditions typically encountered in the performance of the counter-drug surveillance mission of the commander of the United States Southern Command within that commander's area of responsibility.

(f) REPORT.—Not later than 45 days after the demonstration is completed, the Secretary shall submit to Congress a report on the results of the demonstration. The report shall include the following:

(1) The Secretary's assessment of the technical feasibility of using the Global Hawk high altitude endurance unmanned aerial vehicle for airborne air surveillance.

(2) A discussion of the operational concept for the use of the vehicle for that purpose.

(g) FUNDING.—Of the funds authorized to be appropriated by section 301(20) for Drug Interdiction and Counter-drug Activities, Defense-wide, $18,000,000 shall be available for the concept demonstration required by subsection (a), including initiation of concurrent development for an improved surveillance radar.

SEC. 222. ARMY SPACE CONTROL TECHNOLOGY DEVELOPMENT.

Of the funds authorized to be appropriated under section 201(1) for Army space control technology, $3,000,000 shall be available for the kinetic energy anti-satellite technology program.

Subtitle C—Ballistic Missile Defense

SEC. 231. FUNDING FOR FISCAL YEAR 2001.

Of the funds authorized to be appropriated in section 201(4), $1,875,238,000 shall be available for the National Missile Defense program.

SEC. 232. REPORTS ON BALLISTIC MISSILE THREAT POSED BY NORTH KOREA.

(a) REPORT ON BALLISTIC MISSILE THREAT.—Not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, the President shall submit to Congress, in classified and unclassified form, a report on the North Korean ballistic missile threat to the United States. The report shall include the following:

(1) An assessment of the current North Korean missile threat to the United States.

(2) An assessment of whether the United States is capable of defeating the North Korean long-range missile threat to the United States as of the date of the report.

(3) An assessment of when the United States will be capable of defeating the North Korean missile threat to the United States.

(4) An assessment of the potential for proliferation of North Korean missile technologies to other states and whether such proliferation will accelerate the development of additional long-range ballistic missile threats to the United States.

(b) REPORT ON REDUCING VULNERABILITY.—Not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, the President shall submit to Congress a report providing the following:

(1) Any additional steps the President intends to take to reduce the period of time during which the Nation is vulnerable to the North Korean long-range ballistic missile threat.

(2) The technical and programmatic viability of testing any other missile defense systems against targets with flight characteristics similar to the North Korean long-range missile threat, and plans to do so if such tests are considered to be a viable alternative.

(c) DEFINITION.—For purposes of this section, the term ''United States'', when used in a geographic sense, means the 50 States, the District of Columbia, and any Commonwealth, territory, or possession of the United States.

SEC. 233. PLAN TO MODIFY BALLISTIC MISSILE DEFENSE ARCHITECTURE.

(a) PLAN.—The Director of the Ballistic Missile Defense Organization shall develop a plan to adapt ballistic missile defense systems and architectures to counter potential threats to the United States, United States forces deployed outside the United States, and other United States national security interests that are posed by longer range medium-range ballistic missiles and intermediate-range ballistic missiles.

(b) USE OF SPACE-BASED SENSORS INCLUDED.—The plan shall include—

(1) potential use of space-based sensors, including the Space-Based Infrared System (SBIRS) Low and Space-Based Infrared System (SBIRS) High, Navy theater missile defense assets, upgrades of land-based theater missile defenses, the airborne laser, and other assets available in the European theater; and

(2) a schedule for ground and flight testing against the identified threats.

(c) REPORT.—The Secretary of Defense shall assess the plan and, not later than February 15, 2001, shall submit to the congressional defense committees a report on the results of the assessment.

SEC. 234. MANAGEMENT OF AIRBORNE LASER PROGRAM.

(a) OVERSIGHT OF FUNDING, SCHEDULE, AND TECHNICAL REQUIREMENTS.—With respect to the program known as of the date of the enactment of this Act as the ''Airborne Laser'' program, the Secretary of Defense shall require that the Secretary of the Air Force obtain the concurrence of the Director of the Ballistic Missile Defense Organization before the Secretary—

(1) makes any change to the funding plan or schedule for that program that would delay to a date later than September 30, 2003, the first test of the airborne laser that is intended to destroy a ballistic missile in flight;

(2) makes any change to the funding plan for that program in the future-years defense program that would delay the initial operational capability of the airborne laser; and

(3) makes any change to the technical requirements of the airborne laser that would significantly reduce its ballistic missile defense capabilities.

(b) REPORT.—Not later than February 15, 2001, the Director of the Ballistic Missile Defense Organization shall submit to the congressional defense committees a report, to be prepared in coordination with the Secretary of the Air Force, on the role of the airborne laser in the family of systems missile defense architecture developed by the Director of the Ballistic Missile Defense Organization and the Director of the Joint Theater Air and Missile Defense Organization. The report shall be submitted in unclassified and, if necessary, classified form. The report shall include the following:

(1) An assessment by the Secretary of the Air Force and the Director of the Ballistic Missile Defense Organization of the funding plan for that program required to achieve the schedule identified in paragraphs (1) and (2) of subsection (a).

(2) Potential future airborne laser roles in that architecture.

(3) An assessment of the effect of deployment of the airborne laser on requirements for theater ballistic missile defense systems.

(4) An assessment of the cost effectiveness of the airborne laser compared to other ballistic missile defense systems.

(5) An assessment of the relative significance of the airborne laser in the family of systems missile defense architecture.

Subtitle D—High Energy Laser Programs

SEC. 241. FUNDING.

(a) FUNDING FOR FISCAL YEAR 2001.—(1) Of the amount authorized to be appropriated by section 201(4), $30,000,000 is authorized for high energy laser development.

(2) Funds available under this subsection are available to supplement the high energy laser programs of the military departments and Defense Agencies, as determined by the official designated under section 243.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense should establish funding for high energy laser programs within the science and technology programs of each of the military departments and the Ballistic Missile Defense Organization; and

(2) the Secretary of Defense should establish a goal that basic, applied, and advanced research in high energy laser technology should constitute at least 4.5 percent of the total science and technology budget of the Department of Defense by fiscal year 2004.

SEC. 242. IMPLEMENTATION OF HIGH ENERGY LASER MASTER PLAN.

The Secretary of Defense shall implement the management and organizational structure specified in the Department of Defense High Energy Laser Master Plan of March 24, 2000.

SEC. 243. DESIGNATION OF SENIOR OFFICIAL FOR HIGH ENERGY LASER PROGRAMS.

(a) DESIGNATION.—The Secretary of Defense shall designate a single senior civilian official in the Office of the Secretary of Defense (in this subtitle referred to as the ''designated official'') to chair the High Energy Laser Technology Council called for in the master plan referred to in section 242 and to carry out responsibilities for the programs for which funds are provided under this subtitle. The designated official shall report directly to the Under Secretary of Defense for Acquisition, Technology, and Logistics for matters concerning the responsibilities specified in subsection (b).

(b) RESPONSIBILITIES.—The primary responsibilities of the designated official shall include the following:

(1) Establishment of priorities for the high energy laser programs of the military departments and the Defense Agencies.

(2) Coordination of high energy laser programs among the military departments and the Defense Agencies.

(3) Identification of promising high energy laser technologies for which funding should be a high priority for the Department of Defense and establishment of priority for funding among those technologies.

(4) Preparation, in coordination with the Secretaries of the military departments and the Directors of the Defense Agencies, of a detailed technology plan to develop and mature high energy laser technologies.

(5) Planning and programming appropriate to rapid evolution of high energy laser technology.

(6) Ensuring that high energy laser programs of each military department and the Defense Agencies are initiated and managed effectively and are complementary with programs managed by the other military departments and Defense Agencies and by the Office of the Secretary of Defense.

(7) Ensuring that the high energy laser programs of the military departments and the Defense Agencies comply with the requirements specified in subsection (c).

(c) COORDINATION AND FUNDING BALANCE.—In carrying out the responsibilities specified in subsection (b), the designated official shall ensure that—

(1) high energy laser programs of each military department and of the Defense Agencies are consistent with the priorities identified in the designated official's planning and programming activities;

(2) funding provided by the Office of the Secretary of Defense for high energy laser research and development complements high energy laser programs for which funds are provided by the military departments and the Defense Agencies;

(3) programs, projects, and activities to be carried out by the recipients of such funds are selected on the basis of appropriate competitive procedures or Department of Defense peer review process;

(4) beginning with fiscal year 2002, funding from the Office of the Secretary of Defense in applied research and advanced technology development program elements is not applied to technology efforts in support of high energy laser programs that are not funded by a military department or the Defense Agencies; and

(5) funding from the Office of the Secretary of Defense to complement an applied research or advanced technology development high energy laser program for which funds are provided by one of the military departments or the Defense Agencies do not exceed the amount provided by the military department or the Defense Agencies for that program.

SEC. 244. SITE FOR JOINT TECHNOLOGY OFFICE.

(a) DEADLINE FOR SELECTION OF SITE.—The Secretary of Defense shall locate the Joint Technology Office called for in the High Energy Laser Master Plan referred to in section 242 at a location determined appropriate by the Secretary not later than 30 days after the date of the enactment of this Act.

(b) CONSIDERATION OF SITE.—In determining the location of the Joint Technology Office, the Secretary shall, in consultation with the Deputy Under Secretary of Defense for Science and Technology, assess—

(1) cost;

(2) accessibility between the Office and the Armed Forces and senior Department of Defense leaders; and

(3) the advantages and disadvantages of locating the Office at a site at which occurs a substantial proportion of the directed energy research, development, test, and evaluation activities of the Department of Defense.

SEC. 245. HIGH ENERGY LASER INFRASTRUCTURE IMPROVEMENTS.

(a) ENHANCEMENT OF INDUSTRIAL BASE.—The Secretary of Defense shall consider, evaluate, and undertake to the extent appropriate initiatives, including investment initiatives, to enhance the industrial base to support military applications of high energy laser technologies and systems.

(b) ENHANCEMENT OF TEST AND EVALUATION CAPABILITIES.—The Secretary of Defense shall consider modernizing the High Energy Laser Test Facility at White Sands Missile Range, New Mexico, in order to enhance the test and evaluation capabilities of the Department of Defense with respect to high energy laser weapons.

SEC. 246. COOPERATIVE PROGRAMS AND ACTIVITIES.

(a) MEMORANDUM OF AGREEMENT WITH NNSA.—(1) The Secretary of Defense and the Administrator for Nuclear Security of the Department of Energy shall enter into a memorandum of agreement to conduct joint research and development on military applications of high energy lasers.

(2) The projects pursued under the memorandum of agreement—

(A) shall be of mutual benefit to the national security programs of the Department of Defense and the National Nuclear Security Administration of the Department of Energy;

(B) shall be prioritized jointly by officials designated to do so by the Secretary of Defense and the Administrator; and

(C) shall be consistent with the technology plan prepared pursuant to section 243(b)(4) and the requirements identified in section 243(c).

(3) The costs of each project pursued under the memorandum of agreement shall be shared equally by the Department of Defense and the National Nuclear Security Administration.

(4) The memorandum of agreement shall provide for appropriate peer review of projects pursued under the memorandum of agreement.

(b) EVALUATION OF OTHER COOPERATIVE PROGRAMS AND ACTIVITIES.—The Secretary of Defense shall evaluate the feasibility and advisability of entering into cooperative programs or activities with other Federal agencies, institutions of higher education, and the private sector for the purpose of enhancing the programs, projects, and activities of the Department of Defense relating to high energy laser technologies, systems, and weapons.

SEC. 247. TECHNOLOGY PLAN.

The designated official shall submit to the congressional defense committees by February 15, 2001, the technology plan prepared pursuant to section 243(b)(4). The report shall be submitted in unclassified and, if necessary, classified form.

SEC. 248. ANNUAL REPORT.

Not later than February 15 of 2001, 2002, and 2003, the Secretary of Defense shall submit to the congressional defense committees a report on the high energy laser programs of the Department of Defense. Each report shall include an assessment of the following:

(1) The adequacy of the management structure of the Department of Defense for the high energy laser programs.

(2) The funding available for the high energy laser programs.

(3) The technical progress achieved for the high energy laser programs.

(4) The extent to which goals and objectives of the high energy laser technology plan have been met.

SEC. 249. DEFINITION.

For purposes of this subtitle, the term ''high energy laser'' means a laser that has average power in excess of one kilowatt and that has potential weapons applications.

SEC. 250. REVIEW OF DEFENSE-WIDE DIRECTED ENERGY PROGRAMS.

(a) EVALUATION.—The Secretary of Defense, in consultation with the Deputy Under Secretary of Defense for Science and Technology, shall evaluate expansion of the High Energy Laser management structure specified in section 242 for possible inclusion in that management structure of science and technology programs in related areas, including the following:

(1) High power microwave technologies.

(2) Low energy and nonlethal laser technologies.

(3) Other directed energy technologies.

(b) CONSIDERATION OF PRIOR STUDY.—The evaluation under subsection (a) shall take into consideration the July 1999 Department of Defense study on streamlining and coordinating science and technology and research, development, test, and evaluation within the Department of Defense.

(c) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the findings of the evaluation under subsection (a). The report shall be submitted not later than March 15, 2001.

Subtitle E—Other Matters

SEC. 251. REPORTS ON MOBILE OFFSHORE BASE CONCEPT AND POTENTIAL USE FOR CERTAIN PURPOSES OF TECHNOLOGIES ASSOCIATED WITH THAT CONCEPT.

(a) REPORT ON MERITS OF MOBILE OFFSHORE BASE CONCEPT.—Not later than March 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the mobile offshore base concept. The report shall include the following:

(1) A cost-benefit analysis of the mobile offshore base, using operational concepts that would support the National Military Strategy.

(2) A recommendation regarding whether to proceed with the mobile offshore base as a program and, if so—

(A) a statement regarding which of the Armed Forces is to be designated to have the lead responsibility for the program; and

(B) a schedule for the program.

(b) REPORT ON POTENTIAL USE FOR CERTAIN PURPOSES OF ASSOCIATED TECHNOLOGIES.—Not later than March 1, 2001, the Secretary of the Navy shall submit to the congressional defense committees a report on the potential use of technologies associated with the mobile offshore base concept. The report shall include an assessment of the potential application and feasibility of using existing technologies, including those technologies associated with the mobile offshore base concept, to a sea-based landing platform for support of naval aviation training.

SEC. 252. AIR FORCE SCIENCE AND TECHNOLOGY PLANNING.

(a) REQUIREMENT FOR REVIEW.—The Secretary of the Air Force shall conduct a review of the long-term challenges and short-term objectives of the Air Force science and technology programs. The Secretary shall complete the review not later than one year after the date of the enactment of this Act.

(b) MATTERS TO BE REVIEWED.—The review shall include the following:

(1) An assessment of the budgetary resources that are being used for fiscal year 2001 for addressing the long-term challenges and the short-term objectives of the Air Force science and technology programs.

(2) The budgetary resources that are necessary to address those challenges and objectives adequately.

(3) A course of action for each projected or ongoing Air Force science and technology program that does not address either the long-term challenges or the short-term objectives.

(4) The matters required under subsection (c)(5) and (d)(6).

(c) LONG-TERM CHALLENGES.—(1) The Secretary of the Air Force shall establish an integrated product team to identify high-risk, high-payoff challenges that will provide a long-term focus and motivation for the Air Force science and technology programs over the next 20 to 50 years following the enactment of this Act. The integrated product team shall include representatives of the Office of Scientific Research and personnel from the Air Force Research Laboratory.

(2) The team shall solicit views from the entire Air Force science and technology community on the matters under consideration by the team.

(3) The team—

(A) shall select for consideration science and technology challenges that involve—

(i) compelling requirements of the Air Force;

(ii) high-risk, high-payoff areas of exploration; and

(iii) very difficult, but probably achievable, results; and

(B) should not select a linear extension of any ongoing Air Force science and technology program for consideration as a science and technology challenge under subparagraph (A).

(4) The Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering shall designate a technical coordinator and a management coordinator for each science and technology challenge identified pursuant to this subsection. Each technical coordinator shall have sufficient expertise in fields related to the challenge to be able to identify other experts in such fields and to affirm the credibility of the challenge. The coordinator for a science and technology challenge shall conduct workshops within the relevant scientific and technological community to obtain suggestions for possible approaches to addressing the challenge and to identify ongoing work that addresses the challenge, deficiencies in current work relating to the challenge, and promising areas of research.

(5) In carrying out subsection (a), the Secretary of the Air Force shall review the science and technology challenges identified pursuant to this subsection and, for each such challenge, at a minimum—

(A) consider the results of the workshops conducted pursuant to paragraph (4); and

(B) identify any work not currently funded by the Air Force that should be performed to meet the challenge.

(d) SHORT-TERM OBJECTIVES.—(1) The Secretary of the Air Force shall establish a task force to identify short-term technological objectives of the Air Force science and technology programs. The task force shall be chaired by the Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering and shall include representatives of the Chief of Staff of the Air Force and the specified combatant commands of the Air Force.

(2) The task force shall solicit views from the entire Air Force requirements community, user community, and acquisition community.

(3) The task force shall select for consideration short-term objectives that involve—

(A) compelling requirements of the Air Force;

(B) support in the user community; and

(C) likely attainment of the desired benefits within a five-year period.

(4) The Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering shall establish an integrated product team for each short-term objective identified pursuant to this subsection. Each integrated product team shall include representatives of the requirements community, the user community, and the science and technology community with relevant expertise.

(5) The integrated product team for a short-term objective shall be responsible for—

(A) identifying, defining, and prioritizing the enabling capabilities that are necessary for achieving the objective;

(B) identifying deficiencies in the enabling capabilities that must be addressed if the short-term objective is to be achieved; and

(C) working with the Air Force science and technology community to identify science and technology projects and programs that should be undertaken to eliminate each deficiency in an enabling capability.

(6) In carrying out subsection (a), the Secretary of the Air Force shall review the short-term science and technology objectives identified pursuant to this subsection and, for each such objective, at a minimum—

(A) consider the work of the integrated product team conducted pursuant to paragraph (5); and

(B) identify the science and technology work of the Air Force that should be undertaken to eliminate each deficiency in enabling capabilities that is identified by the integrated product team pursuant to subparagraph (B) of that paragraph.

(e) COMPTROLLER GENERAL REVIEW.—(1) Not later than 90 days after the Secretary of the Air Force completes the review required by subsection (a), the Comptroller General shall submit to Congress a report on the results of the review. The report shall include the Comptroller General's assessment regarding the extent to which the review was conducted in compliance with the requirements of this section.

(2) Immediately upon completing the review required by subsection (a), the Secretary of Defense shall notify the Comptroller General of the completion of the review. For the purposes of paragraph (1), the date of the notification shall be considered the date of the completion of the review.

SEC. 253. ENHANCEMENT OF AUTHORITIES REGARDING EDUCATION PARTNERSHIPS FOR PURPOSES OF ENCOURAGING SCIENTIFIC STUDY.

(a) ASSISTANCE IN SUPPORT OF PARTNERSHIPS.—Subsection (b) of section 2194 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ''\, and is encouraged to provide,'' after ''may provide'';

(2) in paragraph (1), by inserting before the semicolon the following: ''for any purpose and duration in support of such agreement that the director considers appropriate''; and

(3) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or any provision of law or regulation relating to transfers of surplus property, transferring to the institution any computer equipment, or other scientific equipment, that is—

''(A) commonly used by educational institutions;

''(B) surplus to the needs of the defense laboratory; and

''(C) determined by the director to be appropriate for support of such agreement;''.

(b) DEFENSE LABORATORY DEFINED.—Subsection (e) of that section is amended to read as follows:

''(e) In this section:

''(1) The term 'defense laboratory' means any laboratory, product center, test center, depot, training and educational organization, or operational command under the jurisdiction of the Department of Defense.

''(2) The term 'local educational agency' has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).''.

SEC. 254. RECOGNITION OF THOSE INDIVIDUALS INSTRUMENTAL TO NAVAL RESEARCH EFFORTS DURING THE PERIOD FROM BEFORE WORLD WAR II THROUGH THE END OF THE COLD WAR.

(a) FINDINGS.—Congress makes the following findings:

(1) The contributions of the Nation's scientific community and of science research to the victory of the United States and its allies in World War II resulted in the understanding that science and technology are of critical importance to the future security of the Nation.

(2) Academic institutions and oceanographers provided vital support to the Navy and the Marine Corps during World War II.

(3) Congress created the Office of Naval Research in the Department of the Navy in 1946 to ensure the availability of resources for research in oceanography and other fields related to the missions of the Navy and Marine Corps.

(4) The Office of Naval Research of the Department of the Navy, in addition to its support

of naval research within the Federal Government, has also supported the conduct of oceanographic and scientific research through partnerships with educational and scientific institutions throughout the Nation.

(5) These partnerships have long been recognized as among the most innovative and productive research partnerships ever established by the Federal Government and have resulted in a vast improvement in understanding of basic ocean processes and the development of new technologies critical to the security and defense of the Nation.

(b) CONGRESSIONAL RECOGNITION AND APPRECIATION.—Congress—

(1) applauds the commitment and dedication of the officers, scientists, researchers, students, and administrators who were instrumental to the program of partnerships for oceanographic and scientific research between the Federal Government and academic institutions, including those individuals who helped forge that program before World War II, implement it during World War II, and improve it throughout the Cold War;

(2) recognizes that the Nation, in ultimately prevailing in the Cold War, relied to a significant extent on research supported by, and technologies developed through, those partnerships and, in particular, on the superior understanding of the ocean environment generated through that research;

(3) supports efforts by the Secretary of the Navy and the Chief of Naval Research to honor those individuals, who contributed so greatly and unselfishly to the naval mission and the national defense, through those partnerships during the period beginning before World War II and continuing through the end of the Cold War; and

(4) expresses appreciation for the ongoing efforts of the Office of Naval Research to support oceanographic and scientific research and the development of researchers in those fields, to ensure that such partnerships will continue to make important contributions to the defense and the general welfare of the Nation.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working capital funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Transfer from National Defense Stockpile Transaction Fund.
Sec. 305. Joint warfighting capabilities assessment teams.

Subtitle B—Environmental Provisions

Sec. 311. Establishment of additional environmental restoration account and use of accounts for operation and monitoring of environmental remedies.
Sec. 312. Certain environmental restoration activities.
Sec. 313. Annual reports under Strategic Environmental Research and Development Program.
Sec. 314. Payment of fines and penalties for environmental compliance at Fort Wainwright, Alaska.
Sec. 315. Payment of fines or penalties imposed for environmental compliance violations at other Department of Defense facilities.
Sec. 316. Reimbursement for certain costs in connection with the former Nansemond Ordnance Depot Site, Suffolk, Virginia.
Sec. 317. Necessity of military low-level flight training to protect national security and enhance military readiness.
Sec. 318. Ship disposal project.
Sec. 319. Defense Environmental Security Corporate Information Management Program.
Sec. 320. Report on Plasma Energy Pyrolysis System.
Sec. 321. Sense of Congress regarding environmental restoration of former defense manufacturing site, Santa Clarita, California.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Sec. 331. Use of appropriated funds to cover operating expenses of commissary stores.
Sec. 332. Adjustment of sales prices of commissary store goods and services to cover certain expenses.
Sec. 333. Use of surcharges for construction and improvement of commissary stores.
Sec. 334. Inclusion of magazines and other periodicals as an authorized commissary merchandise category.
Sec. 335. Use of most economical distribution method for distilled spirits.
Sec. 336. Report on effects of availability of slot machines on United States military installations overseas.

Subtitle D—Department of Defense Industrial Facilities

Sec. 341. Designation of Centers of Industrial and Technical Excellence and public-private partnerships to increase utilization of such centers.
Sec. 342. Unutilized and underutilized plant-capacity costs of United States arsenals.
Sec. 343. Arsenal support program initiative.
Sec. 344. Codification and improvement of armament retooling and manufacturing support programs.

Subtitle E—Performance of Functions by Private-Sector Sources

Sec. 351. Inclusion of additional information in reports to Congress required before conversion of commercial or industrial type functions to contractor performance.
Sec. 352 Effects of outsourcing on overhead costs of Centers of Industrial and Technical Excellence and Army ammunition plants.
Sec. 353. Consolidation, restructuring, or reengineering of Department of Defense organizations, functions, or activities.
Sec. 354. Monitoring of savings resulting from workforce reductions as part of conversion of functions to performance by private sector or other strategic sourcing initiatives.
Sec. 355. Performance of emergency response functions at chemical weapons storage installations.
Sec. 356. Suspension of reorganization or relocation of Naval Audit Service.

Subtitle F—Defense Dependents Education

Sec. 361. Eligibility of dependents of American Red Cross employees for enrollment in Department of Defense domestic dependent schools in Puerto Rico.
Sec. 362. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 363. Impact aid for children with severe disabilities.
Sec. 364. Assistance for maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense civilian employees.

Subtitle G—Military Readiness Issues

Sec. 371. Measuring cannibalization of parts, supplies, and equipment under readiness reporting system.
Sec. 372. Reporting requirements regarding transfers from high-priority readiness appropriations.
Sec. 373. Effects of worldwide contingency operations on readiness of military aircraft and equipment.
Sec. 374. Identification of requirements to reduce backlog in maintenance and repair of defense facilities.
Sec. 375. New methodology for preparing budget requests to satisfy Army readiness requirements.
Sec. 376. Review of AH–64 aircraft program.
Sec. 377. Report on Air Force spare and repair parts program for C–5 aircraft.

Subtitle H—Other Matters

Sec. 381. Annual report on public sale of certain military equipment identified on United States Munitions List.
Sec. 382. Resale of armor-piercing ammunition disposed of by the Army.
Sec. 383. Reimbursement by civil air carriers for support provided at Johnston Atoll.
Sec. 384. Travel by Reserves on military aircraft.
Sec. 385. Overseas airlift service on Civil Reserve Air Fleet aircraft.
Sec. 386. Additions to plan for ensuring visibility over all in-transit end items and secondary items.
Sec. 387. Reauthorization of pilot program for acceptance and use of landing fees charged for use of domestic military airfields by civil aircraft.
Sec. 388. Extension of authority to sell certain aircraft for use in wildfire suppression.
Sec. 389. Damage to aviation facilities caused by alkali silica reactivity.
Sec. 390. Demonstration project to increase reserve component internet access and services in rural communities.
Sec. 391. Additional conditions on implementation of Defense Joint Accounting System.
Sec. 392. Report on Defense Travel System.
Sec. 393. Review of Department of Defense costs of maintaining historical properties.

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $19,280,381,000.

(2) For the Navy, $23,766,610,000.

(3) For the Marine Corps, $2,826,291,000.

(4) For the Air Force, $22,395,221,000.

(5) For Defense-wide activities, $11,740,569,000.

(6) For the Army Reserve, $1,561,418,000.

(7) For the Naval Reserve, $978,946,000.

(8) For the Marine Corps Reserve, $144,159,000.

(9) For the Air Force Reserve, $1,903,859,000.

(10) For the Army National Guard, $3,233,835,000.

(11) For the Air National Guard, $3,468,375,000.

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

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

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

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

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

(17) For Environmental Restoration, Defense-wide, $21,412,000.

(18) For Environmental Restoration, Formerly Used Defense Sites, $231,499,000.

(19) For Overseas Humanitarian, Disaster, and Civic Aid programs, $55,900,000.

(20) For Drug Interdiction and Counter-drug Activities, Defense-wide, $869,000,000.

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

(22) For Defense Health Program, $11,480,123,000.

(23) For Cooperative Threat Reduction programs, $443,400,000.

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

(25) For Quality of Life Enhancements, Defense-Wide, $10,500,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:

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

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

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2001 from the Armed Forces Retirement Home Trust Fund the sum of $69,832,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers' and Airmen's Home and the Naval Home.

SEC. 304. TRANSFER FROM NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to operation and maintenance accounts for fiscal year 2001 in amounts as follows:

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

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

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

(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

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

(2) may not be expended for an item that has been denied authorization of appropriations by Congress.

(c) RELATIONSHIP TO OTHER TRANSFER AUTHORITY.—The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

SEC. 305. JOINT WARFIGHTING CAPABILITIES ASSESSMENT TEAMS.

Of the total amount authorized to be appropriated under section 301(5) for operation and maintenance for Defense-wide activities for the Joint Staff, $4,000,000 is available only for the improvement of the performance of analyses by the joint warfighting capabilities assessment teams of the Joint Requirements Oversight Council.

Subtitle B—Environmental Provisions

SEC. 311. ESTABLISHMENT OF ADDITIONAL ENVIRONMENTAL RESTORATION ACCOUNT AND USE OF ACCOUNTS FOR OPERATION AND MONITORING OF ENVIRONMENTAL REMEDIES.

(a) ACCOUNT FOR FORMERLY USED DEFENSE SITES.—Subsection (a) of section 2703 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) An account to be known as the 'Environmental Restoration Account, Formerly Used Defense Sites'.''.

(b) OPERATION AND MONITORING OF ENVIRONMENTAL REMEDIES.—Such section is further amended by adding at the end the following new subsection:

''(f) SOLE SOURCE OF FUNDS FOR OPERATION AND MONITORING OF ENVIRONMENTAL REMEDIES.—(1) The sole source of funds for all phases of an environmental remedy at a site under the jurisdiction of the Department of Defense or a formerly used defense site shall be the applicable environmental restoration account established under subsection (a).

''(2) In this subsection, the term 'environmental remedy' has the meaning given the term 'remedy' in section 101 of CERCLA (42 U.S.C. 9601).''.

SEC. 312. CERTAIN ENVIRONMENTAL RESTORATION ACTIVITIES.

Subsection (b) of section 2703 of title 10, United States Code, is amended to read as follows:

''(b) OBLIGATION OF AUTHORIZED AMOUNTS.—(1) Funds authorized for deposit in an account under subsection (a) may be obligated or expended from the account only—

''(A) to carry out the environmental restoration functions of the Secretary of Defense and the Secretaries of the military departments under this chapter and under any other provision of law; and

''(B) to pay for the costs of permanently relocating a facility because of a release or threatened release of hazardous substances, pollutants, or contaminants from—

''(i) real property on which the facility is located and that is currently under the jurisdiction of the Secretary of Defense or the Secretary of a military department; or

''(ii) real property on which the facility is located and that was under the jurisdiction of the Secretary of Defense or the Secretary of a military department at the time of the actions leading to the release or threatened release.

''(2) The authority provided by paragraph (1)(B) expires September 30, 2003. The Secretary of Defense or the Secretary of a military department may not pay the costs of permanently relocating a facility under such paragraph unless the Secretary—

''(A) determines that permanent relocation—

''(i) is the most cost effective method of responding to the release or threatened release of hazardous substances, pollutants, or contaminants from the real property on which the facility is located;

''(ii) has the approval of relevant regulatory agencies; and

''(iii) is supported by the affected community; and

''(B) submits to Congress written notice of the determination before undertaking the permanent relocation of the facility, including a description of the response action taken or to be taken in connection with the permanent relocation and a statement of the costs incurred or to be incurred in connection with the permanent relocation.

''(3) If relocation costs are to be paid under paragraph (1)(B) with respect to a facility located on real property described in clause (ii) of such paragraph, the Secretary of Defense or the Secretary of the military department concerned may use only fund transfer mechanisms otherwise available to the Secretary.

''(4) Funds authorized for deposit in an account under subsection (a) shall remain available until expended. Not more than 5 percent of the funds deposited in an account under subsection (a) for a fiscal year may be used to pay relocation costs under paragraph (1)(B).''.

SEC. 313. ANNUAL REPORTS UNDER STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM.

(a) REPEAL OF REQUIREMENT FOR ANNUAL REPORT FROM SCIENTIFIC ADVISORY BOARD.—Section 2904 of title 10, United States Code, is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

(b) INCLUSION OF ACTIONS OF BOARD IN ANNUAL REPORTS OF COUNCIL.—Section 2902(d)(3) of such title is amended by adding at the end the following new subparagraph:

''(D) A summary of the actions of the Strategic Environmental Research and Development Program Scientific Advisory Board during the year preceding the year in which the report is submitted and any recommendations, including recommendations on program direction and legislation, that the Advisory Board considers appropriate regarding the program.''.

SEC. 314. PAYMENT OF FINES AND PENALTIES FOR ENVIRONMENTAL COMPLIANCE AT FORT WAINWRIGHT, ALASKA.

The Secretary of Defense, or the Secretary of the Army, may pay, as part of a settlement of liability, a fine or penalty of not more than $2,000,000 for matters addressed in the Notice of Violation issued on March 5, 1999, by the Administrator of the Environmental Protection Agency to Fort Wainwright, Alaska.

SEC. 315. PAYMENT OF FINES OR PENALTIES IMPOSED FOR ENVIRONMENTAL COMPLIANCE VIOLATIONS AT OTHER DEPARTMENT OF DEFENSE FACILITIES.

(a) ARMY VIOLATIONS.—Using amounts authorized to be appropriated by section 301(1) for operation and maintenance for the Army, the Secretary of the Army may pay the following amounts in connection with environmental compliance violations at the following locations:

(1) $993,000 for a supplemental environmental project to implement an installation-wide hazardous substance management system at Walter Reed Army Medical Center, Washington, District of Columbia, in satisfaction of a fine imposed by Environmental Protection Agency Region 3 under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) $377,250 for a supplemental environmental project to install new parts washers at Fort Campbell, Kentucky, in satisfaction of a fine imposed by Environmental Protection Agency Region 4 under the Solid Waste Disposal Act.

(3) $20,701 for a supplemental environmental project to upgrade the wastewater treatment plant at Fort Gordon, Georgia, in satisfaction of a fine imposed by the State of Georgia under the Solid Waste Disposal Act.

(4) $78,500 for supplemental environmental projects to reduce the generation of hazardous waste at Pueblo Chemical Depot, Colorado, in satisfaction of a fine imposed by the State of Colorado under the Solid Waste Disposal Act.

(5) $20,000 for a supplemental environmental project to repair cracks in floors of igloos used to store munitions hazardous waste at Deseret Chemical Depot, Utah, in satisfaction of a fine imposed by the State of Utah under the Solid Waste Disposal Act.

(6) $7,975 for payment to the Texas Natural Resource Conservation Commission of a cash penalty for permit violations assessed with respect to Fort Sam Houston, Texas, under the Solid Waste Disposal Act.

(b) NAVY VIOLATIONS.—Using amounts authorized to be appropriated by section 301(2) for operation and maintenance for the Navy, the Secretary of the Navy may pay the following amounts in connection with environmental compliance violations at the following locations:

(1) $108,800 for payment to the West Virginia Division of Environmental Protection of a cash penalty with respect to Allegany Ballistics Laboratory, West Virginia, under the Solid Waste Disposal Act.

(2) $5,000 for payment to Environmental Protection Agency Region 6 of a cash penalty with respect to Naval Air Station, Corpus Christi, Texas, under the Clean Air Act (42 U.S.C. 7401).

(3) $1,650 for payment to Environmental Protection Agency Region 3 of a cash penalty with respect to Marine Corps Combat Development Command, Quantico, Virginia, under the Clean Air Act.

SEC. 316. REIMBURSEMENT FOR CERTAIN COSTS IN CONNECTION WITH THE FORMER NANSEMOND ORDNANCE DEPOT SITE, SUFFOLK, VIRGINIA.

(a) AUTHORITY.—The Secretary of Defense may pay, using funds described in subsection

(b), not more than $98,210 to the Former Nansemond Ordnance Depot Site Special Account within the Hazardous Substance Superfund established by section 9507 of the Internal Revenue Code of 1986 (26 U.S.C. 9507) to reimburse the Environmental Protection Agency for costs incurred by the agency in overseeing a time critical removal action under CERCLA being performed by the Department of Defense under the Defense Environmental Restoration Program for ordnance and explosive safety hazards at the Former Nansemond Ordnance Depot Site, Suffolk, Virginia, pursuant to an Interagency Agreement entered into by the Department of the Army and the Environmental Protection Agency on January 3, 2000.

(b) SOURCE OF FUNDS.—Any payment under subsection (a) shall be made using amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Formerly Used Defense Sites, established by paragraph (5) of section 2703(a) of title 10, United States Code, as added by section 311(a) of this Act.

(c) DEFINITIONS.—In this section:

(1) The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(2) The term ''Defense Environmental Restoration Program'' means the program of environmental restoration carried out under chapter 160 of title 10, United States Code.

SEC. 317. NECESSITY OF MILITARY LOW-LEVEL FLIGHT TRAINING TO PROTECT NATIONAL SECURITY AND ENHANCE MILITARY READINESS.

Nothing in the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the regulations implementing such law shall require the Secretary of Defense or the Secretary of a military department to prepare a programmatic, nation-wide environmental impact statement for low-level flight training as a precondition to the use by the Armed Forces of an airspace for the performance of low-level training flights.

SEC. 318. SHIP DISPOSAL PROJECT.

(a) CONTINUATION OF PROJECT; PURPOSE.—During fiscal year 2001, the Secretary of the Navy shall continue to carry out the ship disposal project within the United States to permit the Secretary to assemble appropriate data on the cost of scrapping naval vessels.

(b) USE OF COMPETITIVE PROCEDURES.—The Secretary shall use competitive procedures to award all task orders under the primary contracts under the ship disposal project.

(c) REPORT.—Not later than December 31, 2000, the Secretary shall submit to the congressional defense committees a report on the ship disposal project. The report shall contain the following:

(1) A description of the competitive procedures used for the solicitation and award of all task orders under the project.

(2) A description of the task orders awarded under the project.

(3) An assessment of the results of the project as of the date of the report, including the performance of contractors under the project.

(4) The proposed strategy of the Navy for future procurement of ship scrapping activities.

SEC. 319. DEFENSE ENVIRONMENTAL SECURITY CORPORATE INFORMATION MANAGEMENT PROGRAM.

(a) MANAGEMENT AND OVERSIGHT OF PROGRAM.—The Chief Information Officer of the Department of Defense shall ensure that management and oversight of the Defense Environmental Security Corporate Information Management Program is consistent with the requirements of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106), section 2223 of title 10, United States Code, Department of Defense Directives 5000.1, 5000.2-R, and 5137.1, and all other laws, directives, regulations, and management controls applicable to investment in information technology and related services.

(b) PROGRAM REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Defense Environmental Security Corporate Information Management Program.

(c) MISSION.—The report shall include a mission statement and strategic objectives for the Defense Environmental Security Corporate Information Management Program, including the recommendations of the Secretary for the future mission and objectives of the Program.

(d) PERSONNEL, ORGANIZATION, AND OVERSIGHT.—The report shall include—

(1) the personnel requirements and organizational structure of the Defense Environmental Security Corporate Information Management Program to carry out the mission statement; and

(2) a discussion of—

(A) the means by which the Program will ensure program accountability, including accountability for all past, current, and future activities funded under the Program; and

(B) the role of the Chief Information Officer of the Department of Defense in ensuring program accountability as required by subsection (a).

(e) PROGRAM ACTIVITIES.—The report shall include a discussion of the means by which the Defense Environmental Security Corporate Information Management Program will address or provide—

(1) information access procedures that keep pace with current and evolving requirements for information access;

(2) data standardization and systems integration;

(3) product failures and cost-effective results;

(4) user confidence and utilization; and

(5) program continuity.

SEC. 320. REPORT ON PLASMA ENERGY PYROLYSIS SYSTEM.

(a) REPORT REQUIRED.—Not later than February 1, 2001, the Secretary of the Army shall submit to the congressional defense committees a report on the Plasma Energy Pyrolysis System.

(b) REPORT ELEMENTS.—The report on the Plasma Energy Pyrolysis System shall include the following:

(1) An analysis of available information and data on the fixed-transportable unit demonstration phase of the System and on the mobile unit demonstration phase of the System.

(2) Recommendations regarding future applications for each phase of the System described in paragraph (1).

(3) A statement of the projected funding for such future applications.

SEC. 321. SENSE OF CONGRESS REGARDING ENVIRONMENTAL RESTORATION OF FORMER DEFENSE MANUFACTURING SITE, SANTA CLARITA, CALIFORNIA.

It is the sense of the Congress that—

(1) there exists a 1,000-acre former defense manufacturing site in Santa Clarita, California (known as the ''Santa Clarita site''), that could be environmentally restored to serve a future role in the community, and every effort should be made to apply all known public and private sector innovative technologies to restore the Santa Clarita site to productive use for the benefit of the community; and

(2) the experience gained from environmental restoration at the Santa Clarita site by private and public sector partnerships has the potential to benefit not only the community of Santa Clarita, but all sites in need of environmental restoration.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

SEC. 331. USE OF APPROPRIATED FUNDS TO COVER OPERATING EXPENSES OF COMMISSARY STORES.

(a) IN GENERAL.—(1) Section 2484 of title 10, United States Code, is amended to read as follows:

''§ 2484. Commissary stores: use of appropriated funds to cover operating expenses

''(a) OPERATION OF AGENCY AND SYSTEM.—Except as otherwise provided in this title, the operation of the Defense Commissary Agency and the defense commissary system may be funded using such amounts as are appropriated for such purpose.

''(b) OPERATING EXPENSES OF COMMISSARY STORES.—Appropriated funds may be used to cover the expenses of operating commissary stores and central product processing facilities of the defense commissary system. For purposes of this subsection, operating expenses include the following:

''(1) Salaries and wages of employees of the United States, host nations, and contractors supporting commissary store operations.

''(2) Utilities.

''(3) Communications.

''(4) Operating supplies and services.

''(5) Second destination transportation costs within or outside the United States.

''(6) Any cost associated with above-store-level management or other indirect support of a commissary store or a central product processing facility, including equipment maintenance and information technology costs.''.

(2) The table of sections at the beginning of chapter 147 of such title is amended by striking the item relating to section 2484 and inserting the following new item:

''2484. Commissary stores: use of appropriated funds to cover operating expenses.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001.

SEC. 332. ADJUSTMENT OF SALES PRICES OF COMMISSARY STORE GOODS AND SERVICES TO COVER CERTAIN EXPENSES.

(a) ADJUSTMENT REQUIRED.—Section 2486 of title 10, United States Code, is amended—

(1) in subsection (c), by striking ''section 2484(b) or'' and inserting ''subsection (d) or section''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''sections 2484 and'' and inserting ''section''; and

(B) by adding at the end the following new paragraph:

''(3) The sales price of merchandise and services sold in, at, or by commissary stores shall be adjusted to cover the following:

''(A) The cost of first destination commercial transportation of the merchandise in the United States to the place of sale.

''(B) The actual or estimated cost of shrinkage, spoilage, and pilferage of merchandise under the control of commissary stores.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001.

SEC. 333. USE OF SURCHARGES FOR CONSTRUCTION AND IMPROVEMENT OF COMMISSARY STORES.

(a) EXPANSION OF AUTHORIZED USES.—Subsection (b) of section 2685 of title 10, United States Code, is amended to read as follows:

''(b) USE FOR CONSTRUCTION, REPAIR, IMPROVEMENT, AND MAINTENANCE.—(1) The Secretary of Defense may use the proceeds from the adjustments or surcharges authorized by subsection (a) only—

''(A) to acquire (including acquisition by lease), construct, convert, expand, improve, repair, maintain, and equip the physical infrastructure of commissary stores and central product processing facilities of the defense commissary system; and

''(B) to cover environmental evaluation and construction costs related to activities described in paragraph (1), including costs for surveys, administration, overhead, planning, and design.

''(2) In paragraph (1), the term 'physical infrastructure' includes real property, utilities,

and equipment (installed and free standing and including computer equipment), necessary to provide a complete and usable commissary store or central product processing facility.''.

(b) AUTHORITY OF SECRETARY OF DEFENSE.—Such section is further amended—

(1) in subsection (a), by striking ''Secretary of a military department, under regulations established by him and approved by the Secretary of Defense,'' and inserting ''Secretary of Defense'';

(2) in subsection (c)—

(A) by striking ''Secretary of a military department, with the approval of the Secretary of Defense and'' and inserting ''Secretary of Defense, with the approval of''; and

(B) by striking ''Secretary of the military department determines'' and inserting ''Secretary determines''; and

(3) in subsection (d)(1), by striking ''Secretary of a military department'' and inserting ''Secretary of Defense''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2001.

SEC. 334. INCLUSION OF MAGAZINES AND OTHER PERIODICALS AS AN AUTHORIZED COMMISSARY MERCHANDISE CATEGORY.

(a) ADDITIONAL AUTHORIZED CATEGORY.—Subsection (b) of section 2486 of title 10, United States Code, is amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

''(11) Magazines and other periodicals.''.

(b) CONFORMING AMENDMENTS.—Subsection (f) of such section is amended—

(1) by striking ''(1)'' before ''Notwithstanding'';

(2) by striking ''items in the merchandise categories specified in paragraph (2)'' and inserting ''tobacco products''; and

(3) by striking paragraph (2).

SEC. 335. USE OF MOST ECONOMICAL DISTRIBUTION METHOD FOR DISTILLED SPIRITS.

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

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 336. REPORT ON EFFECTS OF AVAILABILITY OF SLOT MACHINES ON UNITED STATES MILITARY INSTALLATIONS OVERSEAS.

(a) REPORT REQUIRED.—Not later than March 31, 2001, the Secretary of Defense shall submit to Congress a report evaluating the effect that the ready availability of slot machines as a morale, welfare, and recreation activity on United States military installations outside of the United States has on members of the Armed Forces, their dependents, and other persons who use such slot machines, the morale of military communities overseas, and the personal financial stability of members of the Armed Forces.

(b) MATTERS TO BE INCLUDED.—The Secretary shall include in the report—

(1) an estimate of the number of persons who used such slot machines during the preceding two years and, of such persons, the percentage who were enlisted members (shown both in the aggregate and by pay grade), officers (shown both in the aggregate and by pay grade), Department of Defense civilians, other United States persons, and foreign nationals;

(2) to the extent feasible, information with respect to military personnel referred to in paragraph (1) showing the number (as a percentage and by pay grade) who have—

(A) sought financial services counseling at least partially due to the use of such slot machines;

(B) qualified for Government financial assistance at least partially due to the use of such slot machines; or

(C) had a personal check returned for insufficient funds or received any other nonpayment notification from a creditor at least partially due to the use of such slot machines; and

(3) to the extent feasible, information with respect to the average amount expended by each category of persons referred to in paragraph (1) in using such slot machines per visit, to be shown by pay grade in the case of military personnel.

Subtitle D—Department of Defense Industrial Facilities

SEC. 341. DESIGNATION OF CENTERS OF INDUSTRIAL AND TECHNICAL EXCELLENCE AND PUBLIC-PRIVATE PARTNERSHIPS TO INCREASE UTILIZATION OF SUCH CENTERS.

(a) DESIGNATION METHOD.—Subsection (a) of section 2474 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''The Secretary of Defense'' and inserting ''The Secretary concerned, or the Secretary of Defense in the case of a Defense Agency,''; and

(B) by striking ''of the activity'' and inserting ''of the designee'';

(2) in paragraph (2)—

(A) by inserting ''of Defense'' after ''The Secretary''; and

(B) by striking ''depot-level activities'' and inserting ''Centers of Industrial and Technical Excellence''; and

(3) in paragraph (3)—

(A) by striking ''depot-level operations'' and inserting ''operations at Centers of Industrial and Technical Excellence'';

(B) by striking ''depot-level activities'' and inserting ''the Centers''; and

(C) by striking ''such activities'' and inserting ''the Centers''.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—Subsection (b) of such section is amended to read as follows:

''(b) PUBLIC-PRIVATE PARTNERSHIPS.—(1) To achieve one or more objectives set forth in paragraph (2), the Secretary designating a Center of Industrial and Technical Excellence under subsection (a) may authorize and encourage the head of the Center to enter into public-private cooperative arrangements (in this section referred to as a 'public-private partnership') to provide for any of the following:

''(A) For employees of the Center, private industry, or other entities outside the Department of Defense to perform (under contract, subcontract, or otherwise) work related to the core competencies of the Center, including any depot-level maintenance and repair work that involves one or more core competencies of the Center.

''(B) For private industry or other entities outside the Department of Defense to use, for any period of time determined to be consistent with the needs of the Department of Defense, any facilities or equipment of the Center that are not fully utilized for a military department's own production or maintenance requirements.

''(2) The objectives for exercising the authority provided in paragraph (1) are as follows:

''(A) To maximize the utilization of the capacity of a Center of Industrial and Technical Excellence.

''(B) To reduce or eliminate the cost of ownership of a Center by the Department of Defense in such areas of responsibility as operations and maintenance and environmental remediation.

''(C) To reduce the cost of products of the Department of Defense produced or maintained at a Center.

''(D) To leverage private sector investment in—

''(i) such efforts as plant and equipment recapitalization for a Center; and

''(ii) the promotion of the undertaking of commercial business ventures at a Center.

''(E) To foster cooperation between the armed forces and private industry.

''(3) If the Secretary concerned, or the Secretary of Defense in the case of a Defense Agency, authorizes the use of public-private partnerships under this subsection, the Secretary shall submit to Congress a report evaluating the need for loan guarantee authority, similar to the ARMS Initiative loan guarantee program under section 4555 of this title, to facilitate the establishment of public-private partnerships and the achievement of the objectives set forth in paragraph (2).''.

(c) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Such section is further amended—

(1) by striking subsection (d);

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Any facilities or equipment of a Center of Industrial and Technical Excellence made available to private industry may be used to perform maintenance or to produce goods in order to make more efficient and economical use of Government-owned industrial plants and encourage the creation and preservation of jobs to ensure the availability of a workforce with the necessary manufacturing and maintenance skills to meet the needs of the armed forces.''.

(d) CREDITING OF AMOUNTS FOR PERFORMANCE.—Subsection (d) of such section, as redesignated by subsection (c)(2), is amended by adding at the end the following new sentences: ''Consideration in the form of rental payments or (notwithstanding section 3302(b) of title 31) in other forms may be accepted for a use of property accountable under a contract performed pursuant to this section. Notwithstanding section 2667(d) of this title, revenues generated pursuant to this section shall be available for facility operations, maintenance, and environmental restoration at the Center where the leased property is located.''.

(e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—Such section is further amended by adding at the end the following new subsections:

''(e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—Equipment or facilities of a Center of Industrial and Technical Excellence may be made available for use by a private-sector entity under this section only if—

''(1) the use of the equipment or facilities will not have a significant adverse effect on the readiness of the armed forces, as determined by the Secretary concerned or, in the case of a Center in a Defense Agency, by the Secretary of Defense; and

''(2) the private-sector entity agrees—

''(A) to reimburse the Department of Defense for the direct and indirect costs (including any rental costs) that are attributable to the entity's use of the equipment or facilities, as determined by that Secretary; and

''(B) to hold harmless and indemnify the United States from—

''(i) any claim for damages or injury to any person or property arising out of the use of the equipment or facilities, except in a case of willful conduct or gross negligence; and

''(ii) any liability or claim for damages or injury to any person or property arising out of a decision by the Secretary concerned or the Secretary of Defense to suspend or terminate that use of equipment or facilities during a war or national emergency.

''(f) CONSTRUCTION OF PROVISION.—Nothing in this section may be construed to authorize a change, otherwise prohibited by law, from the performance of work at a Center of Industrial and Technical Excellence by Department of Defense personnel to performance by a contractor.''.

(f) USE OF WORKING CAPITAL-FUNDED FACILITIES.—Section 2208(j)(1) of title 10, United States Code, is amended—

(1) by striking ''contract; and'' at the end of subparagraph (A) and all that follows through ''(B) the solicitation'' and inserting ''contract, and the solicitation'';

(2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(B) the Secretary would advance the objectives set forth in section 2474(b)(2) of this title by authorizing the facility to do so.''.

(g) REPEAL OF GENERAL AUTHORITY TO LEASE EXCESS DEPOT-LEVEL EQUIPMENT AND FACILITIES TO OUTSIDE TENANTS.—(1) Section 2471 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 146 of such title is amended by striking the item relating to section 2471.

SEC. 342. UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS OF UNITED STATES ARSENALS.

(a) TREATMENT OF UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS.—Chapter 433 of title 10, United States Code, is amended by inserting after section 4540 the following new section:

''§4541. Army arsenals: treatment of unutilized or underutilized plant-capacity costs

''(a) ESTIMATE OF COSTS.—The Secretary of the Army shall include in the budget justification documents submitted to Congress in support of the President's budget for a fiscal year submitted under section 1105 of title 31 an estimate of the funds to be required in that fiscal year to cover unutilized and underutilized plant-capacity costs at Army arsenals.

''(b) USE OF FUNDS.—Funds appropriated to the Secretary of the Army for a fiscal year to cover unutilized and underutilized plant-capacity costs at Army arsenals shall be used in such fiscal year only for such costs.

''(c) TREATMENT OF COSTS.—(1) The Secretary of the Army shall not include unutilized and underutilized plant-capacity costs when evaluating the bid of an Army arsenal for purposes of the arsenal's contracting to provide a good or service to a Government agency.

''(2) When an Army arsenal is serving as a subcontractor to a private-sector entity with respect to a good or service to be provided to a Government agency, the cost charged by the arsenal shall not include unutilized and underutilized plant-capacity costs that are funded by a direct appropriation.

''(d) DEFINITIONS.—In this section:

''(1) The term 'Army arsenal' means a Government-owned, Government-operated defense plant of the Department of the Army that manufactures weapons, weapon components, or both.

''(2) The term 'unutilized and underutilized plant-capacity costs' means the costs associated with operating and maintaining the facilities and equipment of an Army arsenal that the Secretary of the Army determines are required to be kept for mobilization needs, in those months in which the facilities and equipment are not used or are used only 20 percent or less of available work days.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4540 the following new item:

''4541. Army arsenals: treatment of unutilized or underutilized plant-capacity costs.''.

SEC. 343. ARSENAL SUPPORT PROGRAM INITIATIVE.

(a) DEMONSTRATION PROGRAM REQUIRED.—To help maintain the viability of the Army manufacturing arsenals and the unique capabilities of these arsenals to support the national security interests of the United States, the Secretary of the Army shall carry out a demonstration program under this section during fiscal years 2001 and 2002 at each manufacturing arsenal of the Department of the Army.

(b) PURPOSES OF DEMONSTRATION PROGRAM.—The purposes of the demonstration program are as follows:

(1) To provide for the utilization of the existing skilled workforce at the Army manufacturing arsenals by commercial firms.

(2) To provide for the reemployment and retraining of skilled workers who, as a result of declining workload and reduced Army spending on arsenal production requirements at these Army arsenals, are idled or underemployed.

(3) To encourage commercial firms, to the maximum extent practicable, to use these Army arsenals for commercial purposes.

(4) To increase the opportunities for small businesses (including socially and economically disadvantaged small business concerns and new small businesses) to use these Army arsenals for those purposes.

(5) To maintain in the United States a work force having the skills in manufacturing processes that are necessary to meet industrial emergency planned requirements for national security purposes.

(6) To demonstrate innovative business practices, to support Department of Defense acquisition reform, and to serve as both a model and a laboratory for future defense conversion initiatives of the Department of Defense.

(7) To the maximum extent practicable, to allow the operation of these Army arsenals to be rapidly responsive to the forces of free market competition.

(8) To reduce or eliminate the cost of Government ownership of these Army arsenals, including the costs of operations and maintenance, the costs of environmental remediation, and other costs.

(9) To reduce the cost of products of the Department of Defense produced at these Army arsenals.

(10) To leverage private investment at these Army arsenals through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the demonstration program for the following activities:

(A) Recapitalization of plant and equipment.

(B) Environmental remediation.

(C) Promotion of commercial business ventures.

(D) Other activities approved by the Secretary of the Army.

(11) To foster cooperation between the Department of the Army, property managers, commercial interests, and State and local agencies in the implementation of sustainable development strategies and investment in these Army arsenals.

(c) CONTRACT AUTHORITY.—(1) In the case of each Army manufacturing arsenal, the Secretary of the Army may enter into contracts with commercial firms to authorize the contractors, consistent with section 4543 of title 10, United States Code—

(A) to use the arsenal, or a portion of the arsenal, and the skilled workforce at the arsenal to manufacture weapons, weapon components, or related products consistent with the purposes of the program; and

(B) to enter into subcontracts for the commercial use of the arsenal consistent with such purposes.

(2) A contract under paragraph (1) shall require the contractor to contribute toward the operation and maintenance of the Army manufacturing arsenal covered by the contract.

(3) In the event an Army manufacturing arsenal is converted to contractor operation, the Secretary may enter into a contract with the contractor to authorize the contractor, consistent with section 4543 of title 10, United States Code—

(A) to use the facility during the period of the program in a manner consistent with the purposes of the program; and

(B) to enter into subcontracts for the commercial use of the facility consistent with such purposes.

(d) LOAN GUARANTEES.—(1) Subject to paragraph (2), the Secretary of the Army may guarantee the repayment of any loan made to a commercial firm to fund, in whole or in part, the establishment of a commercial activity at an Army manufacturing arsenal under this section.

(2) Loan guarantees under this subsection may not be committed except to the extent that appropriations of budget authority to cover their costs are made in advance, as required by section 504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

(3) The Secretary of the Army may enter into agreements with the Administrator of the Small Business Administration or the Administrator of the Farmers Home Administration, the Administrator of the Rural Development Administration, or the head of other appropriate agencies of the Department of Agriculture, under which such Administrators may, under this subsection—

(A) process applications for loan guarantees;

(B) guarantee repayment of loans; and

(C) provide any other services to the Secretary of the Army to administer this subsection.

(4) An Administrator referred to in paragraph (3) may guarantee loans under this section to commercial firms of any size, notwithstanding any limitations on the size of applicants imposed on other loan guarantee programs that the Administrator administers. To the extent practicable, each Administrator shall use the same procedures for processing loan guarantee applications under this subsection as the Administrator uses for processing loan guarantee applications under other loan guarantee programs that the Administrator administers.

(e) LOAN LIMITS.—The maximum amount of loan principal guaranteed during a fiscal year under subsection (d) may not exceed—

(1) $20,000,000, with respect to any single borrower; and

(2) $320,000,000 with respect to all borrowers.

(f) TRANSFER OF FUNDS.—The Secretary of the Army may transfer to an Administrator providing services under subsection (d), and the Administrator may accept, such funds as may be necessary to administer loan guarantees under such subsection.

(g) REPORTING REQUIREMENTS.—(1) Not later than July 1 of each year in which a guarantee issued under subsection (d) is in effect, the Secretary of the Army shall submit to Congress a report specifying the amounts of loans guaranteed under such subsection during the preceding calendar year. No report is required after fiscal year 2002.

(2) Not later than July 1, 2001, the Secretary of the Army shall submit to the congressional defense committees a report on the implementation of the demonstration program. The report shall contain a comprehensive review of contracting at the Army manufacturing arsenals covered by the program and such recommendations as the Secretary considers appropriate regarding changes to the program.

SEC. 344. CODIFICATION AND IMPROVEMENT OF ARMAMENT RETOOLING AND MANUFACTURING SUPPORT PROGRAMS.

(a) IN GENERAL.—(1) Part IV of subtitle B of title 10, United States Code, is amended by inserting after chapter 433 the following new chapter:

''CHAPTER 434—ARMAMENTS INDUSTRIAL BASE

''Sec.
''4551. Definitions.
''4552. Policy.
''4553. Armament Retooling and Manufacturing Support Initiative.
''4554. Property management contracts and leases.
''4555. ARMS Initiative loan guarantee program.

''§4551. Definitions

''In this chapter:

''(1) The term 'ARMS Initiative' means the Armament Retooling and Manufacturing Support Initiative authorized by this chapter.

''(2) The term 'eligible facility' means a Government-owned, contractor-operated ammunition manufacturing facility of the Department of the Army that is in an active, inactive, layaway, or caretaker status.

''(3) The term 'property manager' includes any person or entity managing an eligible facility made available under the ARMS Initiative through a property management contract.

''(4) The term 'property management contract' includes facility use contracts, site management contracts, leases, and other agreements entered into under the authority of this chapter.

''(5) The term 'Secretary' means the Secretary of the Army.

''§ 4552. Policy

''It is the policy of the United States—

''(1) to encourage, to the maximum extent practicable, commercial firms to use Government-owned, contractor-operated ammunition manufacturing facilities of the Department of the Army;

''(2) to use such facilities for supporting programs, projects, policies, and initiatives that promote competition in the private sector of the United States economy and that advance United States interests in the global marketplace;

''(3) to increase the manufacture of products inside the United States;

''(4) to support policies and programs that provide manufacturers with incentives to assist the United States in making more efficient and economical use of eligible facilities for commercial purposes;

''(5) to provide, as appropriate, small businesses (including socially and economically disadvantaged small business concerns and new small businesses) with incentives that encourage those businesses to undertake manufacturing and other industrial processing activities that contribute to the prosperity of the United States;

''(6) to encourage the creation of jobs through increased investment in the private sector of the United States economy;

''(7) to foster a more efficient, cost-effective, and adaptable armaments industry in the United States;

''(8) to achieve, with respect to armaments manufacturing capacity, an optimum level of readiness of the national technology and industrial base within the United States that is consistent with the projected threats to the national security of the United States and the projected emergency requirements of the armed forces; and

''(9) to encourage facility use contracting where feasible.

''§ 4553. Armament Retooling and Manufacturing Support Initiative

''(a) AUTHORITY FOR INITIATIVE.—The Secretary may carry out a program to be known as the 'Armament Retooling and Manufacturing Support Initiative'.

''(b) PURPOSES.—The purposes of the ARMS Initiative are as follows:

''(1) To encourage commercial firms, to the maximum extent practicable, to use eligible facilities for commercial purposes.

''(2) To increase the opportunities for small businesses (including socially and economically disadvantaged small business concerns and new small businesses) to use eligible facilities for those purposes.

''(3) To maintain in the United States a work force having the skills in manufacturing processes that are necessary to meet industrial emergency planned requirements for national security purposes.

''(4) To demonstrate innovative business practices, to support Department of Defense acquisition reform, and to serve as both a model and a laboratory for future defense conversion initiatives of the Department of Defense.

''(5) To the maximum extent practicable, to allow the operation of eligible facilities to be rapidly responsive to the forces of free market competition.

''(6) To reduce or eliminate the cost of Government ownership of eligible facilities, including the costs of operations and maintenance, the costs of environmental remediation, and other costs.

''(7) To reduce the cost of products of the Department of Defense produced at eligible facilities.

''(8) To leverage private investment at eligible facilities through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the policies and purposes of this chapter, for the following activities:

''(A) Recapitalization of plant and equipment.

''(B) Environmental remediation.

''(C) Promotion of commercial business ventures.

''(D) Other activities approved by the Secretary.

''(9) To foster cooperation between the Department of the Army, property managers, commercial interests, and State and local agencies in the implementation of sustainable development strategies and investment in eligible facilities made available for purposes of the ARMS Initiative.

''(10) To reduce or eliminate the cost of asset disposal that would be incurred if property at an eligible facility was declared excess to the needs of the Department of the Army.

''(c) AVAILABILITY OF FACILITIES.—The Secretary may make any eligible facility available for the purposes of the ARMS Initiative.

''(d) CONSIDERATION FOR LEASES.—Section 321 of the Act of June 30, 1932 (40 U.S.C. 303b), shall not apply to uses of property or facilities in accordance with the ARMS Initiative.

''(e) PROGRAM SUPPORT.—(1) Funds appropriated for purposes of the ARMS Initiative may be used for administrative support and management.

''(2) A full annual accounting of such expenses for each fiscal year shall be provided to the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives not later than March 30 of the following fiscal year.

''§ 4554. Property management contracts and leases

''(a) IN GENERAL.—In the case of each eligible facility that is made available for the ARMS Initiative, the Secretary—

''(1) shall make full use of facility use contracts, leases, and other such commercial contractual instruments as may be appropriate;

''(2) shall evaluate, on the basis of efficiency, cost, emergency mobilization requirements, and the goals and purposes of the ARMS Initiative, the procurement of services from the property manager, including maintenance, operation, modification, infrastructure, environmental restoration and remediation, and disposal of ammunition manufacturing assets, and other services; and

''(3) may, in carrying out paragraphs (1) and (2)—

''(A) enter into contracts, and provide for subcontracts, for terms up to 25 years, as the Secretary considers appropriate and consistent with the needs of the Department of the Army and the goals and purposes of the ARMS Initiative; and

''(B) use procedures that are authorized to be used under section 2304(c)(5) of this title when the contractor or subcontractor is a source specified in law.

''(b) CONSIDERATION FOR USE.—(1) To the extent provided in a contract entered into under this section for the use of property at an eligible facility that is accountable under the contract, the Secretary may accept consideration for such use that is, in whole or in part, in a form other than—

''(A) rental payments; or

''(B) revenue generated at the facility.

''(2) Forms of consideration acceptable under paragraph (1) for a use of an eligible facility or any property at an eligible facility include the following:

''(A) The improvement, maintenance, protection, repair, and restoration of the facility, the property, or any property within the boundaries of the installation where the facility is located.

''(B) Reductions in overhead costs.

''(C) Reductions in product cost.

''(3) The authority under paragraph (1) may be exercised without regard to section 3302(b) of title 31 and any other provision of law.

''§ 4555. ARMS Initiative loan guarantee program

''(a) PROGRAM AUTHORIZED.—Subject to subsection (b), the Secretary may carry out a loan guarantee program to encourage commercial firms to use eligible facilities under this chapter. Under any such program, the Secretary may guarantee the repayment of any loan made to a commercial firm to fund, in whole or in part, the establishment of a commercial activity to use an eligible facility under this chapter.

''(b) ADVANCED BUDGET AUTHORITY.—Loan guarantees under this section may not be committed except to the extent that appropriations of budget authority to cover their costs are made in advance, as required by section 504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

''(c) PROGRAM ADMINISTRATION.—(1) The Secretary may enter into an agreement with any of the officials named in paragraph (2) under which that official may, for the purposes of this section—

''(A) process applications for loan guarantees;

''(B) guarantee repayment of loans; and

''(C) provide any other services to the Secretary to administer the loan guarantee program.

''(2) The officials referred to in paragraph (1) are as follows:

''(A) The Administrator of the Small Business Administration.

''(B) The head of any appropriate agency in the Department of Agriculture, including—

''(i) the Administrator of the Farmers Home Administration; and

''(ii) the Administrator of the Rural Development Administration.

''(3) Each official authorized to do so under an agreement entered into under paragraph (1) may guarantee loans under this section to commercial firms of any size, notwithstanding any limitations on the size of applicants imposed on other loan guarantee programs that the official administers.

''(4) To the extent practicable, each official processing loan guarantee applications under this section pursuant to an agreement entered into under paragraph (1) shall use the same processing procedures as the official uses for processing loan guarantee applications under other loan guarantee programs that the official administers.

''(d) LOAN LIMITS.—The maximum amount of loan principal guaranteed during a fiscal year under this section may not exceed—

''(1) $20,000,000, with respect to any single borrower; and

''(2) $320,000,000 with respect to all borrowers.

''(e) TRANSFER OF FUNDS.—The Secretary may transfer to an official providing services under subsection (c), and that official may accept, such funds as may be necessary to administer the loan guarantee program under this section.''.

(2) The tables of chapters at the beginning of subtitle B of such title and at the beginning of part IV of such subtitle are amended by inserting after the item relating to chapter 433 the following new item:

''434. Armaments Industrial Base ..... 4551''.

(b) IMPLEMENTATION REPORT.—Not later than July 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the procedures and controls implemented to carry out section 4554 of title 10, United States Code, as added by subsection (a).

(c) RELATIONSHIP TO NATIONAL DEFENSE TECHNOLOGY AND INDUSTRIAL BASE.—(1) Subchapter IV of chapter 148 of title 10, United States Code, is amended—

(A) by redesignating section 2525 as section 2521; and

(B) by adding at the end the following new section:

"§ 2522. Armament retooling and manufacturing

''The Secretary of the Army is authorized by chapter 434 of this title to carry out programs for the support of armaments retooling and manufacturing in the national defense industrial and technology base.''.

(2) The table of sections at the beginning of such subchapter is amended by striking the item relating to section 2525 and inserting the following new items:

''2521. Manufacturing Technology Program.
''2522. Armament retooling and manufacturing.''.

(d) REPEAL OF SUPERSEDED LAW.—The Armament Retooling and Manufacturing Support Act of 1992 (subtitle H of title I of Public Law 102–484; 10 U.S.C. 2501 note) is repealed.

Subtitle E—Performance of Functions by Private-Sector Sources

SEC. 351. INCLUSION OF ADDITIONAL INFORMATION IN REPORTS TO CONGRESS REQUIRED BEFORE CONVERSION OF COMMERCIAL OR INDUSTRIAL TYPE FUNCTIONS TO CONTRACTOR PERFORMANCE.

(a) INFORMATION REQUIRED BEFORE COMMENCEMENT OF CONVERSION ANALYSIS.—Subsection (b)(1)(D) of section 2461 of title 10, United States Code, is amended by inserting before the period the following: '', and a specific identification of the budgetary line item from which funds will be used to cover the cost of the analysis''.

(b) INFORMATION REQUIRED IN NOTIFICATION OF DECISION.—Subsection (c)(1) of such section is amended—

(1) by redesignating subparagraphs (A), (B), (C), (D), and (E) as subparagraphs (B), (C), (F), (H), and (I), respectively;

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph:

''(A) The date when the analysis of that commercial or industrial type function for possible change to performance by the private sector was commenced.'';

(3) by inserting after subparagraph (C), as so redesignated, the following new subparagraphs:

''(D) The number of Department of Defense civilian employees who were performing the function when the analysis was commenced, the number of such employees whose employment was terminated or otherwise affected in implementing the most efficient organization of the function, and the number of such employees whose employment would be terminated or otherwise affected by changing to performance of the function by the private sector.

''(E) The Secretary's certification that the factors considered in the examinations performed under subsection (b)(3), and in the making of the decision to change performance, did not include any predetermined personnel constraint or limitation in terms of man years, end strength, full-time equivalent positions, or maximum number of employees.''; and

(4) by inserting after subparagraph (F), as so redesignated, the following new subparagraph:

''(G) A statement of the potential economic effect of the change on each affected local community, as determined in the examination under subsection (b)(3)(B)(ii).''.

SEC. 352. EFFECTS OF OUTSOURCING ON OVERHEAD COSTS OF CENTERS OF INDUSTRIAL AND TECHNICAL EXCELLENCE AND ARMY AMMUNITION PLANTS.

Section 2461(c) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) If the commercial or industrial type function to be changed to performance by the private sector is performed at a Center of Industrial and Technical Excellence designated under section 2474(a) of this title or an Army ammunition plant—

''(A) the report required by this subsection shall also include a description of the effect that the performance and administration of the resulting contract will have on the overhead costs of the center or ammunition plant, as the case may be; and

''(B) notwithstanding paragraph (3), the change of the function to contractor performance may not begin until at least 60 days after the submission of the report.''.

SEC. 353. CONSOLIDATION, RESTRUCTURING, OR REENGINEERING OF DEPARTMENT OF DEFENSE ORGANIZATIONS, FUNCTIONS, OR ACTIVITIES.

(a) IN GENERAL.—Chapter 146 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2475. Consolidation, restructuring, or reengineering of organizations, functions, or activities: notification requirements

''(a) REQUIREMENT TO SUBMIT PLAN ANNUALLY—Concurrently with the submission of the President's annual budget request under section 1105 of title 31, the Secretary of Defense shall submit to Congress each Strategic Sourcing Plan of Action for the Department of Defense (as identified in the Department of Defense Interim Guidance dated February 29, 2000, or any successor Department of Defense guidance or directive), for the following year.

''(b) NOTIFICATION OF DECISION TO EXECUTE PLAN.—If a decision is made to consolidate, restructure, or reengineer an organization, function, or activity of the Department of Defense pursuant to a Strategic Sourcing Plan of Action described in subsection (a), and such consolidation, restructuring, or reengineering would result in a manpower reduction affecting 50 or more personnel of the Department of Defense (including military and civilian personnel)—

''(1) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing that decision, including—

''(A) a projection of the savings that will be realized as a result of the consolidation, restructuring, or reengineering, compared with the cost incurred by the Department of Defense to perform the function or to operate the organization or activity prior to such proposed consolidation, restructuring, or reengineering;

''(B) a description of all missions, duties, or military requirements that will be affected as a result of the decision to consolidate, restructure, or reengineer the organization, function, or activity that was analyzed;

''(C) the Secretary's certification that the consolidation, restructuring, or reengineering will not result in any diminution of military readiness;

''(D) a schedule for performing the consolidation, restructuring, or reengineering; and

''(E) the Secretary's certification that the entire analysis for the consolidation, restructuring, or reengineering is available for examination; and

''(2) the head of the Defense Agency or the Secretary of the military department concerned may not implement the plan until 30 days after the date that the agency head or Secretary submits notification to the Committees on Armed Services of the Senate and House of Representatives of the intent to carry out such plan.''.

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

''2475. Consolidation, restructuring, or reengineering of organizations, functions, or activities: notification requirements.''.

SEC. 354. MONITORING OF SAVINGS RESULTING FROM WORKFORCE REDUCTIONS AS PART OF CONVERSION OF FUNCTIONS TO PERFORMANCE BY PRIVATE SECTOR OR OTHER STRATEGIC SOURCING INITIATIVES.

(a) REQUIREMENT FOR A MONITORING SYSTEM.—Chapter 146 of title 10, United States Code, is amended by inserting after section 2461 the following new section:

"§ 2461a. Development of system for monitoring cost savings resulting from workforce reductions

''(a) WORKFORCE REVIEW DEFINED.—In this section, the term 'workforce review', with respect to a function of the Department of Defense performed by Department of Defense civilian employees, means a review conducted under Office of Management and Budget Circular A–76 (or any successor administrative regulation or policy), the Strategic Sourcing Program Plan of Action (or any successor Department of Defense guidance or directive), or any other authority to determine whether the function—

''(1) should be performed by a workforce composed of Department of Defense civilian employees or by a private sector workforce; or

''(2) should be reorganized or otherwise reengineered to improve the effeciency or effectiveness of the performance of the function, with a resulting decrease in the number of Department of Defense civilian employees performing the function.

''(b) SYSTEM FOR MONITORING PERFORMANCE.—(1) The Secretary of Defense shall establish a system for monitoring the performance, including the cost of performance, of each function of the Department of Defense that, after the date of the enactment of this section, is the subject of a workforce review.

''(2) The monitoring system shall be designed to compare the following:

''(A) The costs to perform a function before the workforce review to the costs actually incurred to perform the function after implementing the conversion, reorganization, or reengineering actions recommended by the workforce review.

''(B) The anticipated savings to the actual savings, if any, resulting from conversion, reorganization, or reengineering actions undertaken in response to the workforce review.

''(3) The monitoring of a function shall continue under this section for at least five years after the conversion, reorganization, or reengineering of the function.

''(c) WAIVER FOR CERTAIN WORKFORCE REVIEWS.—Subsection (b) shall not apply to a workforce review that would result in a manpower reduction affecting fewer than 50 Department of Defense civilian employees.

''(d) ANNUAL REPORT.—Not later than February 1 of each fiscal year, the Secretary of Defense shall submit to Congress a report on the results of the monitoring performed under the system established under subsection (b). For each function subject to monitoring during the previous fiscal year, the report shall indicate the following:

''(1) The cost of the workforce review.

''(2) The cost of performing the function before the workforce review compared to the costs incurred after implementing the conversion, reorganization, or reengineering actions recommended by the workforce review.

''(3) The actual savings derived from the implementation of the recommendations of the workforce review, if any, compared to the anticipated savings that were to result from the conversion, reorganization, or reengineering actions.

''(e) CONSIDERATION IN PREPARATION OF FUTURE-YEARS DEFENSE PROGRAM.—In preparing the future-years defense program under section

221 of this title, the Secretary of Defense shall, for the fiscal years covered by the program, estimate and take into account the costs to be incurred and the savings to be derived from the performance of functions by workforces selected in workforce reviews. The Secretary shall consider the results of the monitoring under this section in making the estimates.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2461 the following new item:

''2461a. Development of system for monitoring cost savings resulting from workforce reductions.''.

SEC. 355. PERFORMANCE OF EMERGENCY RESPONSE FUNCTIONS AT CHEMICAL WEAPONS STORAGE INSTALLATIONS.

(a) RESTRICTION ON CONVERSION.—The Secretary of the Army may not convert to contractor performance the emergency response functions of any chemical weapons storage installation that, as of the date of the enactment of this Act, are performed for that installation by employees of the United States until the certification required by subsection (c) has been submitted in accordance with that subsection.

(b) COVERED INSTALLATIONS.—For the purposes of this section, a chemical weapons storage installation is any installation of the Department of Defense on which lethal chemical agents or munitions are stored.

(c) CERTIFICATION REQUIREMENT.—The Secretary of the Army shall certify in writing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that, to ensure that there will be no lapse of capability to perform the chemical weapon emergency response mission at a chemical weapons storage installation during any transition to contractor performance of those functions at the installation, the plan for conversion of the performance of those functions—

(1) is consistent with the recommendation contained in General Accounting Office Report NSIAD–00–88, entitled ''DoD Competitive Sourcing'', dated March 2000;

(2) provides for a transition to contractor performance of emergency response functions which ensures an adequate transfer of the relevant knowledge and expertise regarding chemical weapon emergency response to the contractor personnel; and

(3) complies with section 2465 of title 10, United States Code.

SEC. 356. SUSPENSION OF REORGANIZATION OR RELOCATION OF NAVAL AUDIT SERVICE.

(a) SUSPENSION.—During the period specified in subsection (b), the Secretary of the Navy may not commence or continue any consolidation, involuntary transfer, buy-out, or other reduction in force of the workforce of auditors and administrative support personnel of the Naval Audit Service if the consolidation, involuntary transfer, buy-out, or other reduction in force is associated with the reorganization or relocation of the performance of the auditing functions of the Naval Audit Service.

(b) DURATION.—Subsection (a) applies during the period beginning on the date of the enactment of this Act and ending 180 days after the date on which the Secretary submits to the congressional defense committees a report that sets forth in detail the Navy's plans and justification for the reorganization or relocation of the performance of the auditing functions of the Naval Audit Service, as the case may be.

Subtitle F—Defense Dependents Education

SEC. 361. ELIGIBILITY OF DEPENDENTS OF AMERICAN RED CROSS EMPLOYEES FOR ENROLLMENT IN DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT SCHOOLS IN PUERTO RICO.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i) AMERICAN RED CROSS EMPLOYEE DEPENDENTS IN PUERTO RICO.—(1) The Secretary may authorize the dependent of an American Red Cross employee described in paragraph (2) to enroll in an education program provided by the Secretary pursuant to subsection (a) in Puerto Rico if the American Red Cross agrees to reimburse the Secretary for the educational services so provided.

''(2) An employee referred to in paragraph (1) is an American Red Cross employee who—

''(A) resides in Puerto Rico; and

''(B) performs, on a full-time basis, emergency services on behalf of members of the armed forces.

''(3) In determining the dependency status of any person for the purposes of paragraph (1), the Secretary shall apply the same definitions as apply to the determination of such status with respect to Federal employees in the administration of this section.

''(4) Subsection (g) shall apply with respect to determining the reimbursement rates for educational services provided pursuant to this subsection. Amounts received as reimbursement for such educational services shall be treated in the same manner as amounts received under subsection (g).''.

SEC. 362. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) CONTINUATION OF DEPARTMENT OF DEFENSE PROGRAM FOR FISCAL YEAR 2001.—Of the amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-wide activities, $35,000,000 shall be available only for the purpose of providing educational agencies assistance (as defined in subsection (d)(1)) to local educational agencies.

(b) NOTIFICATION.—Not later than June 30, 2001, the Secretary of Defense shall notify each local educational agency that is eligible for educational agencies assistance for fiscal year 2001 of—

(1) that agency's eligibility for educational agencies assistance; and

(2) the amount of the educational agencies assistance for which that agency is eligible.

(c) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse funds made available under subsection (a) not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (b).

(d) DEFINITIONS.—In this section:

(1) The term ''educational agencies assistance'' means assistance authorized under section 386(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 20 U.S.C. 7703 note).

(2) The term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 363. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

(a) PAYMENTS.—Subject to subsection (f), the Secretary of Defense shall make a payment for fiscal years after fiscal year 2001, to each local educational agency eligible to receive a payment for a child described in subparagraph (A)(ii), (B), (D)(i) or (D)(ii) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) that serves two or more such children with severe disabilities, for costs incurred in providing a free appropriate public education to each such child.

(b) PAYMENT AMOUNT.—The amount of the payment under subsection (a) to a local educational agency for a fiscal year for each child referred to in such subsection with a severe disability shall be—

(1) the payment made on behalf of the child with a severe disability that is in excess of the average per pupil expenditure in the State in which the local educational agency is located; less

(2) the sum of the funds received by the local educational agency—

(A) from the State in which the child resides to defray the educational and related services for such child;

(B) under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) to defray the educational and related services for such child; and

(C) from any other source to defray the costs of providing educational and related services to the child which are received due to the presence of a severe disabling condition of such child.

(c) EXCLUSIONS.—No payment shall be made under subsection (a) on behalf of a child with a severe disability whose individual cost of educational and related services does not exceed—

(1) five times the national or State average per pupil expenditure (whichever is lower), for a child who is provided educational and related services under a program that is located outside the boundaries of the school district of the local educational agency that pays for the free appropriate public education of the student; or

(2) three times the State average per pupil expenditure, for a child who is provided educational and related services under a program offered by the local educational agency, or within the boundaries of the school district served by the local educational agency.

(d) RATABLE REDUCTION.—If the amount available for a fiscal year for payments under subsection (a) is insufficient to pay the full amount all local educational agencies are eligible to receive under such subsection, the Secretary of Defense shall ratably reduce the amounts of the payments made under such subsection to all local educational agencies by an equal percentage.

(e) REPORT.—Each local educational agency desiring a payment under subsection (a) shall report to the Secretary of Defense—

(1) the number of severely disabled children for which a payment may be made under this section; and

(2) a breakdown of the average cost, by placement (inside or outside the boundaries of the school district of the local educational agency), of providing education and related services to such children.

(f) PAYMENTS SUBJECT TO APPROPRIATION.—Payments shall be made for any period in a fiscal year under this section only to the extent that funds are appropriated specifically for making such payments for that fiscal year.

(g) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 364. ASSISTANCE FOR MAINTENANCE, REPAIR, AND RENOVATION OF SCHOOL FACILITIES THAT SERVE DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) REPAIR AND RENOVATION ASSISTANCE.—(1) During fiscal year 2001, the Secretary of Defense may make a grant to an eligible local educational agency to assist the agency to repair and renovate—

(A) an impacted school facility that is used by significant numbers of military dependent students; or

(B) a school facility that was a former Department of Defense domestic dependent elementary or secondary school.

(2) Authorized repair and renovation projects may include repairs and improvements to an impacted school facility (including the grounds of the facility) designed to ensure compliance with the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) or local health and safety ordinances, to meet classroom size requirements, or to accommodate school population increases.

(3) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $2,500,000 during fiscal year 2001.

(b) MAINTENANCE ASSISTANCE.—(1) During fiscal year 2001, the Secretary of Defense may make a grant to an eligible local educational agency whose boundaries are the same as a military installation to assist the agency to maintain an impacted school facility, including the grounds of such a facility.

(2) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $250,000 during fiscal year 2001.

(c) DETERMINATION OF ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—(1) A local educational agency is an eligible local educational agency under this section only if the Secretary of Defense determines that the local educational agency has—

(A) one or more federally impacted school facilities; and

(B) satisfies at least one of the following eligibility requirements:

(i) The local educational agency is eligible to receive assistance under subsection (f) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) and at least 10 percent of the students who were in average daily attendance in the schools of such agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

(ii) At least 35 percent of the students who were in average daily attendance in the schools of the local educational agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

(iii) The State education system and the local educational agency are one and the same.

(2) A local educational agency is also an eligible local educational agency under this section if the local educational agency has a school facility that was a former Department of Defense domestic dependent elementary or secondary school, but assistance provided under subsection (a) may only be used to repair and renovate that specific facility.

(d) NOTIFICATION OF ELIGIBILITY.—Not later than April 30, 2001, the Secretary of Defense shall notify each local educational agency identified under subsection (c) that the local educational agency is eligible to apply for a grant under subsection (a), subsection (b), or both subsections.

(e) RELATION TO IMPACT AID CONSTRUCTION ASSISTANCE.—A local education agency that receives a grant under subsection (a) to repair and renovate a school facility may not also receive a payment for school construction under section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) for fiscal year 2001.

(f) GRANT CONSIDERATIONS.—In determining which eligible local educational agencies will receive a grant under this section, the Secretary of Defense shall take into consideration the following conditions and needs at impacted school facilities of eligible local educational agencies:

(1) The repair or renovation of facilities is needed to meet State mandated class size requirements, including student-teacher ratios and instructional space size requirements.

(2) There is an increase in the number of military dependent students in facilities of the agency due to increases in unit strength as part of military readiness.

(3) There are unhoused students on a military installation due to other strength adjustments at military installations.

(4) The repair or renovation of facilities is needed to address any of the following conditions:

(A) The condition of the facility poses a threat to the safety and well-being of students.

(B) The requirements of the Americans with Disabilities Act of 1990.

(C) The cost associated with asbestos removal, energy conservation, or technology upgrades.

(D) Overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment.

(5) The repair or renovation of facilities is needed to meet any other Federal or State mandate.

(6) The number of military dependent students as a percentage of the total student population in the particular school facility.

(7) The age of facility to be repaired or renovated.

(g) DEFINITIONS.—In this section:

(1) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(2) IMPACTED SCHOOL FACILITY.—The term ''impacted school facility'' means a facility of a local educational agency—

(A) that is used to provide elementary or secondary education at or near a military installation; and

(B) at which the average annual enrollment of military dependent students is a high percentage of the total student enrollment at the facility, as determined by the Secretary of Defense.

(3) MILITARY DEPENDENT STUDENTS.—The term ''military dependent students'' means students who are dependents of members of the armed forces or Department of Defense civilian employees.

(4) MILITARY INSTALLATION.—The term ''military installation'' has the meaning given that term in section 2687(e) of title 10, United States Code.

(h) FUNDING SOURCE.—The amount authorized to be appropriated under section 301(25) for Quality of Life Enhancements, Defense-Wide, shall be available to the Secretary of Defense to make grants under this section.

Subtitle G—Military Readiness Issues

SEC. 371. MEASURING CANNIBALIZATION OF PARTS, SUPPLIES, AND EQUIPMENT UNDER READINESS REPORTING SYSTEM.

Section 117(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) Measure, on a quarterly basis, the extent to which units of the armed forces remove serviceable parts, supplies, or equipment from one vehicle, vessel, or aircraft in order to render a different vehicle, vessel, or aircraft operational.''.

SEC. 372. REPORTING REQUIREMENTS REGARDING TRANSFERS FROM HIGH-PRIORITY READINESS APPROPRIATIONS.

(a) CONTINUATION OF REPORTING REQUIREMENTS.—Section 483 of title 10, United States Code, is amended by striking subsection (e).

(b) LEVEL OF DETAIL.—Subsection (c)(2) of such section is amended by inserting before the period the following: '', including identification of the sources from which funds were transferred into that activity and identification of the recipients of the funds transferred out of that activity''.

(c) ADDITIONAL COVERED BUDGET ACTIVITIES.—Subsection (d)(5) of such section is amended by adding at the end the following new subparagraphs:

''(G) Combat Enhancement Forces.

''(H) Combat Communications.''.

SEC. 373. EFFECTS OF WORLDWIDE CONTINGENCY OPERATIONS ON READINESS OF MILITARY AIRCRAFT AND EQUIPMENT.

(a) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report assessing the effects of worldwide contingency operations on—

(1) the readiness of aircraft and ground equipment of the Armed Forces; and

(2) the capability of the Armed Forces to maintain a high level of equipment readiness and to manage a high operating tempo for the aircraft and ground equipment.

(b) EFFECTS ON AIRCRAFT.—With respect to aircraft, the assessment contained in the report shall address the following effects:

(1) The effects of the contingency operations carried out during fiscal years 1995 through 2000 on the aircraft of each of the Armed Forces in each category of aircraft, as follows:

(A) Combat tactical aircraft.

(B) Strategic aircraft.

(C) Combat support aircraft.

(D) Combat service support aircraft.

(2) The types of adverse effects on the aircraft of each of the Armed Forces in each category of aircraft specified in paragraph (1) resulting from contingency operations, as follows:

(A) Patrolling in no-fly zones over Iraq in Operation Northern Watch and Operation Southern Watch and over the Balkans in Operation Allied Force.

(B) Air operations in the North Atlantic Treaty Organization air war against Serbia in Operation Sky Anvil, Operation Noble Anvil, and Operation Allied Force.

(C) Air operations in Operation Shining Hope in Kosovo.

(D) All other activities within the general context of worldwide contingency operations.

(3) Any other effects that the Secretary of Defense considers appropriate in carrying out subsection (a).

(c) EFFECTS ON GROUND EQUIPMENT.—With respect to ground equipment, the assessment contained in the report shall address following effects:

(1) The effects of the contingency operations carried out during fiscal years 1995 through 2000 on the ground equipment of each of the Armed Forces.

(2) Any other effects that the Secretary of Defense considers appropriate in carrying out subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term ''Armed Forces'' means the Army, Navy, Marine Corps, and Air Force.

(2) The term ''contingency operation'' has the meaning given the term in section 101(a)(13) of title 10, United States Code.

SEC. 374. IDENTIFICATION OF REQUIREMENTS TO REDUCE BACKLOG IN MAINTENANCE AND REPAIR OF DEFENSE FACILITIES.

(a) REPORT TO ADDRESS MAINTENANCE AND REPAIR BACKLOG.—Not later than March 15, 2001, the Secretary of Defense shall submit to Congress a report identifying a list of requirements to reduce the backlog in maintenance and repair needs of facilities and infrastructure under the jurisdiction of the Department of Defense or a military department.

(b) ELEMENTS OF REPORT.—At a minimum, the report shall include or address the following:

(1) The extent of the work necessary to repair and revitalize facilities and infrastructure, or to demolish and replace unusable facilities, carried as backlog by the Secretary of Defense or the Secretary of a military department.

(2) Measurable goals, over specified time frames, for addressing all of the identified requirements.

(3) Expected funding for each military department and Defense Agency to address the identified requirements during the period covered by the most recent future-years defense program submitted to Congress pursuant to section 221 of title 10, United States Code.

(4) The cost of the current backlog in maintenance and repair for each military department and Defense Agency, which shall be determined using the standard costs to standard facility categories in the Department of Defense Facilities Cost Factors Handbook, shown both in the aggregate and individually for each major military installation.

(5) The total number of square feet of building space of each military department and Defense

Agency to be demolished or proposed for demolition, shown both in the aggregate and individually for each major military installation.

(6) The initiatives underway to identify facility and infrastructure requirements at military installation to accommodate new and developing weapons systems and to prepare installations to accommodate these systems.

(c) ANNUAL UPDATES.—The Secretary of Defense shall update the report required under subsection (a) annually. The annual updates shall be submitted to Congress at or about the time that the budget is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code.

SEC. 375. NEW METHODOLOGY FOR PREPARING BUDGET REQUESTS TO SATISFY ARMY READINESS REQUIREMENTS.

(a) REQUIREMENT FOR NEW METHODOLOGY.—The Secretary of the Army shall develop a new methodology for preparing budget requests for operation and maintenance for the Army that can be used to ensure that the budget requests for operation and maintenance for future fiscal years more accurately reflect the Army's requirements than did the budget requests submitted to Congress for fiscal year 2001 and preceding fiscal years.

(b) SENSE OF CONGRESS REGARDING NEW METHODOLOGY.—It is the sense of Congress that—

(1) the methodology required by subsection (a) should provide for the determination of the budget levels to request for operation and maintenance for the Army to be based on—

(A) the level of training that must be conducted in order for the Army to execute successfully the full range of missions called for in the national defense strategy delineated pursuant to section 118 of title 10, United States Code, at a low-to-moderate level of risk;

(B) the cost of conducting training at the level of training described in subparagraph (A); and

(C) the costs of all other Army operations, including the cost of meeting infrastructure requirements; and

(2) the Secretary of the Army should use the new methodology in the preparation of the budget requests for operation and maintenance for the Army for fiscal years after fiscal year 2001.

SEC. 376. REVIEW OF AH–64 AIRCRAFT PROGRAM.

(a) REQUIREMENT FOR REVIEW.—The Comptroller General shall conduct a review of the Army's AH–64 aircraft program to determine—

(1) whether obsolete spare parts, rather than spare parts for the latest aircraft configuration, are being procured;

(2) whether there is insufficient sustaining system technical support;

(3) whether technical data packages and manuals are obsolete;

(4) whether there are unfunded requirements for airframe and component upgrades; and

(5) if one or more of the conditions described in the preceding paragraphs exist, whether the readiness of the aircraft is impaired by the conditions.

(b) REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to the congressional defense committees a report on the results of the review under subsection (a).

SEC. 377. REPORT ON AIR FORCE SPARE AND REPAIR PARTS PROGRAM FOR C–5 AIRCRAFT.

(a) FINDINGS.—Congress makes the following findings:

(1) There exists a significant shortfall in the Nation's current strategic airlift requirement, even though strategic airlift remains critical to the national security strategy of the United States.

(2) This shortfall results from the slow phase-out of C–141 aircraft and their replacement with C–17 aircraft and from lower than optimal reliability rates for the C–5 aircraft.

(3) One of the primary causes of these reliability rates for C–5 aircraft, and especially for operational unit aircraft, is the shortage of spare repair parts. Over the past 5 years, this shortage has been particularly evident in the C–5 fleet.

(4) Not Mission Capable for Supply rates for C–5 aircraft have increased significantly in the period between 1997 and 1999. At Dover Air Force Base, Delaware, for example, an average of 7 to 9 C–5 aircraft were not available during that period because of a lack of parts.

(5) Average rates of cannibalization of C–5 aircraft per 100 sorties of such aircraft have also increased during that period and are well above the Air Mobility Command standard. In any given month, this means devoting additional manhours to cannibalization of C–5 aircraft. At Dover Air Force Base, for example, an average of 800 to 1,000 additional manhours were required for cannibalization of C–5 aircraft during that period. Cannibalization is often required for aircraft that transit through a base such as Dover Air Force Base, as well as those that are based there.

(6) High cannibalization rates indicate a significant problem in delivering spare parts in a timely manner and systemic problems within the repair and maintenance process, and also demoralize overworked maintenance crews.

(7) The C–5 aircraft remains an absolutely critical asset in air mobility and airlifting heavy equipment and personnel to both military contingencies and humanitarian relief efforts around the world.

(8) Despite increased funding for spare and repair parts and other efforts by the Air Force to mitigate the parts shortage problem, Congress continues to receive reports of significant cannibalization to airworthy C–5 aircraft and parts backlogs.

(b) REPORT REQUIRED.—Not later than January 1, 2001, and September 30, 2001, the Secretary of the Air Force shall submit to Congress a report on the overall status of the spare and repair parts program of the Air Force for the C–5 aircraft.

(c) ELEMENTS OF REPORT.—Each report shall include the following:

(1) A statement of the funds currently allocated to the acquisition of spare and repair parts for the C–5 aircraft and the adequacy of such funds to meet current and future repair and maintenance requirements for that aircraft.

(2) A description of current efforts to address shortfalls in the availability of spare and repair parts for the C–5 aircraft, including an assessment of potential short-term and long-term effects of such efforts.

(3) An assessment of the effects of such parts shortfalls on readiness and reliability ratings for the C–5 aircraft.

(4) A description of rates at which spare and repair parts for one C–5 aircraft are taken from another C–5 aircraft (known as parts cannibalization) and the manhours devoted to part cannibalization of such aircraft.

(5) An assessment of the effects of parts shortfalls and parts cannibalization with respect to C–5 aircraft on readiness and retention.

Subtitle H—Other Matters

SEC. 381. ANNUAL REPORT ON PUBLIC SALE OF CERTAIN MILITARY EQUIPMENT IDENTIFIED ON UNITED STATES MUNITIONS LIST.

(a) ANNUAL REPORT REQUIRED.—Chapter 153 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2582. Military equipment identified on United States munitions list: annual report of public sales

''(a) REPORT REQUIRED.—The Secretary of Defense shall prepare an annual report identifying each public sale conducted by a military department or Defense Agency of military items that are—

''(1) identified on the United States Munitions List maintained under section 121.1 of title 22, Code of Federal Regulations; and

''(2) assigned a demilitarization code of 'B' or its equivalent.

''(b) ELEMENTS OF REPORT.—(1) A report under this section shall cover all public sales described in subsection (a) that were conducted during the preceding fiscal year.

''(2) The report shall specify the following for each sale:

''(A) The date of the sale.

''(B) The military department or Defense Agency conducting the sale.

''(C) The manner in which the sale was conducted.

''(D) The military items described in subsection (a) that were sold or offered for sale.

''(E) The purchaser of each item.

''(F) The stated end-use of each item sold.

''(c) SUBMISSION OF REPORT.—Not later than March 31 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate the report required by this section for the preceding fiscal year.''.

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

''2582. Military equipment identified on United States munitions list: annual report of public sales.''.

SEC. 382. RESALE OF ARMOR-PIERCING AMMUNITION DISPOSED OF BY THE ARMY.

(a) RESTRICTION.—(1) Chapter 443 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 4688. Armor-piercing ammunition and components: condition on disposal

''(a) LIMITATION ON RESALE OR OTHER TRANSFER.—Except as provided in subsection (b), whenever the Secretary of the Army carries out a disposal (by sale or otherwise) of armor-piercing ammunition, or a component of armor-piercing ammunition, the Secretary shall require as a condition of the disposal that the recipient agree in writing not to sell or otherwise transfer any of the ammunition (reconditioned or otherwise), or any armor-piercing component of that ammunition, to any purchaser in the United States other than a law enforcement or other governmental agency.

''(b) EXCEPTION.—Subsection (a) does not apply to a transfer of a component of armor-piercing ammunition solely for the purpose of metal reclamation by means of a destructive process such as melting, crushing, or shredding.

''(c) SPECIAL RULE FOR NON-ARMOR-PIERCING COMPONENTS.—A component of the armor-piercing ammunition that is not itself armor-piercing and is not subjected to metal reclamation as described in subsection (b) may not be used as a component in the production of new or remanufactured armor-piercing ammunition other than for sale to a law enforcement or other governmental agency or for a government-to-government sale or commercial export to a foreign government under the Arms Export Control Act (22 U.S.C. 2751).

''(d) DEFINITION.—In this section, the term 'armor-piercing ammunition' means a center-fire cartridge the military designation of which includes the term 'armor penetrator' or 'armor-piercing', including a center-fire cartridge designated as armor-piercing incendiary (API) or armor-piercing incendiary-tracer (API–T).''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4688. Armor-piercing ammunition and components: condition on disposal.''.

(b) APPLICABILITY.—Section 4688 of title 10, United States Code, as added by subsection (a), shall apply with respect to any disposal of ammunition or components referred to in that section after the date of the enactment of this Act.

SEC. 383. REIMBURSEMENT BY CIVIL AIR CARRIERS FOR SUPPORT PROVIDED AT JOHNSTON ATOLL.

(a) IN GENERAL.—Chapter 949 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 9783. Johnston Atoll: reimbursement for support provided to civil air carriers

''(a) AUTHORITY OF THE SECRETARY.—The Secretary of the Air Force may, under regulations prescribed by the Secretary, require payment by a civil air carrier for support provided by the United States to the carrier at Johnston Atoll that is either—

''(1) requested by the civil air carrier; or

''(2) determined under the regulations as being necessary to accommodate the civil air carrier's use of Johnston Atoll.

''(b) AMOUNT OF CHARGES.—Any amount charged an air carrier under subsection (a) for support shall be equal to the total amount of the actual costs to the United States of providing the support. The amount charged may not include any amount for an item of support that does not satisfy a condition described in paragraph (1) or (2) of subsection (a).

''(c) RELATIONSHIP TO LANDING FEES.—No landing fee shall be charged an air carrier for a landing of an aircraft of the air carrier at Johnston Atoll if the air carrier is charged under subsection (a) for support provided to the air carrier.

''(d) DISPOSITION OF PAYMENTS.—(1) Amounts collected from an air carrier under this section shall be credited to appropriations available for the fiscal year in which collected, as follows:

''(A) For support provided by the Air Force, to appropriations available for the Air Force for operation and maintenance.

''(B) For support provided by the Army, to appropriations available for the Army for chemical demilitarization.

''(2) Amounts credited to an appropriation under paragraph (1) shall be merged with funds in that appropriation and shall be available, without further appropriation, for the purposes and period for which the appropriation is available.

''(e) DEFINITIONS.—In this section:

''(1) The term 'civil air carrier' means an air carrier (as defined in section 40101(a)(2) of title 49) that is issued a certificate of public convenience and necessity under section 41102 of such title.

''(2) The term 'support' includes fuel, fire rescue, use of facilities, improvements necessary to accommodate use by civil air carriers, police, safety, housing, food, air traffic control, suspension of military operations on the island (including operations at the Johnston Atoll Chemical Agent Demilitarization System), repairs, and any other construction, services, or supplies.''.

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

''9783. Johnston Atoll: reimbursement for support provided to civil air carriers.''.

SEC. 384. TRAVEL BY RESERVES ON MILITARY AIRCRAFT.

(a) SPACE-REQUIRED TRAVEL FOR TRAVEL TO DUTY STATIONS.—Subsection (a) of section 18505 of title 10, United States Code, is amended to read as follows:

''(a) A member of a reserve component traveling for annual training duty or inactive-duty training (including a place other than the place of the member's unit training assembly if the member is performing annual training duty or inactive-duty training in another location) may travel in a space-required status on aircraft of the armed forces between the member's home and the place of the annual training duty or inactive-duty training.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

''§ 18505. Reserves traveling for annual training duty or inactive-duty training: space-required travel on military aircraft''.

(2) The table of sections at the beginning of chapter 1805 of such title is amended by striking the item relating to section 18505 and inserting the following new item:

''18505. Reserves traveling for annual training duty or inactive-duty training: space-required travel on military aircraft.''.

SEC. 385. OVERSEAS AIRLIFT SERVICE ON CIVIL RESERVE AIR FLEET AIRCRAFT.

(a) IN GENERAL.—Section 41106 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by striking ''of at least 31 days'';

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections:

''(b) TRANSPORTATION BETWEEN THE UNITED STATES AND FOREIGN LOCATIONS.—Except as provided in subsection (d), the transportation of passengers or property by transport category aircraft between a place in the United States and a place outside the United States obtained by the Secretary of Defense or the Secretary of a military department through a contract for airlift service shall be provided by an air carrier referred to in subsection (a).

''(c) TRANSPORTATION BETWEEN FOREIGN LOCATIONS.—The transportation of passengers or property by transport category aircraft between two places outside the United States obtained by the Secretary of Defense or the Secretary of a military department through a contract for airlift service shall be provided by an air carrier that has aircraft in the civil reserve air fleet whenever transportation by such an air carrier is reasonably available.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of such section is further amended by striking ''GENERAL.—(1) Except as provided in subsection (b) of this section,'' and inserting ''INTERSTATE TRANSPORTATION.—(1) Except as provided in subsection (d) of this section,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

SEC. 386. ADDITIONS TO PLAN FOR ENSURING VISIBILITY OVER ALL IN-TRANSIT END ITEMS AND SECONDARY ITEMS.

(a) REQUIRED ADDITIONS.—Subsection (d) of section 349 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1981; 10 U.S.C. 2458 note) is amended—

(1) in paragraph (1), by inserting before the period at the end the following: '', including specific actions to address underlying weaknesses in the controls over items being shipped''; and

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

''(5) The key management elements for monitoring, and for measuring the progress achieved in, the implementation of the plan, including—

''(A) the assignment of oversight responsibility for each action identified pursuant to paragraph (1);

''(B) a description of the resources required for oversight; and

''(C) an estimate of the annual cost of oversight.''.

(b) CONFORMING AMENDMENTS.—(1) Subsection (a) of such section is amended by striking ''Not later than'' and all that follows through ''Congress'' and inserting ''The Secretary of Defense shall prescribe and carry out''.

(2) Such section is further amended by adding at the end the following new subsection:

''(f) SUBMISSIONS TO CONGRESS.—The Secretary shall submit to Congress any revisions made to the plan that are required by any law enacted after October 17, 1998. The revisions so made shall be submitted not later than 180 days after the date of the enactment of the law requiring the revisions.''.

(3) Subsection (e)(1) of such section is amended by striking ''submits the plan'' and inserting ''submits the initial plan''.

SEC. 387. REAUTHORIZATION OF PILOT PROGRAM FOR ACCEPTANCE AND USE OF LANDING FEES CHARGED FOR USE OF DOMESTIC MILITARY AIRFIELDS BY CIVIL AIRCRAFT.

(a) REAUTHORIZATION.—Section 377 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1993; 10 U.S.C. 113 note) is amended—

(1) in subsection (a)—

(A) by striking ''during fiscal years 1999 and 2000''; and

(B) by striking the second sentence; and

(2) by adding at the end the following new subsection:

''(e) DURATION OF PILOT PROGRAM.—The pilot program under this section may not be carried out after September 30, 2010.''.

(b) FEES COLLECTED.—Subsection (b) of such section is amended to read as follows:

''(b) LANDING FEE DEFINED.—In this section, the term 'landing fee' means any fee that is established under or in accordance with regulations of the military department concerned (whether prescribed in a fee schedule or imposed under a joint-use agreement) to recover costs incurred for use by civil aircraft of an airfield of the military department in the United States or in a territory or possession of the United States.''.

(c) USE OF PROCEEDS.—Subsection (c) of such section is amended by striking ''Amounts received for a fiscal year in payment of landing fees imposed under the pilot program for use of a military airfield'' and inserting ''Amounts received in payment of landing fees for use of a military airfield in a fiscal year of the pilot program''.

(d) REPORT.—Subsection (d) of such section is amended—

(1) by striking ''March 31, 2000,'' and inserting ''March 31, 2003,''; and

(2) by striking ''December 31, 1999'' and inserting ''December 31, 2002''.

SEC. 388. EXTENSION OF AUTHORITY TO SELL CERTAIN AIRCRAFT FOR USE IN WILDFIRE SUPPRESSION.

Section 2 of the Wildfire Suppression Aircraft Transfer Act of 1996 (Public Law 104–307; 10 U.S.C. 2576 note) is amended—

(1) in subsection (a)(1), by striking ''September 30, 2000'' and inserting ''September 30, 2005'';

(2) in subsection (d)(1)—

(A) by striking ''the date of the enactment of this Act'' and inserting ''October 14, 1996''; and

(B) by adding at the end the following: ''The regulations prescribed under this paragraph shall be effective until the end of the period specified in subsection (a)(1).''; and

(3) in subsection (f), by striking ''March 31, 2000'' and inserting ''March 31, 2005''.

SEC. 389. DAMAGE TO AVIATION FACILITIES CAUSED BY ALKALI SILICA REACTIVITY.

(a) ASSESSMENT OF DAMAGE AND PREVENTION AND MITIGATION TECHNOLOGY.—The Secretary of Defense shall require the Secretaries of the military departments to assess—

(1) the damage caused to aviation facilities of the Armed Forces by alkali silica reactivity; and

(2) the availability of technologies capable of preventing, treating, or mitigating alkali silica reactivity in hardened concrete structures and pavements.

(b) EVALUATION OF TECHNOLOGIES.—(1) Taking into consideration the assessment under subsection (a), the Secretary of each military department may conduct a demonstration project at a location selected by the Secretary concerned to test and evaluate the effectiveness of technologies intended to prevent, treat, or mitigate alkali silica reactivity in hardened concrete structures and pavements.

(2) The Secretary of Defense shall ensure that the locations selected for the demonstration projects represent the diverse operating environments of the Armed Forces.

(c) NEW CONSTRUCTION.—The Secretary of Defense shall develop specific guidelines for appropriate testing and use of lithium salts to prevent alkali silica reactivity in new construction of the Department of Defense.

(d) COMPLETION OF ASSESSMENT AND DEMONSTRATION.—The assessment conducted under subsection (a) and the demonstration projects, if any, conducted under subsection (b) shall be completed not later than September 30, 2006.

(e) DELEGATION OF AUTHORITY.—The authority to conduct the assessment under subsection (a) may be delegated only to the Chief of Engineers of the Army, the Commander of the Naval Facilities Engineering Command, and the Civil Engineer of the Air Force.

(f) LIMITATION ON EXPENDITURES.—The Secretary of Defense and the Secretaries of the military departments may not expend more than a total of $5,000,000 to conduct both the assessment under subsection (a) and all of the demonstration projects under subsection (b).

SEC. 390. DEMONSTRATION PROJECT TO INCREASE RESERVE COMPONENT INTERNET ACCESS AND SERVICES IN RURAL COMMUNITIES.

(a) AUTHORIZATION AND PURPOSE OF PROJECT.—The Secretary of the Army, acting through the Chief of the National Guard Bureau, may carry out a demonstration project in rural communities that are unserved or underserved by the telecommunications medium known as the Internet to provide or increase Internet access and services to units and members of the National Guard and other reserve components located in these communities.

(b) PROJECT ELEMENTS.—In carrying out the demonstration project, the Secretary may—

(1) establish and operate distance learning classrooms in communities described in subsection (a), including any support systems required for such classrooms; and

(2) provide Internet access and services in such classrooms through GuardNet, the telecommunications infrastructure of the National Guard.

(c) REPORT.—Not later than February 1, 2005, the Secretary shall submit to Congress a report on the demonstration project. The report shall describe the activities conducted under the demonstration project and include any recommendations for the improvement or expansion of the demonstration project that the Secretary considers appropriate.

SEC. 391. ADDITIONAL CONDITIONS ON IMPLEMENTATION OF DEFENSE JOINT ACCOUNTING SYSTEM.

(a) REPORT ON DEPLOYMENT OF SYSTEM.—The proposed Defense Joint Accounting System is not prohibited, but the Secretary of Defense may not grant a Milestone III decision for the system unless and until the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report—

(1) explaining the reasons for the withdrawal of the Department of the Air Force from the proposed Defense Joint Accounting System and the effect of the withdrawal on the development of the system;

(2) explaining the reasons why the Department of the Navy is not required to participate in the system;

(3) identifying business process reengineering initiatives reviewed, considered, or undertaken by the Department of the Air Force and the Department of the Navy before the decisions were made to exclude the Department of the Navy from the system and to allow the Department of the Air Force to withdraw from the system; and

(4) containing an analysis, prepared with the participation of the Secretaries of the military departments, of alternatives to the system to determine whether the system warrants deployment.

(b) CERTIFICATION.—If the Secretary of Defense determines that the proposed Defense Joint Accounting System warrants a Milestone III decision, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a certification that the system will meet—

(1) the required functionality for users of the system;

(2) Department of Defense acquisition standards;

(3) the applicable requirements for Milestones I, II and III; and

(4) the applicable requirements of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106).

SEC. 392. REPORT ON DEFENSE TRAVEL SYSTEM.

(a) REQUIREMENT FOR REPORT.—Not later than November 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report on the Defense Travel System.

(b) CONTENT OF REPORT.—The report shall include the following:

(1) A detailed discussion of the development, testing, and fielding of the system, including the performance requirements, the evaluation criteria, the funding that has been provided for the development, testing, and fielding of the system, and the funding that is projected to be required for completing the development, testing, and fielding of the system.

(2) The schedule for the testing of the system, including the initial operational test and evaluation and the final operational testing and evaluation, together with the results of the testing.

(3) The cost savings expected to result from the deployment of the system and from the completed implementation of the system, together with a discussion of how the savings are estimated and the expected schedule for the realization of the savings.

(4) An analysis of the costs and benefits of fielding the front-end software for the system throughout all 18 geographical areas selected for the original fielding of the system.

SEC. 393. REVIEW OF DEPARTMENT OF DEFENSE COSTS OF MAINTAINING HISTORICAL PROPERTIES.

(a) REQUIREMENT FOR REVIEW.—The Comptroller General shall conduct a review of the annual costs incurred by the Department of Defense to comply with the requirements of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(b) REPORT.—Not later than February 28, 2001, the Comptroller General shall submit to the congressional defense committees a report on the results of the review. The report shall contain the following:

(1) For each military department and Defense Agency and for the Department of Defense in the aggregate, the cost for fiscal year 2000 and the projected costs for the ensuing 10 fiscal years to comply with the requirements of the National Historic Preservation Act.

(2) Of the costs referred to in paragraph (1), the portion of such costs related to maintenance of those properties that qualified as historic properties under the National Historic Preservation Act when such Act was originally enacted in 1966.

(3) The accounts used for paying the costs of complying with the requirements of the National Historic Preservation Act.

(4) For each military department and Defense Agency, the identity of all properties that must be maintained in order to comply with the requirements of the National Historic Preservation Act.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent end strength minimum levels.
Sec. 403. Adjustment to end strength flexibility authority.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2001 limitation on non-dual status technicians.
Sec. 415. Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves.

Subtitle C—Other Matters Relating to Personnel Strengths

Sec. 421. Authority for Secretary of Defense to suspend certain personnel strength limitations during war or national emergency.
Sec. 422. Exclusion from active component end strengths of certain reserve component members on active duty in support of the combatant commands.
Sec. 423. Exclusion of Army and Air Force medical and dental officers from limitation on strengths of reserve commissioned officers in grades below brigadier general.
Sec. 424. Authority for temporary increases in number of reserve component personnel serving on active duty or full-time national guard duty in certain grades.

Subtitle D—Authorization of Appropriations

Sec. 431. Authorization of appropriations for military personnel.

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

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

(1) The Army, 480,000.

(2) The Navy, 372,642.

(3) The Marine Corps, 172,600.

(4) The Air Force, 357,000.

SEC. 402. REVISION IN PERMANENT END STRENGTH MINIMUM LEVELS.

(a) REVISED END STRENGTH FLOORS.—Section 691(b) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking ''371,781'' and inserting ''372,000'';

(2) in paragraph (3), by striking ''172,148'' and inserting ''172,600''; and

(3) in paragraph (4), by striking ''360,877'' and inserting ''357,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2000.

SEC. 403. ADJUSTMENT TO END STRENGTH FLEXIBILITY AUTHORITY.

Section 691(e) of title 10, United States Code, is amended by inserting ''or greater than'' after ''identical to''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

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

(1) The Army National Guard of the United States, 350,526.

(2) The Army Reserve, 205,300.

(3) The Naval Reserve, 88,900.

(4) The Marine Corps Reserve, 39,558.

(5) The Air National Guard of the United States, 108,022.

(6) The Air Force Reserve, 74,358.

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

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2001, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 22,974.

(2) The Army Reserve, 13,106.

(3) The Naval Reserve, 14,649.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 11,170.

(6) The Air Force Reserve, 1,336.

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

The minimum number of military technicians (dual status) as of the last day of fiscal year 2001 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 23,128.

(2) For the Army Reserve, 5,921.

(3) For the Air National Guard of the United States, 22,247.

(4) For the Air Force Reserve, 9,785.

SEC. 414. FISCAL YEAR 2001 LIMITATION ON NON-DUAL STATUS TECHNICIANS.

(a) LIMITATION.—The number of non-dual status technicians employed by the reserve components of the Army and the Air Force as of September 30, 2001, may not exceed the following:

(1) For the Army Reserve, 1,195.

(2) For the Army National Guard of the United States, 1,600.

(3) For the Air Force Reserve, 10.

(4) For the Air National Guard of the United States, 326.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

(c) POSTPONEMENT OF PERMANENT LIMITATION.—Section 10217(c)(2) of title 10, United States Code, is amended by striking ''October 1, 2001'' and inserting ''October 1, 2002''.

SEC. 415. INCREASE IN NUMBERS OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

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

''Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	3,316	1,071	948	140
Lieutenant Colonel or Commander	1,759	520	852	90
Colonel or Navy Captain	529	188	317	30''.

(b) SENIOR ENLISTED MEMBERS.—The table in section 12012(a) of such title is amended to read as follows:

''Grade	Army	Navy	Air Force	Marine Corps
E–9	764	202	502	20
E–8	2,821	429	1,117	94''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

(d) REPORT.—(1) Not later than March 31, 2001, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on management of the grade structure for reserve-component officers who are subject to section 12011 of title 10, United States Code, and on the grade structure of enlisted members who are subject to section 12012 of that title. The Secretary of Defense shall include in the report recommendations for a permanent solution for managing the grade structures for those officers and enlisted members without requirement for frequent statutory adjustments to the limitations in those sections.

(2) In developing recommendations for the report under paragraph(1), the Secretary shall consider the following areas:

(A) The grade structure authorized for field-grade officers in the active-duty forces and the reasons why the grade structure for field-grade reserve officers on active duty in support of the reserves is different.

(B) The grade structure authorized for senior enlisted members in the active-duty forces and the reasons why the grade structure for senior enlisted reserve members on active duty in support of the reserves is different.

(C) The need for independent grade limits for each reserve component under sections 12011 and 12012 of title 10, United States Code.

(D) The advantages and disadvantage of replacing management by the current grade tables in those sections with management through a system based on the grade authorized for the position occupied by the member.

(E) The current mix within each reserve component, for each controlled grade, of (i) traditional reservists, (ii) military technicians, (iii) regular component members, and (iv) reserve members on active duty in support of the reserves, and how that mix, for each component, would shift over time under the Secretary's recommended solution as specified in paragraph (1).

Subtitle C—Other Matters Relating to Personnel Strengths

SEC. 421. AUTHORITY FOR SECRETARY OF DEFENSE TO SUSPEND CERTAIN PERSONNEL STRENGTH LIMITATIONS DURING WAR OR NATIONAL EMERGENCY.

(a) SENIOR ENLISTED MEMBERS ON ACTIVE DUTY.—Section 517 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.''.

(b) FIELD GRADE RESERVE COMPONENT OFFICERS.—Section 12011 of such title is amended by adding at the end the following new subsection:

''(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.''.

(c) SENIOR ENLISTED MEMBER IN RESERVE COMPONENTS.—Section 12012 of such title is amended by adding at the end the following new subsection:

''(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.''.

SEC. 422. EXCLUSION FROM ACTIVE COMPONENT END STRENGTHS OF CERTAIN RESERVE COMPONENT MEMBERS ON ACTIVE DUTY IN SUPPORT OF THE COMBATANT COMMANDS.

Section 115(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(9) Members of reserve components (not described in paragraph (8)) on active duty for more than 180 days but less than 271 days to perform special work in support of the combatant commands, except that—

''(A) general and flag officers may not be excluded under this paragraph; and

''(B) the number of members of any of the armed forces excluded under this paragraph may not exceed the number equal to 0.2 percent of the end strength authorized for active-duty personnel of that armed force under subsection (a)(1)(A).''.

SEC. 423. EXCLUSION OF ARMY AND AIR FORCE MEDICAL AND DENTAL OFFICERS FROM LIMITATION ON STRENGTHS OF RESERVE COMMISSIONED OFFICERS IN GRADES BELOW BRIGADIER GENERAL.

Section 12005(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) Medical officers and dental officers shall not be counted for the purposes of this subsection.''.

SEC. 424. AUTHORITY FOR TEMPORARY INCREASES IN NUMBER OF RESERVE COMPONENT PERSONNEL SERVING ON ACTIVE DUTY OR FULL-TIME NATIONAL GUARD DUTY IN CERTAIN GRADES.

(a) FIELD GRADE OFFICERS.—Section 12011 of title 10, United States Code, as amended by section 421(b), is amended by adding at the end the following new subsection:

''(d) Upon increasing under subsection (c)(2) of section 115 of this title the end strength that is authorized under subsection (a)(1)(B) of that section for a fiscal year for active-duty personnel and full-time National Guard duty personnel of an armed force who are to be paid from funds appropriated for reserve personnel, the Secretary of Defense may increase for that fiscal year the limitation that is set forth in subsection (a) of this section for the number of officers of that armed force serving in any grade if the Secretary determines that such action is in the national interest. The percent of the increase may not exceed the percent by which the Secretary increases that end strength.''.

(b) SENIOR ENLISTED PERSONNEL.—Section 12012 of such title, as amended by section 421(c), is amended by adding at the end the following new subsection:

''(d) Upon increasing under subsection (c)(2) of section 115 of this title the end strength that is authorized under subsection (a)(1)(B) of that

section for a fiscal year for active-duty personnel and full-time National Guard duty personnel of an armed force who are to be paid from funds appropriated for reserve personnel, the Secretary of Defense may increase for that fiscal year the limitation that is set forth in subsection (a) of this section for the number of enlisted members of that armed force serving in any grade if the Secretary determines that such action is in the national interest. The percent of the increase may not exceed the percent by which the Secretary increases that end strength.''.

Subtitle D—Authorization of Appropriations

SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2001 a total of $75,801,666,000. The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2001.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Eligibility of Army and Air Force Reserve colonels and brigadier generals for position vacancy promotions.
Sec. 502. Flexibility in establishing promotion zones for Coast Guard Reserve officers.
Sec. 503. Time for release of reports of officer promotion selection boards.
Sec. 504. Clarification of requirements for composition of active-duty list selection boards when reserve officers are under consideration.
Sec. 505. Authority to issue posthumous commissions in the case of members dying before official recommendation for appointment or promotion is approved by Secretary concerned.
Sec. 506. Technical corrections relating to retired grade of reserve commissioned officers.
Sec. 507. Grade of chiefs of reserve components and directors of National Guard components.
Sec. 508. Revision to rules for entitlement to separation pay for regular and reserve officers.

Subtitle B—Reserve Component Personnel Policy

Sec. 521. Exemption from active-duty list for reserve officers on active duty for a period of three years or less.
Sec. 522. Termination of application requirement for consideration of officers for continuation on the reserve active-status list.
Sec. 523. Authority to retain Air Force Reserve officers in all medical specialties until specified age.
Sec. 524. Authority for provision of legal services to reserve component members following release from active duty.
Sec. 525. Extension of involuntary civil service retirement date for certain reserve technicians.

Subtitle C—Education and Training

Sec. 531. Eligibility of children of Reserves for Presidential appointment to service academies.
Sec. 532. Selection of foreign students to receive instruction at service academies.
Sec. 533. Revision of college tuition assistance program for members of Marine Corps Platoon Leaders Class program.
Sec. 534. Review of allocation of Junior Reserve Officers Training Corps units among the services.
Sec. 535. Authority for Naval Postgraduate School to enroll certain defense industry civilians in specified programs relating to defense product development.

Subtitle D—Decorations, Awards, and Commendations

Sec. 541. Limitation on award of Bronze Star to members in receipt of imminent danger pay.
Sec. 542. Consideration of proposals for posthumous or honorary promotions or appointments of members or former members of the Armed Forces and other qualified persons.
Sec. 543. Waiver of time limitations for award of certain decorations to certain persons.
Sec. 544. Addition of certain information to markers on graves containing remains of certain unknowns from the U.S.S. Arizona who died in the Japanese attack on Pearl Harbor on December 7, 1941.
Sec. 545. Sense of Congress on the court-martial conviction of Captain Charles Butler McVay, Commander of the U.S.S. Indianapolis, and on the courageous service of the crew of that vessel.
Sec. 546. Posthumous advancement on retired list of Rear Admiral Husband E. Kimmel and Major General Walter C. Short, senior officers in command in Hawaii on December 7, 1941.
Sec. 547. Commendation of citizens of Remy, France, for World War II actions.
Sec. 548. Authority for Award of the Medal of Honor to William H. Pitsenbarger for valor during the Vietnam War.

Subtitle E—Military Justice and Legal Assistance Matters

Sec. 551. Recognition by States of military testamentary instruments.
Sec. 552. Policy concerning rights of individuals whose names have been entered into Department of Defense official criminal investigative reports.
Sec. 553. Limitation on Secretarial authority to grant clemency for military prisoners serving sentence of confinement for life without eligibility for parole.
Sec. 554. Authority for civilian special agents of military department criminal investigative organizations to execute warrants and make arrests.
Sec. 555. Requirement for verbatim record in certain special court-martial cases.
Sec. 556. Commemoration of the 50th anniversary of the Uniform Code of Military Justice.

Subtitle F—Matters Relating to Recruiting

Sec. 561. Army recruiting pilot programs.
Sec. 562. Enhancement of recruitment market research and advertising programs.
Sec. 563. Access to secondary schools for military recruiting purposes.
Sec. 564. Pilot program to enhance military recruiting by improving military awareness of school counselors and educators.

Subtitle G—Other Matters

Sec. 571. Extension to end of calendar year of expiration date for certain force drawdown transition authorities.
Sec. 572. Voluntary separation incentive.
Sec. 573. Congressional review period for assignment of women to duty on submarines and for any proposed reconfiguration or design of submarines to accommodate female crew members.
Sec. 574. Management and per diem requirements for members subject to lengthy or numerous deployments.
Sec. 575. Pay in lieu of allowance for funeral honors duty.
Sec. 576. Test of ability of reserve component intelligence units and personnel to meet current and emerging defense intelligence needs.
Sec. 577. National Guard Challenge Program.
Sec. 578. Study of use of civilian contractor pilots for operational support missions.
Sec. 579. Reimbursement for expenses incurred by members in connection with cancellation of leave on short notice.

SUBTITLE A—OFFICER PERSONNEL POLICY

SEC. 501. ELIGIBILITY OF ARMY AND AIR FORCE RESERVE COLONELS AND BRIGADIER GENERALS FOR POSITION VACANCY PROMOTIONS.

Section 14315(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting after ''(A) is assigned to the duties of a general officer of the next higher reserve grade in the Army Reserve'' the following: ''or is recommended for such an assignment under regulations prescribed by the Secretary of the Army''; and

(2) in paragraph (2), by inserting after ''(A) is assigned to the duties of a general officer of the next higher reserve grade'' the following: ''or is recommended for such an assignment under regulations prescribed by the Secretary of the Air Force''.

SEC. 502. FLEXIBILITY IN ESTABLISHING PROMOTION ZONES FOR COAST GUARD RESERVE OFFICERS.

(a) COAST GUARD RESERVE OFFICER PROMOTION SYSTEM BASED ON DOD ROPMA SYSTEM.—Section 729(d) of title 14, United States Code, is amended to read as follows:

''(d)(1) Before convening a selection board to recommend Reserve officers for promotion, the Secretary shall establish a promotion zone for officers serving in each grade to be considered by the board. The Secretary shall determine the number of officers in the promotion zone for officers serving in any grade from among officers who are eligible for promotion in that grade.

''(2)(A) Before convening a selection board to recommend Reserve officers for promotion to a grade (other than the grade of lieutenant (junior grade)), the Secretary shall determine the maximum number of officers in that grade that the board may recommend for promotion.

''(B) The Secretary shall make the determination under subparagraph (A) of the maximum number that may be recommended with a view to having in an active status a sufficient number of Reserve officers in each grade to meet the needs of the Coast Guard for Reserve officers in an active status.

''(C) In order to make the determination under subparagraph (B), the Secretary shall determine the following:

''(i) The number of positions needed to accomplish mission objectives that require officers in the grade to which the board will recommend officers for promotion.

''(ii) The estimated number of officers needed to fill vacancies in such positions during the period in which it is anticipated that officers selected for promotion will be promoted.

''(iii) The number of officers authorized by the Secretary to serve in an active status in the grade under consideration.

''(iv) Any statutory limitation on the number of officers in any grade authorized to be in an active status.

''(3)(A) The Secretary may, when the needs of the Coast Guard require, authorize the consideration of officers in a grade above lieutenant (junior grade) for promotion to the next higher grade from below the promotion zone.

''(B) When selection from below the promotion zone is authorized, the Secretary shall establish

the number of officers that may be recommended for promotion from below the promotion zone. That number may not exceed the number equal to 10 percent of the maximum number of officers that the board is authorized to recommend for promotion, except that the Secretary may authorize a greater number, not to exceed 15 percent of the total number of officers that the board is authorized to recommend for promotion, if the Secretary determines that the needs of the Coast Guard so require. If the maximum number determined under this subparagraph is less than one, the board may recommend one officer for promotion from below the promotion zone.

''(C) The number of officers recommended for promotion from below the promotion zone does not increase the maximum number of officers that the board is authorized to recommend for promotion under paragraph (2).''.

(b) RUNNING MATE SYSTEM MADE OPTIONAL.—(1) Section 731 of such title is amended—

(A) by designating the text of such section as subsection (b);

(B) by inserting after the section heading the following:

''(a) AUTHORITY TO USE RUNNING MATE SYSTEM.—The Secretary may by regulation implement section 729(d)(1) of this title by requiring that the promotion zone for consideration of Reserve officers in an active status for promotion to the next higher grade be determined in accordance with a running mate system as provided in subsection (b).'';

(C) in subsection (b), as designated by subparagraph (A), by striking ''Subject to the eligibility requirements of this subchapter, a Reserve officer shall'' and inserting the following: ''CONSIDERATION FOR PROMOTION.—If promotion zones are determined as authorized under subsection (a), a Reserve officer shall, subject to the eligibility requirements of this subchapter,''; and

(D) by adding at the end the following:

''(c) CONSIDERATION OF OFFICERS BELOW THE ZONE.—If the Secretary authorizes the selection of officers for promotion from below the promotion zone in accordance with section 729(d)(3) of this title, the number of officers to be considered from below the zone may be established through the application of the running mate system under this subchapter or otherwise as the Secretary determines to be appropriate to meet the needs of the Coast Guard.''.

(2)(A) The heading for such section is amended to read as follows:

''§ 731. Establishment of promotion zones under running mate system''.

(B) The item relating to such section in the table of sections at the beginning of chapter 21 of such title is amended to read as follows:

''731. Establishment of promotion zones under running mate system.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to selection boards convened under section 730 of title 14, United States Code, on or after the date of the enactment of this Act.

SEC. 503. TIME FOR RELEASE OF REPORTS OF OFFICER PROMOTION SELECTION BOARDS.

(a) ACTIVE-DUTY LIST OFFICER BOARDS.—Section 618(e) of title 10, United States Code, is amended to read as follows:

''(e)(1) The names of the officers recommended for promotion in the report of a selection board shall be disseminated to the armed force concerned as follows:

''(A) In the case of officers recommended for promotion to a grade below brigadier general or rear admiral (lower half), such names may be disseminated upon, or at any time after, the transmittal of the report to the President.

''(B) In the case of officers recommended for promotion to a grade above colonel or, in the case of the Navy, captain, such names may be disseminated upon, or at any time after, the approval of the report by the President.

''(C) In the case of officers whose names have not been sooner disseminated, such names shall be promptly disseminated upon confirmation by the Senate.

''(2) A list of names of officers disseminated under paragraph (1) may not include—

''(A) any name removed by the President from the report of the selection board containing that name, if dissemination is under the authority of subparagraph (B) of such paragraph; or

''(B) the name of any officer whose promotion the Senate failed to confirm, if dissemination is under the authority of subparagraph (C) of such paragraph.''.

(b) RESERVE ACTIVE-STATUS LIST OFFICER BOARDS.—The text of section 14112 of title 10, United States Code, is amended to read as follows:

''(a) TIME FOR DISSEMINATION.—The names of the officers recommended for promotion in the report of a selection board shall be disseminated to the armed force concerned as follows:

''(1) In the case of officers recommended for promotion to a grade below brigadier general or rear admiral (lower half), such names may be disseminated upon, or at any time after, the transmittal of the report to the President.

''(2) In the case of officers recommended for promotion to a grade above colonel or, in the case of the Navy, captain, such names may be disseminated upon, or at any time after, the approval of the report by the President.

''(3) In the case of officers whose names have not been sooner disseminated, such names shall be promptly disseminated—

''(A) upon confirmation of the promotion of the officers by the Senate (in the case of promotions required to be submitted to the Senate for confirmation); or

''(B) upon the approval of the report by the President (in the case of promotions not required to be submitted to the Senate for confirmation).

''(b) NAMES NOT DISSEMINATED.—A list of names of officers disseminated under subsection (a) may not include—

''(1) any name removed by the President from the report of the selection board containing that name, if dissemination is under the authority of paragraph (2) or (3)(B) of that subsection; or

''(2) the name of any officer whose promotion the Senate failed to confirm, if dissemination is under the authority of paragraph (3)(A) of that subsection.''.

SEC. 504. CLARIFICATION OF REQUIREMENTS FOR COMPOSITION OF ACTIVE-DUTY LIST SELECTION BOARDS WHEN RESERVE OFFICERS ARE UNDER CONSIDERATION.

(a) CLARIFICATION.—Section 612(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''who are on the active-duty list'' in the second sentence; and

(B) by inserting after the second sentence the following new sentence: ''Each member of a selection board (except as provided in paragraphs (2), (3), and (4)) shall be an officer on the active-duty list.''; and

(2) in paragraph (3)—

(A) by striking ''of that armed force, with the exact number of reserve officers to be'' and inserting ''of that armed force on active duty (whether or not on the active-duty list). The actual number of reserve officers shall be''; and

(B) by striking ''his discretion, except that'' and inserting ''the Secretary's discretion. Notwithstanding the first sentence of this paragraph,''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any selection board convened under section 611(a) of title 10, United States Code, on or after August 1, 1981.

SEC. 505. AUTHORITY TO ISSUE POSTHUMOUS COMMISSIONS IN THE CASE OF MEMBERS DYING BEFORE OFFICIAL RECOMMENDATION FOR APPOINTMENT OR PROMOTION IS APPROVED BY SECRETARY CONCERNED.

(a) REPEAL OF LIMITATION TO DEATHS OCCURRING AFTER SECRETARIAL APPROVAL.—Subsection (a)(3) of section 1521 of title 10, United States Code, is amended by striking ''and the recommendation for whose appointment or promotion was approved by the Secretary concerned''.

(b) EFFECTIVE DATE OF COMMISSION.—Subsection (b) of such section is amended by striking ''approval'' both places it appears and inserting ''official recommendation''.

SEC. 506. TECHNICAL CORRECTIONS RELATING TO RETIRED GRADE OF RESERVE COMMISSIONED OFFICERS.

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

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

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to Reserve commissioned officers who are promoted to a higher grade as a result of selection for promotion by a board convened under chapter 36 or 1403 of title 10, United States Code, or having been found qualified for Federal recognition in a higher grade under chapter 3 of title 32, United States Code, after October 1, 1996.

SEC. 507. GRADE OF CHIEFS OF RESERVE COMPONENTS AND DIRECTORS OF NATIONAL GUARD COMPONENTS.

(a) CHIEF OF ARMY RESERVE.—Subsections (b) and (c) of section 3038 of title 10, United States Code, are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Army Reserve from general officers of the Army Reserve who have had at least 10 years of commissioned service in the Army Reserve.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Chief of Army Reserve unless the officer—

''(A) is recommended by the Secretary of the Army; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Chief of Army Reserve shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Chief of Army Reserve if the Secretary of the Army requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Chief of Army Reserve is appointed for a period of four years, but may be removed for cause at any time. An officer serving as Chief of Army Reserve may be reappointed for one additional four-year period.

''(2) The Chief of Army Reserve, while so serving, holds the grade of lieutenant general.''.

(b) CHIEF OF NAVAL RESERVE.—Subsections (b) and (c) of section 5143 of such title are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Naval Reserve from flag officers of the Navy (as defined in section 5001(1)) who have had at least 10 years of commissioned service.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Chief of Naval Reserve unless the officer—

''(A) is recommended by the Secretary of the Navy; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Chief of Naval Reserve shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Chief of Naval Reserve if the Secretary of the Navy requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Chief of Naval Reserve is appointed for a term determined by the Chief of Naval Operations, normally four years, but may be removed for cause at any time. An officer serving as Chief of Naval Reserve may be reappointed for one additional term of up to four years.

''(2) The Chief of Naval Reserve, while so serving, holds the grade of vice admiral.''.

(c) COMMANDER, MARINE FORCES RESERVE.—Subsections (b) and (c) of section 5144 of such title are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Commander, Marine Forces Reserve, from general officers of the Marine Corps (as defined in section 5001(2)) who have had at least 10 years of commissioned service.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Commander, Marine Forces Reserve, unless the officer—

''(A) is recommended by the Secretary of the Navy; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Commander, Marine Forces Reserve, shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Commander, Marine Forces Reserve, if the Secretary of the Navy requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Commander, Marine Forces Reserve, is appointed for a term determined by the Commandant of the Marine Corps, normally four years, but may be removed for cause at any time. An officer serving as Commander, Marine Forces Reserve, may be reappointed for one additional term of up to four years.

''(2) The Commander, Marine Forces Reserve, while so serving, holds the grade of lieutenant general.''.

(d) CHIEF OF AIR FORCE RESERVE.—Subsections (b) and (c) of section 8038 of such title are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Air Force Reserve from general officers of the Air Force Reserve who have had at least 10 years of commissioned service in the Air Force.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Chief of Air Force Reserve unless the officer—

''(A) is recommended by the Secretary of the Air Force; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Chief of Air Force Reserve shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Chief of Air Force Reserve if the Secretary of the Air Force requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Chief of Air Force Reserve is appointed for a period of four years, but may be removed for cause at any time. An officer serving as Chief of Air Force Reserve may be reappointed for one additional four-year period.

''(2) The Chief of Air Force Reserve, while so serving, holds the grade of lieutenant general.''.

(e) DIRECTORS IN THE NATIONAL GUARD BUREAU.—Section 10506(a) of such title is amended—

(1) in subparagraphs (A) and (B) of paragraph (1), by striking ''while so serving shall hold the grade of major general or, if appointed to that position in accordance with section 12505(a)(2) of this title, the grade of lieutenant general, and'' and inserting ''shall be appointed in accordance with paragraph (3), shall hold the grade of lieutenant general while so serving, and shall''; and

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

''(3)(A) The President, by and with the advice and consent of the Senate, shall appoint the Director, Army National Guard, from general officers of the Army National Guard of the United States and shall appoint the Director, Air National Guard, from general officers of the Air National Guard of the United States.

''(B) The Secretary of Defense may not recommend an officer to the President for appointment as Director, Army National Guard, or as Director, Air National Guard, unless the officer—

''(i) is recommended by the Secretary of the military department concerned; and

''(ii) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(C) An officer on active duty for service as the Director, Army National Guard, or the Director, Air National Guard, shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(D) Until October 1, 2003, the Secretary of Defense may waive clause (ii) of subparagraph (B) with respect to the appointment of an officer as Director, Army National Guard, or as Director, Air National Guard, if the Secretary of the military department concerned requests the waiver and, in the judgment of the Secretary of Defense—

''(i) the officer is qualified for service in the position; and

''(ii) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(E) The Director, Army National Guard, and the Director, Air National Guard, are appointed for a period of four years, but may be removed for cause at any time. An officer serving as either Director may be reappointed for one additional four-year period.''.

(f) REPEAL OF SUPERSEDED SECTION.—(1) Section 12505 of such title is repealed.

(2) The table of sections at the beginning of chapter 1213 is amended by striking the item relating to section 12505.

(g) CONFORMING INCREASE IN AUTHORIZED NUMBER OF O–9 POSITIONS.—Section 525(b) of such title is amended—

(1) in paragraph (1)—

(A) by striking ''Army, Air Force, or Marine Corps'' in the first sentence and inserting ''Army or Air Force'';

(B) by striking ''15 percent'' both places it appears and inserting ''15.7 percent'';

(C) by striking ''In the case of the Army and Air Force, of'' at the beginning of the second sentence and inserting ''Of''; and

(D) by inserting ''of the Army or Air Force'' in the second sentence after ''general officers''; and

(2) in paragraph (2)—

(A) by inserting ''(A)'' after ''(2)'';

(B) by striking ''15 percent'' both places it appears and inserting ''15.7 percent''; and

(C) by adding at the end the following:

''(B) No appointment may be made in a grade above major general in the Marine Corps if that appointment would result in more than 16.2 percent of the general officers of the Marine Corps on active duty being in grades above major general.''.

(h) STUDY OF INCREASE IN GRADE FOR VICE CHIEF OF NATIONAL GUARD BUREAU.—(1) The Secretary of Defense shall conduct a study of the advisability of changing the grade authorized for the Vice Chief of the National Guard Bureau from major general to lieutenant general.

(2) As part of the study, the Chief of the National Guard Bureau shall submit to the Secretary of Defense an analysis of the functions and responsibilities of the Vice Chief of the National Guard Bureau and the Chief's recommendation as to whether the grade for the Vice Chief should be changed from major general to lieutenant general.

(3) Not later than February 1, 2001, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the study. The report shall include the following—

(A) the recommendation of the Chief of the National Guard Bureau and any other information provided by the Chief to the Secretary of Defense pursuant to paragraph (2);

(B) the conclusions resulting from the study; and

(C) the Secretary's recommendations regarding whether the grade authorized for the Vice Chief of the National Guard Bureau should be changed to lieutenant general.

(i) IMPLEMENTATION.—(1) An appointment or reappointment, in the case of the incumbent in a reserve component chief position, shall be made to each of the reserve component chief positions not later than 12 months after the date of the enactment of this Act, in accordance with the amendments made by subsections (a) through (e).

(2) An officer serving in a reserve component chief position on the date of the enactment of this Act may be reappointed to that position under the amendments made by subsection (a) through (e), if eligible and otherwise qualified in accordance with those amendments. If such an officer is so reappointed, the appointment may be made for the remainder of the officer's original term or for a full new term, as specified at the time of the appointment.

(3) An officer serving on the date of the enactment of this Act in a reserve component chief position may continue to serve in that position

in accordance with the provisions of law in effect immediately before the amendments made by this section until a successor is appointed under paragraph (1) (or that officer is reappointed under paragraph (1)).

(4) The amendments made by subsection (g) shall be implemented so that each increase authorized by those amendments in the number of officers in the grades of lieutenant general and vice admiral is implemented on a case-by-case basis with an initial appointment made after the date of the enactment of this Act, as specified in paragraph (1), to a reserve component chief position.

(5) For purposes of this subsection, the term ''reserve component chief position'' means a position specified in section 3038, 5143, 5144, or 8038 of title 10, United States Code, or the position of Director, Army National Guard or Director, Air National Guard under section 10506(a)(1) of such title.

SEC. 508. REVISION TO RULES FOR ENTITLEMENT TO SEPARATION PAY FOR REGULAR AND RESERVE OFFICERS.

(a) REGULAR OFFICERS.—Subsection (a) of section 1174 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) Notwithstanding paragraphs (1) and (2), an officer who is subject to discharge under any provision of chapter 36 of this title or under section 580 or 6383 of this title by reason of having twice failed of selection for promotion to the next higher grade is not entitled to separation pay under this section if that officer, after such second failure of selection for promotion, is selected for, and declines, continuation on active duty for a period that is equal to or more than the amount of service required to qualify the officer for retirement.''.

(b) RESERVE OFFICERS.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

''(4) In the case of an officer who is subject to discharge or release from active duty under a law or regulation requiring that an officer who has failed of selection for promotion to the next higher grade for the second time be discharged or released from active duty and who, after such second failure of selection for promotion, is selected for, and declines, continuation on active duty—

''(A) if the period of time for which the officer was selected for continuation on active duty is less than the amount of service that would be required to qualify the officer for retirement, the officer's discharge or release from active duty shall be considered to be involuntary for purposes of paragraph (1)(A); and

''(B) if the period of time for which the officer was selected for continuation on active duty is equal to or more than the amount of service that would be required to qualify the officer for retirement, the officer's discharge or release from active duty shall not be considered to be involuntary for the purposes of paragraph (1)(A).''.

(c) EFFECTIVE DATE.—Paragraph (4) of section 1174(a) of title 10, United States Code, as added by subsection (a), and paragraph (4) of section 1174(c) of such title, as added by subsection (b), shall apply with respect to any offer of selective continuation on active duty that is declined on or after the date of the enactment of this Act.

Subtitle B—Reserve Component Personnel Policy

SEC. 521. EXEMPTION FROM ACTIVE-DUTY LIST FOR RESERVE OFFICERS ON ACTIVE DUTY FOR A PERIOD OF THREE YEARS OR LESS.

Section 641(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph:

''(D) on the reserve active-status list who are on active duty under section 12301(d) of this title, other than as provided in subparagraph (C), under a call or order to active duty specifying a period of three years or less;''.

SEC. 522. TERMINATION OF APPLICATION REQUIREMENT FOR CONSIDERATION OF OFFICERS FOR CONTINUATION ON THE RESERVE ACTIVE-STATUS LIST.

Section 14701(a)(1) of title 10, United States Code, is amended by striking ''Upon application, a reserve officer'' and inserting ''A reserve officer''.

SEC. 523. AUTHORITY TO RETAIN AIR FORCE RESERVE OFFICERS IN ALL MEDICAL SPECIALTIES UNTIL SPECIFIED AGE.

Section 14703(a)(3) of title 10, United States Code, is amended by striking ''veterinary officer'' and all that follows through the period and inserting ''Air Force nurse, Medical Service Corps officer, biomedical sciences officer, or chaplain.''.

SEC. 524. AUTHORITY FOR PROVISION OF LEGAL SERVICES TO RESERVE COMPONENT MEMBERS FOLLOWING RELEASE FROM ACTIVE DUTY.

(a) LEGAL SERVICES.—Section 1044(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) Members of reserve components not covered by paragraph (1) or (2) following release from active duty under a call or order to active duty for more than 30 days issued under a mobilization authority (as determined by the Secretary of Defense), for a period of time, prescribed by the Secretary of Defense, that begins on the date of the release and is not less than twice the length of the period served on active duty under that call or order to active duty.''.

(b) DEPENDENTS.—Paragraph (5) of such section, as redesignated by subsection (a)(1), is amended by striking ''and (3)'' and inserting ''(3), and (4)''.

(c) IMPLEMENTING REGULATIONS.—Regulations to implement the amendments made by this section shall be prescribed not later than 180 days after the date of the enactment of this Act.

SEC. 525. EXTENSION OF INVOLUNTARY CIVIL SERVICE RETIREMENT DATE FOR CERTAIN RESERVE TECHNICIANS.

(a) MANDATORY RETIREMENT NOT APPLICABLE UNTIL AGE 60.—Section 10218 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''and is age 60 or older at that time'' after ''unreduced annuity'' in paragraph (2);

(B) by inserting ''or is under age 60 at that time'' after ''unreduced annuity'' in paragraph (3)(A); and

(C) by inserting ''and becoming 60 years of age'' after ''unreduced annuity'' in paragraph (3)(B)(ii)(I); and

(2) in subsection (b)—

(A) by inserting ''and is age 60 or older'' after ''unreduced annuity'' in paragraph (1);

(B) by inserting ''or is under age 60'' after ''unreduced annuity'' in paragraph (2)(A); and

(C) by inserting ''and becoming 60 years of age'' after ''unreduced annuity'' in paragraph (2)(B)(ii)(I).

(b) TRANSITION PROVISION.—(1) An individual who before the date of the enactment of this Act was involuntarily separated or retired from employment as an Army Reserve or Air Force Reserve technician under section 10218 of title 10, United States Code, and who would not have been so separated if the provisions of subsection (c) of that section, as amended by subsection (a), had been in effect at the time of such separation may, with the approval of the Secretary concerned, be reinstated to the technician status held by that individual immediately before that separation. The effective date of any such reinstatement is the date the employee resumes technician status.

(2) The authority under paragraph (1) applies only to reinstatement for which an application is received by the Secretary concerned before the end of the one-year period beginning on the date of the enactment of this Act.

Subtitle C—Education and Training

SEC. 531. ELIGIBILITY OF CHILDREN OF RESERVES FOR PRESIDENTIAL APPOINTMENT TO SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4342(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking '', other than those granted retired pay under section 12731 of this title (or under section 1331 of this title as in effect before the effective date of the Reserve Officer Personnel Management Act)''; and

(2) by inserting after subparagraph (B) the following:

''(C) are serving as members of reserve components and are credited with at least eight years of service computed under section 12733 of this title; or

''(D) would be, or who died while they would have been, entitled to retired pay under chapter 1223 of this title except for not having attained 60 years of age;''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6954(b)(1) of such title is amended—

(1) in subparagraph (B), by striking '', other than those granted retired pay under section 12731 of this title (or under section 1331 of this title as in effect before the effective date of the Reserve Officer Personnel Management Act)''; and

(2) by inserting after subparagraph (B) the following:

''(C) are serving as members of reserve components and are credited with at least eight years of service computed under section 12733 of this title; or

''(D) would be, or who died while they would have been, entitled to retired pay under chapter 1223 of this title except for not having attained 60 years of age;''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9342(b)(1) of such title is amended—

(1) in subparagraph (B), by striking '', other than those granted retired pay under section 12731 of this title (or under section 1331 of this title as in effect before the effective date of the Reserve Officer Personnel Management Act)''; and

(2) by inserting after subparagraph (B) the following:

''(C) are serving as members of reserve components and are credited with at least eight years of service computed under section 12733 of this title; or

''(D) would be, or who died while they would have been, entitled to retired pay under chapter 1223 of this title except for not having attained 60 years of age;''.

SEC. 532. SELECTION OF FOREIGN STUDENTS TO RECEIVE INSTRUCTION AT SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4344(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) In selecting persons to receive instruction under this section from among applicants from the countries approved under paragraph (2), the Secretary of the Army shall give a priority to persons who have a national service obligation to their countries upon graduation from the Academy.''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6957(a) of such title is amended by adding at the end the following new paragraph:

''(3) In selecting persons to receive instruction under this section from among applicants from the countries approved under paragraph (2), the

Secretary of the Navy shall give a priority to persons who have a national service obligation to their countries upon graduation from the Academy.''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9344(a) of such title is amended by adding at the end the following new paragraph:

''(3) In selecting persons to receive instruction under this section from among applicants from the countries approved under paragraph (2), the Secretary of the Air Force shall give a priority to persons who have a national service obligation to their countries upon graduation from the Academy.''.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to academic years that begin after October 1, 2000.

SEC. 533. REVISION OF COLLEGE TUITION ASSISTANCE PROGRAM FOR MEMBERS OF MARINE CORPS PLATOON LEADERS CLASS PROGRAM.

(a) ELIGIBILITY OF OFFICERS.—Section 16401 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''enlisted'' in the matter preceding paragraph (1); and

(2) in subsection (b)(1)—

(A) by striking ''an enlisted member'' in the matter preceding subparagraph (A) and inserting ''a member''; and

(B) by striking ''an officer candidate in'' in subparagraph (A) and inserting ''a member of''.

(b) REPEAL OF AGE LIMITATIONS.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (B);

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(C) in subparagraph (C), as so redesignated, by striking ''paragraph (3)'' and inserting ''paragraph (2)'';

(2) by striking paragraph (2);

(3) by redesignating paragraph (3) as paragraph (2); and

(4) in paragraph (2), as so redesignated, by striking ''paragraph (1)(D)'' and inserting ''paragraph (1)(C)''.

(c) CANDIDATES FOR LAW DEGREES.—Subsection (a)(2) of such section is amended by striking ''three'' and inserting ''four''.

(d) SANCTIONS; EXCEPTIONS.—Subsection (f) of such section is amended—

(1) in paragraph (1)—

(A) by striking ''A member who'' and inserting ''An enlisted member who'';

(B) by inserting ''and an officer who receives financial assistance under this section may be required to repay the full amount of financial assistance,'' after ''for more than four years,''; and

(C) by inserting ''or, if already a commissioned officer in the Marine Corps, refuses to accept an assignment on active duty when offered'' in subparagraph (A) after ''when offered''; and

(2) by striking paragraph (2) and inserting the following:

''(2) The Secretary of the Navy may waive the requirements of paragraph (1) in the case of a person who—

''(A) becomes unqualified to serve on active duty as an officer due to a circumstance not within the control of the person;

''(B) is not physically qualified for appointment under section 532 of this title and later is determined by the Secretary of the Navy under section 505 of this title to be unqualified for service as an enlisted member of the Marine Corps due to a physical or medical condition that was not the result of misconduct or grossly negligent conduct; or

''(C) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class program due to a circumstance not within the control of the person.''.

(e) CLARIFICATION OF SERVICE EXCLUDED IN COMPUTATION OF CREDITABLE SERVICE AS A MARINE CORPS OFFICER.—(1) Section 205(f) of title 37, United States Code, is amended by striking ''that the officer performed concurrently as a member'' and inserting ''that the officer performed concurrently as an enlisted member''.

(2) Such section is further amended by striking ''section 12209'' and inserting ''section 12203''.

(f) AMENDMENTS OF HEADINGS.—(1) The heading of section 16401 of title 10, United States Code, is amended to read as follows:

''§ 16401. Marine Corps Platoon Leaders Class: college tuition assistance program''.

(2) The heading for subsection (a) of such section is amended by striking ''FOR FINANCIAL ASSISTANCE PROGRAM''.

(g) CLERICAL AMENDMENT.—The item relating to such section in the table of chapters at the beginning of chapter 1611 of title 10, United States Code, is amended to read as follows:

''16401. Marine Corps Platoon Leaders Class: college tuition assistance program.''.

SEC. 534. REVIEW OF ALLOCATION OF JUNIOR RESERVE OFFICERS TRAINING CORPS UNITS AMONG THE SERVICES.

(a) REALLOCATION OF JROTC UNITS.—Not later than March 31, 2001, the Secretary of Defense shall—

(1) review the allocation among the military departments of the statutory maximum number of Junior Reserve Officers' Training Corps (JROTC) units; and

(2) redistribute the allocation of those units planned (as of the date of the enactment of this Act) for fiscal years 2001 through 2006 so as to increase the number of units for a military department that proposes to more quickly eliminate the current waiting list for such units and to commit the necessary resources for that purpose.

(b) PROPOSAL FOR INCREASE IN STATUTORY MAXIMUM.—If, based on the review under subsection (a) and the redistribution of the allocation of JROTC units under that subsection, the Secretary determines that an increase in the statutory maximum number of such units is warranted, the Secretary shall include a proposal for such an increase in the budget proposal of the Department of Defense for fiscal year 2002.

SEC. 535. AUTHORITY FOR NAVAL POSTGRADUATE SCHOOL TO ENROLL CERTAIN DEFENSE INDUSTRY CIVILIANS IN SPECIFIED PROGRAMS RELATING TO DEFENSE PRODUCT DEVELOPMENT.

(a) IN GENERAL.—(1) Chapter 605 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7049. Defense industry civilians: admission to defense product development program

''(a) AUTHORITY FOR ADMISSION.—The Secretary of the Navy may permit eligible defense industry employees to receive instruction at the Naval Postgraduate School in accordance with this section. Any such defense industry employee may only be enrolled in, and may only be provided instruction in, a program leading to a masters's degree in a curriculum related to defense product development. No more than 10 such defense industry employees may be enrolled at any one time. Upon successful completion of the course of instruction in which enrolled, any such defense industry employee may be awarded an appropriate degree under section 7048 of this title.

''(b) ELIGIBLE DEFENSE INDUSTRY EMPLOYEES.—For purposes of this section, an eligible defense industry employee is an individual employed by a private firm that is engaged in providing to the Department of Defense significant and substantial defense-related systems, products, or services. A defense industry employee admitted for instruction at the school remains eligible for such instruction only so long at that person remains employed by the same firm.

''(c) ANNUAL CERTIFICATION BY THE SECRETARY OF THE NAVY.—Defense industry employees may receive instruction at the school during any academic year only if, before the start of that academic year, the Secretary of the Navy determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to defense industry employees under this section during that year—

''(1) will further the military mission of the school;

''(2) will enhance the ability of the Department of Defense and defense-oriented private sector contractors engaged in the design and development of defense systems to reduce the product and project lead times required to bring such systems to initial operational capability; and

''(3) will be done on a space-available basis and not require an increase in the size of the faculty of the school, an increase in the course offerings of the school, or an increase in the laboratory facilities or other infrastructure of the school.

''(d) PROGRAM REQUIREMENTS.—The Secretary of the Navy shall ensure that—

''(1) the curriculum for the defense product development program in which defense industry employees may be enrolled under this section is not readily available through other schools and concentrates on defense product development functions that are conducted by military organizations and defense contractors working in close cooperation; and

''(2) the course offerings at the school continue to be determined solely by the needs of the Department of Defense.

''(e) TUITION.—The Superintendent of the school shall charge tuition for students enrolled under this section at a rate not less than the rate charged for employees of the United States outside the Department of the Navy.

''(f) STANDARDS OF CONDUCT.—While receiving instruction at the school, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the school.

''(g) USE OF FUNDS.—Amounts received by the school for instruction of students enrolled under this section shall be retained by the school to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the school.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7049. Defense industry civilians: admission to defense product development program.''.

(b) PROGRAM EVALUATION AND REPORT.—(1) Before the start of the fourth year of instruction, but no earlier than the start of the third year of instruction, of defense industry employees at the Naval Postgraduate School under section 7049 of title 10, United States Code, as added by subsection (a), the Secretary of the Navy shall conduct an evaluation of the admission of such students under that section. The evaluation shall include the following:

(A) An assessment of whether the authority for instruction of nongovernment civilians at the school has resulted in a discernible benefit for the Government.

(B) Determination of whether the receipt and disposition of funds received by the school as tuition for instruction of such civilians at the school have been properly identified in records of the school.

(C) A summary of the disposition and uses made of those funds.

(D) An assessment of whether instruction of such civilians at the school is in the best interests of the Government.

(2) Not later than 30 days after completing the evaluation referred to in paragraph (1), the Secretary of the Navy shall submit to the Secretary

of Defense a report on the program under such section. The report shall include—

(A) the results of the evaluation under paragraph (1);

(B) the Secretary's conclusions and recommendation with respect to continuing to allow nongovernment civilians to receive instruction at the Naval Postgraduate School as part of a program related to defense product development; and

(C) any proposals for legislative changes recommended by the Secretary.

(3) Not later than 60 days after receiving the report of the Secretary of the Navy under paragraph (2), the Secretary of Defense shall submit the report, together with any comments that the Secretary considers appropriate, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

Subtitle D—Decorations, Awards, and Commendations

SEC. 541. LIMITATION ON AWARD OF BRONZE STAR TO MEMBERS IN RECEIPT OF IMMINENT DANGER PAY.

(a) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1133. Bronze Star: limitation to members receiving imminent danger pay

''The decoration known as the 'Bronze Star' may only be awarded to a member of the armed forces who is in receipt of special pay under section 310 of title 37 at the time of the events for which the decoration is to be awarded or who receives such pay as a result of those events.''.

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

''1133. Bronze star: limitation to members receiving imminent danger pay.''.

SEC. 542. CONSIDERATION OF PROPOSALS FOR POSTHUMOUS OR HONORARY PROMOTIONS OR APPOINTMENTS OF MEMBERS OR FORMER MEMBERS OF THE ARMED FORCES AND OTHER QUALIFIED PERSONS.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1563. Consideration of proposals for posthumous and honorary promotions and appointments: procedures for review and recommendation

''(a) REVIEW BY SECRETARY CONCERNED.—Upon request of a Member of Congress, the Secretary concerned shall review a proposal for the posthumous or honorary promotion or appointment of a member or former member of the armed forces, or any other person considered qualified, that is not otherwise authorized by law. Based upon such review, the Secretary shall make a determination as to the merits of approving the posthumous or honorary promotion or appointment and the other determinations necessary to comply with subsection (b).

''(b) NOTICE OF RESULTS OF REVIEW.—Upon making a determination under subsection (a) as to the merits of approving the posthumous or honorary promotion or appointment, the Secretary concerned shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives and to the requesting Member of Congress notice in writing of one of the following:

''(1) The posthumous or honorary promotion or appointment does not warrant approval on the merits.

''(2) The posthumous or honorary promotion or appointment warrants approval and authorization by law for the promotion or appointment is recommended.

''(3) The posthumous or honorary promotion or appointment warrants approval on the merits and has been recommended to the President as an exception to policy.

''(4) The posthumous or honorary promotion or appointment warrants approval on the merits and authorization by law for the promotion or appointment is required but is not recommended. A notice under paragraph (1) or (4) shall be accompanied by a statement of the reasons for the decision of the Secretary.

''(c) DEFINITION.—In this section, the term 'Member of Congress' means—

''(1) a Senator; or

''(2) a Representative in, or a Delegate or Resident Commissioner to, Congress.''.

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

''1563. Consideration of proposals for posthumous and honorary promotions and appointments: procedures for review and recommendation.''.

SEC. 543. WAIVER OF TIME LIMITATIONS FOR AWARD OF CERTAIN DECORATIONS TO CERTAIN PERSONS.

(a) WAIVER.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply to awards of decorations described in this section, the award of each such decoration having been determined by the Secretary concerned to be warranted in accordance with section 1130 of title 10, United States Code.

(b) SILVER STAR.—Subsection (a) applies to the award of the Silver Star to Louis Rickler, of Rochester, New York, for gallantry in action from August 18 to November 18, 1918, while serving as a member of the Army.

(c) DISTINGUISHED FLYING CROSS.—Subsection (a) applies to the award of the Distinguished Flying Cross for service during World War II or Korea (including multiple awards to the same individual) in the case of each individual concerning whom the Secretary of the Navy (or an officer of the Navy acting on behalf of the Secretary) submitted to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, during the period beginning on October 5, 1999, and ending on the day before the date of the enactment of this Act, a notice as provided in section 1130(b) of title 10, United States Code, that the award of the Distinguished Flying Cross to that individual is warranted and that a waiver of time restrictions prescribed by law for recommendation for such award is recommended.

SEC. 544. ADDITION OF CERTAIN INFORMATION TO MARKERS ON GRAVES CONTAINING REMAINS OF CERTAIN UNKNOWNS FROM THE U.S.S. ARIZONA WHO DIED IN THE JAPANESE ATTACK ON PEARL HARBOR ON DECEMBER 7, 1941.

(a) INFORMATION TO BE PROVIDED SECRETARY OF VETERANS AFFAIRS.—The Secretary of the Army shall provide to the Secretary of Veterans Affairs certain information, as specified in subsection (b), pertaining to the remains of certain unknown persons that are interred in the National Memorial Cemetery of the Pacific, Honolulu, Hawaii. The Secretary of Veterans Affairs shall add to the inscriptions on the markers on the graves containing those remains the information provided.

(b) INFORMATION TO BE ADDED—The information to be added to grave markers under subsection (a)—

(1) shall be determined by the Secretary of the Army, based on a review of the information that, as of the date of the enactment of this Act, has been authenticated by the director of the Naval Historical Center, Washington, D.C., pertaining to the interment of remains of certain unknown casualties from the U.S.S. ARIZONA who died as a result of the Japanese attack on Pearl Harbor on December 7, 1941; and

(2) shall, at a minimum, indicate that the interred remains are from the U.S.S. ARIZONA.

(c) LIMITATION OF SCOPE OF SECTION.—This section does not impose any requirement on the Secretary of the Army to undertake a review of any information pertaining to the interred remains of any unknown person other than as provided in subsection (b).

SEC. 545. SENSE OF CONGRESS ON THE COURT-MARTIAL CONVICTION OF CAPTAIN CHARLES BUTLER McVAY, COMMANDER OF THE U.S.S. INDIANAPOLIS, AND ON THE COURAGEOUS SERVICE OF THE CREW OF THAT VESSEL.

(a) FINDINGS.—Congress makes the following findings:

(1) Shortly after midnight on the morning of July 30, 1945, during the closing days of World War II, the United States Navy heavy cruiser U.S.S. Indianapolis (CA–35) was torpedoed and sunk by the Japanese submarine I–58 in what became the worst sea disaster in the history of the United States Navy.

(2) Although approximately 900 of the ship's crew of 1,196 survived the actual sinking, only 316 of those courageous sailors survived when rescued after four and a half days adrift in the open sea, the remainder having perishing from battle wounds, drowning, predatory shark attacks, exposure to the elements, and lack of food and potable water.

(3) Rescue for the remaining 316 sailors came only when they were spotted by chance by Navy Lieutenant Wilbur C. Gwinn while flying a routine naval air patrol mission.

(4) After the end of World War II, the commanding officer of the U.S.S. Indianapolis, Captain Charles Butler McVay, III, who was rescued with the other survivors, was court-martialed for ''suffering a vessel to be hazarded through negligence'' by failing to zigzag (a naval tactic employed to help evade submarine attacks) and was convicted even though—

(A) the choice to zigzag was left to Captain McVay's discretion in his orders; and

(B) Motchisura Hashimoto, the commander of the Japanese submarine that sank the U.S.S. Indianapolis, and Glynn R. Donaho, a United States Navy submarine commander highly decorated for his service during World War II, both testified at Captain McVay's court-martial trial that the Japanese submarine could have sunk the U.S.S. Indianapolis whether or not it had been zigzagging, an assertion that has since been reaffirmed in a letter to the Chairman of the Committee on Armed Services of the Senate dated November 24, 1999.

(5) Although not argued by Captain McVay's defense counsel in the court-martial trial, poor visibility on the night of the sinking (as attested in surviving crew members' handwritten accounts recently discovered at the National Archives) justified Captain McVay's choice not to zigzag as that choice was consistent with the applicable Navy directives in force in 1945, which stated that, ''During thick weather and at night, except on very clear nights or during bright moonlight, vessels normally cease zigzagging.''.

(6) Before the U.S.S. Indianapolis sailed from Guam on what became her final voyage, Naval officials failed to provide Captain McVay with available support that was critical to the safety of the U.S.S. Indianapolis and her crew by—

(A) disapproving a request made by Captain McVay for a destroyer escort for the U.S.S. Indianapolis across the Philippine Sea as being ''not necessary'';

(B) not informing Captain McVay that naval intelligence sources, through signal intelligence (the Japanese code having been broken earlier in World War II), had become aware that the Japanese submarine I–58 was operating in the area of the U.S.S. Indianapolis' course (as disclosed in evidence presented in a hearing of the Committee on Armed Services of the Senate conducted September 14, 1999); and

(C) not informing Captain McVay of the sinking of the destroyer escort U.S.S. Underhill by a Japanese submarine within range of the course of the U.S.S. Indianapolis four days before the

U.S.S. Indianapolis departed Guam for the Philippine Islands.

(7) Captain McVay's court-martial initially was opposed by his immediate command superiors, Fleet Admiral Chester Nimitz (CINCPAC) and Vice Admiral Raymond Spruance of the 5th fleet, for whom the U.S.S. Indianapolis had served as flagship, but, despite their recommendations, Secretary of the Navy James Forrestal ordered the court-martial, largely on the basis of the recommendation of Fleet Admiral Ernest King, Chief of Naval Operations.

(8) There is no explanation on the public record for the overruling by Secretary Forestal of the recommendations made by Admirals Nimitz and Spruance.

(9) Captain McVay was the only commander of a United States Navy vessel lost in combat to enemy action during World War II who was subjected to a court-martial trial for such a loss, even though several hundred United States Navy ships were lost in combat to enemy action during World War II.

(10) The survivors of the U.S.S. Indianapolis overwhelmingly conclude that Captain McVay was not at fault in the loss of the Indianapolis and have dedicated their lives to vindicating their Captain McVay.

(11) Although promoted to the grade of rear admiral in accordance with then-applicable law upon retirement from the Navy in 1949, Captain McVay never recovered from the stigma of his post-war court-martial and in 1968, tragically, took his own life.

(12) Charles Butler McVay, III—

(A) was a graduate of the United States Naval Academy;

(B) was an exemplary career naval officer with an outstanding record (including participation in the amphibious invasions of North Africa, the assault on Iwo Jima, and the assault on Okinawa where the U.S.S. Indianapolis under his command survived a fierce kamikaze attack);

(C) was a recipient of the Silver Star earned for courage under fire during the Solomon Islands campaign; and

(D) with the crew of the U.S.S. Indianapolis, had so thoroughly demonstrated proficiency in naval warfare that the Navy entrusted him and the crew of the U.S.S. Indianapolis with transporting to the Pacific theater components necessary for assembling the atomic bombs that were exploded over Hiroshima and Nagasaki to end the war with Japan (delivery of such components to the island of Tinian having been accomplished on July 25, 1945).

(b) SENSE OF CONGRESS CONCERNING CHARLES BUTLER MCVAY, III.—With respect to the sinking of the U.S.S. Indianapolis (CA–35) on July 30, 1945, and the subsequent court-martial conviction of the ship's commanding officer, Captain Charles Butler McVay, III, arising from that sinking, it is the sense of Congress, based on the review of evidence by the Senate and the House of Representatives—

(1) that, in light of the remission by the Secretary of the Navy of the sentence of the court-martial and the restoration of Captain McVay to active duty by the Chief of Naval Operations, Fleet Admiral Chester Nimitz, the American people should now recognize Captain McVay's lack of culpability for the tragic loss of the U.S.S. Indianapolis and the lives of the men who died as a result of the sinking of that vessel; and

(2) that, in light of the fact that certain exculpatory information was not available to the court-martial board and that Captain McVay's conviction resulted therefrom, Captain McVay's military record should now reflect that he is exonerated for the loss of the U.S.S. Indianapolis and so many of her crew.

(c) UNIT CITATION FOR FINAL CREW OF U.S.S. INDIANAPOLIS.—The Secretary of the Navy should award a Navy Unit Commendation to the U.S.S. Indianapolis (CA–35) and her final crew.

SEC. 546. POSTHUMOUS ADVANCEMENT ON RETIRED LIST OF REAR ADMIRAL HUSBAND E. KIMMEL AND MAJOR GENERAL WALTER C. SHORT, SENIOR OFFICERS IN COMMAND IN HAWAII ON DECEMBER 7, 1941.

(a) FINDINGS.—Congress makes the following findings:

(1) The late Rear Admiral Husband E. Kimmel, while serving in the temporary grade of admiral, was the Commander in Chief of the United States Fleet and the Commander in Chief, United States Pacific Fleet, at the time of the Japanese attack on Pearl Harbor, Hawaii, on December 7, 1941, with an excellent and unassailable record throughout his career in the United States Navy before that date.

(2) The late Major General Walter C. Short, while serving in the temporary grade of lieutenant general, was the Commander of the United States Army Hawaiian Department, at the time of the Japanese attack on Pearl Harbor, Hawaii, on December 7, 1941, with an excellent and unassailable record throughout his career in the United States Army before that date.

(3) Numerous investigations following the attack on Pearl Harbor have documented that Admiral Kimmel and Lieutenant General Short were not provided necessary and critical intelligence that was available, that foretold of war with Japan, that warned of imminent attack, and that would have alerted them to prepare for the attack, including such essential communiques as the Japanese Pearl Harbor Bomb Plot message of September 24, 1941, and the message sent from the Imperial Japanese Foreign Ministry to the Japanese Ambassador in the United States from December 6 to 7, 1941, known as the Fourteen-Part Message.

(4) On December 16, 1941, Admiral Kimmel and Lieutenant General Short were relieved of their commands and returned to their permanent grades of rear admiral and major general, respectively.

(5) Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission that accused Admiral Kimmel and Lieutenant General Short of ''dereliction of duty'' only six weeks after the attack on Pearl Harbor, later disavowed the report, maintaining that ''these two officers were martyred'' and ''if they had been brought to trial, both would have been cleared of the charge''.

(6) On October 19, 1944, a Naval Court of Inquiry—

(A) exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941, attack on Pearl Harbor were proper ''by virtue of the information that Admiral Kimmel had at hand which indicated neither the probability nor the imminence of an air attack on Pearl Harbor'';

(B) criticized the higher command for not sharing with Admiral Kimmel ''during the very critical period of November 26 to December 7, 1941, important information . . . regarding the Japanese situation''; and

(C) concluded that the Japanese attack and its outcome was attributable to no serious fault on the part of anyone in the naval service.

(7) On June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel.

(8) On October 20, 1944, the Army Pearl Harbor Board of Investigation determined that—

(A) Lieutenant General Short had not been kept ''fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war'';

(B) detailed information and intelligence about Japanese intentions and war plans were available in ''abundance'' but were not shared with the Lieutenant General Short's Hawaii command; and

(C) Lieutenant General Short was not provided ''on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this''.

(9) The reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral Kimmel and Major General Short were denied their requests to defend themselves through trial by court-martial.

(10) The joint committee of Congress that was established to investigate the conduct of Admiral Kimmel and Lieutenant General Short completed, on May 31, 1946, a 1,075-page report which included the conclusions of the committee that the two officers had not been guilty of dereliction of duty.

(11) On April 27, 1954, the Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947.

(12) On November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Department of the Army found that Major General Short ''was unjustly held responsible for the Pearl Harbor disaster'' and that ''it would be equitable and just'' to advance him to the rank of lieutenant general on the retired list.

(13) In October 1994, the Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation against the advancement of Rear Admiral Kimmel and recommended that his case be reopened.

(14) Although the Dorn Report, a report on the results of a Department of Defense study that was issued on December 15, 1995, did not provide support for an advancement of Rear Admiral Kimmel or Major General Short in grade, it did set forth as a conclusion of the study that ''responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared''.

(15) The Dorn Report found—

(A) that ''Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided crucial confirmation of the imminence of war'';

(B) that ''the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misestimations, limited coordination, ambiguous language, and lack of clarification and followup at higher levels''; and

(C) that ''together, these characteristics resulted in failure . . . to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have engendered''.

(16) On July 21, 1997, Vice Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own study which confirmed findings of the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which the commanders of the United States forces in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from Admiral Kimmel and Lieutenant General Short.

(17) The Officer Personnel Act of 1947, in establishing a promotion system for the Navy and the Army, provided a legal basis for the President to honor any officer of the Armed Forces of the United States who served his country as a senior commander during World War II with a placement of that officer, with the advice and consent of the Senate, on the retired list with

the highest grade held while on the active duty list.

(18) Rear Admiral Kimmel and Major General Short are the only two officers eligible for advancement under the Officer Personnel Act of 1947 as senior World War II commanders who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime grades under that Act.

(19) This singular exclusion of those two officers from advancement on the retired list serves only to perpetuate the myth that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States.

(20) Major General Walter Short died on September 23, 1949, and Rear Admiral Husband Kimmel died on May 14, 1968, without the honor of having been returned to their wartime grades as were their fellow commanders of World War II.

(21) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, and the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of Admiral Kimmel and Lieutenant General Short through their posthumous advancement on the retired lists to their highest wartime grades.

(b) ADVANCEMENT OF REAR ADMIRAL KIMMEL AND MAJOR GENERAL SHORT ON RETIRED LISTS.—(1) The President is requested—

(A) to advance the late Rear Admiral Husband E. Kimmel, United States Navy (retired), to the grade of admiral on the retired list of the Navy; and

(B) to advance the late Major General Walter C. Short, United States Army (retired), to the grade of lieutenant general on the retired list of the Army.

(2) Any advancement in grade on a retired list requested under paragraph (1) shall not increase or change the compensation or benefits from the United States to which any person is now or may in the future be entitled based upon the military service of the officer advanced.

(c) SENSE OF CONGRESS REGARDING THE PROFESSIONAL PERFORMANCE OF ADMIRAL KIMMEL AND LIEUTENANT GENERAL SHORT.—It is the sense of Congress—

(1) that the late Rear Admiral Husband E. Kimmel performed his duties as Commander in Chief, United States Pacific Fleet, competently and professionally and, therefore, that the losses incurred by the United States in the attacks on the naval base at Pearl Harbor, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by then Admiral Kimmel; and

(2) that the late Major General Walter C. Short performed his duties as Commanding General, Hawaiian Department, competently and professionally and, therefore, that the losses incurred by the United States in the attacks on Hickam Army Air Field and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by then Lieutenant General Short.

SEC. 547. COMMENDATION OF CITIZENS OF REMY, FRANCE, FOR WORLD WAR II ACTIONS.

(a) FINDINGS.—The Congress finds the following:

(1) On August 2, 1944, a squadron of P–51s from the United States 364th Fighter Group strafed a German munitions train in Remy, France.

(2) The resulting explosion killed Lieutenant Houston Braly, one of the attacking pilots, and destroyed much of the village of Remy, including seven stained glass windows in the 13th century church.

(3) Despite threats of reprisals from the occupying German authorities, the citizens of Remy recovered Lieutenant Braly's body from the wreckage, buried his body with dignity and honor in the church's cemetery, and decorated the grave site daily with fresh flowers.

(4) On Armistice Day, 1995, the village of Remy renamed the crossroads near the site of Lieutenant Braly's death in his honor.

(5) The surviving members of the 364th Fighter Group desire to express their gratitude to the brave citizens of Remy.

(6) To express their gratitude, the surviving members of the 364th Fighter Group have organized a nonprofit corporation to raise funds, through its project ''Windows for Remy'', to restore the church's stained glass windows.

(b) COMMENDATION AND RECOGNITION.—The Congress commends the bravery and honor of the citizens of Remy, France, for their actions with respect to the American fighter pilot Lieutenant Houston Braly during and after August 1944, and recognizes the efforts of the surviving members of the United States 364th Fighter Group to raise funds to restore the stained glass windows of Remy's 13th century church.

SEC. 548. AUTHORITY FOR AWARD OF THE MEDAL OF HONOR TO WILLIAM H. PITSENBARGER FOR VALOR DURING THE VIETNAM WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the period of limitations specified in section 8744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Air Force, the President may award the Medal of Honor under section 8741 of that title, posthumously, to William H. Pitsenbarger of Piqua, Ohio, for the acts of valor referred to in subsection (b).

(b) ACTION DEFINED.—The acts of valor referred to in subsection (a) are the actions of William H. Pitsenbarger on April 11, 1966, as an Air Force pararescue crew member, serving in the grade of Airman First Class at Cam My, Republic of Vietnam, with Detachment 6, 38th Aerospace Rescue and Recovery Helicopter Squadron, in support of the combat mission known as ''Operations Abilene''.

Subtitle E—Military Justice and Legal Assistance Matters

SEC. 551. RECOGNITION BY STATES OF MILITARY TESTAMENTARY INSTRUMENTS.

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

''§ 1044d. Military testamentary instruments: requirement for recognition by States

''(a) TESTAMENTARY INSTRUMENTS TO BE GIVEN LEGAL EFFECT.—A military testamentary instrument—

''(1) is exempt from any requirement of form, formality, or recording before probate that is provided for testamentary instruments under the laws of a State; and

''(2) has the same legal effect as a testamentary instrument prepared and executed in accordance with the laws of the State in which it is presented for probate.

''(b) MILITARY TESTAMENTARY INSTRUMENTS.—For purposes of this section, a military testamentary instrument is an instrument that is prepared with testamentary intent in accordance with regulations prescribed under this section and that—

''(1) is executed in accordance with subsection (c) by (or on behalf of) a person, as a testator, who is eligible for military legal assistance;

''(2) makes a disposition of property of the testator; and

''(3) takes effect upon the death of the testator.

''(c) REQUIREMENTS FOR EXECUTION OF MILITARY TESTAMENTARY INSTRUMENTS.—An instrument is valid as a military testamentary instrument only if—

''(1) the instrument is executed by the testator (or, if the testator is unable to execute the instrument personally, the instrument is executed in the presence of, by the direction of, and on behalf of the testator);

''(2) the instrument is executed in the presence of a military legal assistance counsel acting as presiding attorney;

''(3) the instrument is executed in the presence of at least two disinterested witnesses (in addition to the presiding attorney), each of whom attests to witnessing the testator's execution of the instrument by signing it; and

''(4) the instrument is executed in accordance with such additional requirements as may be provided in regulations prescribed under this section.

''(d) SELF-PROVING MILITARY TESTAMENTARY INSTRUMENTS.—(1) If the document setting forth a military testamentary instrument meets the requirements of paragraph (2), then the signature of a person on the document as the testator, an attesting witness, a notary, or the presiding attorney, together with a written representation of the person's status as such and the person's military grade (if any) or other title, is prima facie evidence of the following:

''(A) That the signature is genuine.

''(B) That the signatory had the represented status and title at the time of the execution of the will.

''(C) That the signature was executed in compliance with the procedures required under the regulations prescribed under subsection (f).

''(2) A document setting forth a military testamentary instrument meets the requirements of this paragraph if it includes (or has attached to it), in a form and content required under the regulations prescribed under subsection (f), each of the following:

''(A) A certificate, executed by the testator, that includes the testator's acknowledgment of the testamentary instrument.

''(B) An affidavit, executed by each witness signing the testamentary instrument, that attests to the circumstances under which the testamentary instrument was executed.

''(C) A notarization, including a certificate of any administration of an oath required under the regulations, that is signed by the notary or other official administering the oath.

''(e) STATEMENT TO BE INCLUDED.—(1) Under regulations prescribed under this section, each military testamentary instrument shall contain a statement that sets forth the provisions of subsection (a).

''(2) Paragraph (1) shall not be construed to make inapplicable the provisions of subsection (a) to a testamentary instrument that does not include a statement described in that paragraph.

''(f) REGULATIONS.—Regulations for the purposes of this section shall be prescribed jointly by the Secretary of Defense and by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Department of the Navy.

''(g) DEFINITIONS.—In this section:

''(1) The term 'person eligible for military legal assistance' means a person who is eligible for legal assistance under section 1044 of this title.

''(2) The term 'military legal assistance counsel' means—

''(A) a judge advocate (as defined in section 801(13) of this title); or

''(B) a civilian attorney serving as a legal assistance officer under the provisions of section 1044 of this title.

''(3) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and each possession of the United States.''.

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

''1044d. Military testamentary instruments: requirement for recognition by States.''.

SEC. 552. POLICY CONCERNING RIGHTS OF INDIVIDUALS WHOSE NAMES HAVE BEEN ENTERED INTO DEPARTMENT OF DEFENSE OFFICIAL CRIMINAL INVESTIGATIVE REPORTS.

(a) POLICY REQUIREMENT.—The Secretary of Defense shall establish a policy creating a uniform process within the Department of Defense that—

(1) affords any individual who, in connection with the investigation of a reported crime, is designated (by name or by any other identifying information) as a suspect in the case in any official investigative report, or in a central index for potential retrieval and analysis by law enforcement organizations, an opportunity to obtain a review of that designation; and

(2) requires the expungement of the name and other identifying information of any such individual from such report or index in any case in which it is determined the entry of such identifying information on that individual was made contrary to Department of Defense requirements.

(b) EFFECTIVE DATE.—The policy required by subsection (a) shall be established not later than 120 days after the date of the enactment of this Act.

SEC. 553. LIMITATION ON SECRETARIAL AUTHORITY TO GRANT CLEMENCY FOR MILITARY PRISONERS SERVING SENTENCE OF CONFINEMENT FOR LIFE WITHOUT ELIGIBILITY FOR PAROLE.

(a) LIMITATION.—Section 874(a) of title 10, United States Code (article 74(a) of the Uniform Code of Military Justice), is amended by adding at the end the following new sentence: ''However, in the case of a sentence of confinement for life without eligibility for parole, after the sentence is ordered executed, the authority of the Secretary concerned under the preceding sentence (1) may not be delegated, and (2) may be exercised only after the service of a period of confinement of not less than 20 years.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply with respect to a sentence of confinement for life without eligibility for parole that is adjudged for an offense committed before the date of the enactment of this Act.

SEC. 554. AUTHORITY FOR CIVILIAN SPECIAL AGENTS OF MILITARY DEPARTMENT CRIMINAL INVESTIGATIVE ORGANIZATIONS TO EXECUTE WARRANTS AND MAKE ARRESTS.

(a) DEPARTMENT OF THE ARMY.—(1) Chapter 373 of title 10, United States Code, is amended by adding at the end the following new section:

''§4027. Civilian special agents of the Criminal Investigation Command: authority to execute warrants and make arrests

''(a) AUTHORITY.—The Secretary of the Army may authorize any Department of the Army civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

''(b) AGENTS TO HAVE AUTHORITY.—Subsection (a) applies to any employee of the Department of the Army who is a special agent of the Army Criminal Investigation Command (or a successor to that command) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Army.

''(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Army and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Army, the Secretary of Defense, or the Attorney General.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end following new item:

''4027. Civilian special agents of the Criminal Investigation Command: authority to execute warrants and make arrests.''.

(b) DEPARTMENT OF THE NAVY.—(1) Chapter 643 of title 10, United States Code, is amended by adding at the end the following new section:

''§7480. Special agents of the Naval Criminal Investigative Service: authority to execute warrants and make arrests

''(a) AUTHORITY.—The Secretary of the Navy may authorize any Department of the Navy civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

''(b) AGENTS TO HAVE AUTHORITY.—Subsection (a) applies to any employee of the Department of the Navy who is a special agent of the Naval Criminal Investigative Service (or any successor to that service) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Navy.

''(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Navy and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Navy, the Secretary of Defense, or the Attorney General.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end following new item:

''7480. Special agents of the Naval Criminal Investigative Service: authority to execute warrants and make arrests.''.

(c) DEPARTMENT OF THE AIR FORCE.—(1) Chapter 873 of title 10, United States Code, is amended by adding at the end the following new section:

''§9027. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests

''(a) AUTHORITY.—The Secretary of the Air Force may authorize any Department of the Air Force civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

''(b) AGENTS TO HAVE AUTHORITY.—Subsection (a) applies to any employee of the Department of the Air Force who is a special agent of the Air Force Office of Special Investigations (or a successor to that office) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Air Force.

''(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Air Force and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Air Force, the Secretary of Defense, or the Attorney General.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end following new item:

''9027. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests.''.

SEC. 555. REQUIREMENT FOR VERBATIM RECORD IN CERTAIN SPECIAL COURT-MARTIAL CASES.

(a) WHEN REQUIRED.—Subsection (c)(1)(B) of section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice), is amended by inserting after ''bad-conduct discharge'' the following: '', confinement for more than six months, or forfeiture of pay for more than six months''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of April 1, 2000, and shall apply with respect to charges referred on or after that date to trial by special court-martial.

SEC. 556. COMMEMORATION OF THE 50TH ANNIVERSARY OF THE UNIFORM CODE OF MILITARY JUSTICE.

(a) FINDINGS.—Congress makes the following findings:

(1) The American military justice system predates the United States itself, having had a continuous existence since the enactment of the first American Articles of War by the Continental Congress in 1775.

(2) Pursuant to article I of the Constitution, which explicitly empowers Congress ''To make Rules for the Government and Regulation of the land and naval Forces'', Congress enacted the Articles of War and an Act to Govern the Navy, which were revised on several occasions between the ratification of the Constitution and the end of World War II.

(3) Dissatisfaction with the administration of military justice during World War I and World War II (including dissatisfaction arising from separate systems of justice for the Army and for the Navy and Marine Corps) led both to significant statutory reforms in the Articles of War and to the convening of a committee, under Department of Defense auspices, to draft a single code of military justice applicable uniformly to all of the Armed Forces.

(4) The committee, chaired by Professor Edmund M. Morgan of Harvard Law School, made recommendations that formed the basis of bills introduced in Congress to establish such a uniform code of military justice.

(5) After lengthy hearings and debate on the congressional proposals, the Uniform Code of Military Justice was enacted into law on May 5, 1950, when President Harry S Truman signed the legislation.

(6) President Truman then issued a revised Manual for Courts-Martial implementing the new code, and the code became effective on May 31, 1951.

(7) One of the greatest innovations of the Uniform Code of Military Justice (now codified as chapter 47 of title 10, United States Code) was the establishment of a civilian court of appeals within the military justice system. That court, the United States Court of Military Appeals (now the United States Court of Appeals for the Armed Forces), held its first session on July 25, 1951.

(8) Congress enacted major revisions of the Uniform Code of Military Justice in 1968 and 1983 and, in addition, has amended the code from time to time over the years as practice under the code indicated a need for updating the substance or procedure of the law of military justice.

(9) The evolution of the system of military justice under the Uniform Code of Military Justice may be traced in the decisions of the Courts of Criminal Appeals of each of the Armed Forces and the decisions of the United States Court of Appeals for the Armed Forces. These courts have produced a unique body of jurisprudence upon which commanders and judge advocates rely in the performance of their duties.

(10) It is altogether fitting that the 50th anniversary of the Uniform Code of Military Justice be duly commemorated.

(b) COMMEMORATION.—The Congress—

(1) requests the President to issue a proclamation commemorating the 50th anniversary of the Uniform Code of Military Justice; and

(2) calls upon the Department of Defense, the Armed Forces, and the United States Court of Appeals for the Armed Forces and interested organizations and members of the bar and the public to commemorate the occasion of that anniversary with ceremonies and activities befitting its importance.

Subtitle F—Matters Relating to Recruiting

SEC. 561. ARMY RECRUITING PILOT PROGRAMS.

(a) REQUIREMENT FOR PROGRAMS.—The Secretary of the Army shall carry out pilot programs to test various recruiting approaches under this section for the following purposes:

(1) To assess the effectiveness of the recruiting approaches for creating enhanced opportunities for recruiters to make direct, personal contact with potential recruits.

(2) To improve the overall effectiveness and efficiency of Army recruiting activities.

(b) OUTREACH THROUGH MOTOR SPORTS.—(1) One of the pilot programs shall be a pilot program of public outreach that associates the Army with motor sports competitions to achieve the objectives set forth in paragraph (2).

(2) The events and activities undertaken under the pilot program shall be designed to provide opportunities for Army recruiters to make direct, personal contact with high school students to achieve the following objectives:

(A) To increase enlistments by students graduating from high school.

(B) To reduce attrition in the Delayed Entry Program of the Army by sustaining the personal commitment of students who have elected delayed entry into the Army under the program.

(3) Under the pilot program, the Secretary of the Army shall provide for the following:

(A) For Army recruiters or other Army personnel—

(i) to organize Army sponsored career day events in association with national motor sports competitions; and

(ii) to arrange for or encourage attendance at the competitions by high school students, teachers, guidance counselors, and administrators of high schools located near the competitions.

(B) For Army recruiters and other soldiers to attend national motor sports competitions—

(i) to display exhibits depicting the contemporary Army and career opportunities in the Army; and

(ii) to discuss those opportunities with potential recruits.

(C) For the Army to sponsor a motor sports racing team as part of an integrated program of recruitment and publicity for the Army.

(D) For the Army to sponsor motor sports competitions for high school students at which recruiters meet with potential recruits.

(E) For Army recruiters or other Army personnel to compile in an Internet accessible database the names, addresses, telephone numbers, and electronic mail addresses of persons who are identified as potential recruits through activities under the pilot program.

(F) Any other activities associated with motor sports competition that the Secretary determines appropriate for Army recruitment purposes.

(c) OUTREACH AT VOCATIONAL SCHOOLS AND COMMUNITY COLLEGES.—(1) One of the pilot programs shall be a pilot program under which Army recruiters are assigned, as their primary responsibility, at postsecondary vocational institutions and community colleges for the purpose of recruiting students graduating from those institutions and colleges, recent graduates of those institutions and colleges, and students withdrawing from enrollments in those institutions and colleges.

(2) The Secretary of the Army shall select the institutions and colleges to be invited to participate in the pilot program.

(3) The conduct of the pilot program at an institution or college shall be subject to an agreement which the Secretary shall enter into with the governing body or authorized official of the institution or college, as the case may be.

(4) Under the pilot program, the Secretary shall provide for the following:

(A) For Army recruiters to be placed in postsecondary vocational institutions and community colleges to serve as a resource for guidance counselors and to recruit for the Army.

(B) For Army recruiters to recruit from among students and graduates described in paragraph (1).

(C) For the use of telemarketing, direct mail, interactive voice response systems, and Internet website capabilities to assist the recruiters in the postsecondary vocational institutions and community colleges.

(D) For any other activities that the Secretary determines appropriate for recruitment activities in postsecondary vocational institutions and community colleges.

(5) In this subsection, the term ''postsecondary vocational institution'' has the meaning given the term in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)).

(d) CONTRACT RECRUITING INITIATIVES.—(1) One of the pilot programs shall be a program that expands in accordance with this subsection the scope of the Army's contract recruiting initiatives that are ongoing as of the date of the enactment of this Act. Under the pilot program, the Secretary of the Army shall select at least 10 recruiting companies to apply the initiatives in efforts to recruit personnel for the Army.

(2) Under the pilot program, the Secretary shall provide for the following:

(A) For replacement of the Regular Army recruiters by contract recruiters in the 10 recruiting companies selected under paragraph (1).

(B) For operation of the 10 companies under the same rules and chain of command as the other Army recruiting companies.

(C) For use of the offices, facilities, and equipment of the 10 companies by the contract recruiters.

(D) For reversion to performance of the recruiting activities by Regular Army soldiers in the 10 companies upon termination of the pilot program.

(E) For any other uses of contractor personnel for Army recruiting activities that the Secretary determines appropriate.

(e) DURATION OF PILOT PROGRAMS.—The pilot programs required by this section shall be carried out during the period beginning on October 1, 2000, and, subject to subsection (f), ending on December 31, 2005.

(f) AUTHORITY TO EXPAND OR EXTEND PILOT PROGRAMS.—The Secretary may expand the scope of any of the pilot programs (under subsection (b)(3)(F), (c)(4)(D), (d)(2)(E), or otherwise) or extend the period for any of the pilot programs. Before doing so in the case of a pilot program, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a written notification of the expansion of the pilot program (together with the scope of the expansion) or the continuation of the pilot program (together with the period of the extension), as the case may be.

(g) REPORTS.—Not later than February 1, 2006, the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and the House of Representatives a separate report on each of the pilot programs carried out under this section. The report on a pilot program shall include the following:

(1) The Secretary's assessment of the value of the actions taken in the administration of the pilot program for increasing the effectiveness and efficiency of Army recruiting.

(2) Any recommendations for legislation or other action that the Secretary considers appropriate to increase the effectiveness and efficiency of Army recruiting.

SEC. 562. ENHANCEMENT OF RECRUITMENT MARKET RESEARCH AND ADVERTISING PROGRAMS.

Section 503(a) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(a)''; and

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

''(2) The Secretary of Defense shall act on a continuing basis to enhance the effectiveness of recruitment programs of the Department of Defense (including programs conducted jointly and programs conducted by the separate armed forces) through an aggressive program of advertising and market research targeted at prospective recruits for the armed forces and those who may influence prospective recruits. Subchapter I of chapter 35 of title 44 shall not apply to actions taken as part of that program.''.

SEC. 563. ACCESS TO SECONDARY SCHOOLS FOR MILITARY RECRUITING PURPOSES.

(a) REQUIREMENT FOR ACCESS.—Subsection (c) of section 503 of title 10, United States Code, is amended to read as follows:

''(c) ACCESS TO SECONDARY SCHOOLS.—(1) Each local educational agency shall (except as provided under paragraph (5)) provide to the Department of Defense, upon a request made for military recruiting purposes, the same access to secondary school students, and to directory information concerning such students, as is provided generally to post-secondary educational institutions or to prospective employers of those students.

''(2) If a local educational agency denies a request by the Department of Defense for recruiting access, the Secretary of Defense, in cooperation with the Secretary of the military department concerned, shall designate an officer in a grade not below the grade of colonel or, in the case of the Navy, captain, or a senior executive of that military department to meet with representatives of that local educational agency in person, at the offices of that agency, for the purpose of arranging for recruiting access. The designated officer or senior executive shall seek to have that meeting within 120 days of the date of the denial of the request for recruiting access.

''(3) If, after a meeting under paragraph (2) with representatives of a local educational agency that has denied a request for recruiting access or (if the educational agency declines a request for the meeting) after the end of such 120-day period, the Secretary of Defense determines that the agency continues to deny recruiting access, the Secretary shall transmit to the chief executive of the State in which the agency is located a notification of the denial of recruiting access and a request for assistance in obtaining that access. The notification shall be transmitted within 60 days after the date of the determination. The Secretary shall provide to the Secretary of Education a copy of such notification and any other communication between the Secretary and that chief executive with respect to such access.

''(4) If a local educational agency continues to deny recruiting access one year after the date of the transmittal of a notification regarding that agency under paragraph (3), the Secretary—

''(A) shall determine whether the agency denies recruiting access to at least two of the armed forces (other than the Coast Guard when it is not operating as a service in the Navy); and

''(B) upon making an affirmative determination under subparagraph (A), shall transmit a notification of the denial of recruiting access to—

''(i) the specified congressional committees;

''(ii) the Senators of the State in which the local educational agency is located; and

''(iii) the member of the House of Representatives who represents the district in which the local educational agency is located.

''(5) The requirements of this subsection do not apply to—

''(A) a local educational agency with respect to access to secondary school students or access

to directory information concerning such students for any period during which there is in effect a policy of that agency, established by majority vote of the governing body of the agency, to deny recruiting access to those students or to that directory information, respectively; or

''(B) a private secondary school which maintains a religious objection to service in the armed forces and which objection is verifiable through the corporate or other organizational documents or materials of that school.

''(6) In this subsection:

''(A) The term 'local educational agency' means—

''(i) a local educational agency, within the meaning of that term in section 14101(18) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(18)); and

''(ii) a private secondary school.

''(B) The term 'recruiting access' means access requested as described in paragraph (1).

''(C) The term 'senior executive' has the meaning given that term in section 3132(a)(3) of title 5.

''(D) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

''(E) The term 'specified congressional committees' means the following:

''(i) The Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(ii) The Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives.

''(F) The term 'member of the House of Representatives' includes a Delegate or Resident Commissioner to Congress.''.

(b) DEFINITION OF DIRECTORY INFORMATION.—Such section is further amended—

(1) by striking paragraph (7) of subsection (b); and

(2) by adding at the end the following new subsection:

''(d) DIRECTORY INFORMATION DEFINED.—In this section, the term 'directory information' has the meaning given that term in subsection (a)(5)(A) of section 444 of the General Education Provisions Act (20 U.S.C. 1232g).''.

(c) TECHNICAL AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''RECRUITING CAMPAIGNS.—'' after ''(a)''; and

(2) in subsection (b), by inserting ''COMPILATION OF DIRECTORY INFORMATION.—'' after ''(b)''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2002.

SEC. 564. PILOT PROGRAM TO ENHANCE MILITARY RECRUITING BY IMPROVING MILITARY AWARENESS OF SCHOOL COUNSELORS AND EDUCATORS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to determine if cooperation with military recruiters by local educational agencies and by institutions of higher education could be enhanced by improving the understanding of school counselors and educators about military recruiting and military career opportunities. The pilot program shall be conducted during a three-year period beginning not later than 180 days after the date of the enactment of this Act.

(b) CONDUCT OF PILOT PROGRAM THROUGH PARTICIPATION IN INTERACTIVE INTERNET SITE.—(1) The pilot program shall be conducted by means of participation by the Department of Defense in a qualifying interactive Internet site.

(2) For purposes of this section, a qualifying interactive Internet site is an Internet site in existence as of the date of the enactment of this Act that is designed to provide to employees of local educational agencies and institutions of higher education participating in the Internet site—

(A) systems for communicating;

(B) resources for individual professional development;

(C) resources to enhance individual on-the-job effectiveness; and

(D) resources to improve organizational effectiveness.

(3) Participation in an Internet site by the Department of Defense for purposes of this section shall include—

(A) funding;

(B) assistance; and

(C) access by other Internet site participants to Department of Defense aptitude testing programs, career development information, and other resources, in addition to information on military recruiting and career opportunities.

(c) REPORT.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report providing the Secretary's findings and conclusions on the pilot program not later than 180 days after the end of the three-year program period.

Subtitle G—Other Matters

SEC. 571. EXTENSION TO END OF CALENDAR YEAR OF EXPIRATION DATE FOR CERTAIN FORCE DRAWDOWN TRANSITION AUTHORITIES.

(a) EARLY RETIREMENT AUTHORITY FOR ACTIVE FORCE MEMBERS.—Section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 1293 note) is amended—

(1) in subsection (a), by striking ''through fiscal year 1999'' and inserting ''during the active force drawdown period''; and

(2) in subsection (i), by striking ''October 1, 2001'' and inserting ''December 31, 2001''.

(b) SSB AND VSI.—Sections 1174a(h)(1) and 1175(d)(3) of title 10, United States Code, are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(c) SELECTIVE EARLY RETIREMENT BOARDS.—Section 638a(a) of such title is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(d) TIME-IN-GRADE REQUIREMENT FOR RETENTION OF GRADE UPON VOLUNTARY RETIREMENT.—Section 1370 of such title is amended by striking ''September 30, 2001'' in subsections (a)(2)(A) and (d)(5) and inserting ''December 31, 2001''.

(e) MINIMUM COMMISSIONED SERVICE FOR VOLUNTARY RETIREMENT AS AN OFFICER.—Sections 3911(b), 6323(a)(2), and 8911(b) of such title are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(f) TRAVEL, TRANSPORTATION, AND STORAGE BENEFITS.—Sections 404(c)(1)(C), 404(f)(2)(B)(v), 406(a)(2)(B)(v), and 406(g)(1)(C) of title 37, United States Code, and section 503(c)(1) of the National Defense Authorization Act for Fiscal Year 1991 (37 U.S.C. 406 note) are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(g) EDUCATIONAL LEAVE FOR PUBLIC AND COMMUNITY SERVICE.—Section 4463(f) of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 1143a note) is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(h) TRANSITIONAL HEALTH BENEFITS.—Subsections (a)(1), (c)(1), and (e) of section 1145 of title 10, United States Code, are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(i) TRANSITIONAL COMMISSARY AND EXCHANGE BENEFITS.—Section 1146 of such title is amended by striking ''September 30, 2001'' both places it appears and inserting ''December 31, 2001''.

(j) TRANSITIONAL USE OF MILITARY HOUSING.—Paragraphs (1) and (2) of section 1147(a) of such title are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(k) CONTINUED ENROLLMENT OF DEPENDENTS IN DEFENSE DEPENDENTS' EDUCATION SYSTEM.—Section 1407(c)(1) of the Defense Dependents' Education Act of 1978 (20 U.S.C. 926(c)(1)) is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(l) FORCE REDUCTION TRANSITION PERIOD DEFINED FOR CERTAIN GUARD AND RESERVE BENEFITS.—Section 4411 of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 12681 note) is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(m) TEMPORARY SPECIAL AUTHORITY FOR FORCE REDUCTION PERIOD RETIREMENTS.—Section 4416(b)(1) of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 12681 note) is amended by striking ''October 1, 2001'' and inserting ''the end of the force reduction period''.

(n) RETIRED PAY FOR NON-REGULAR SERVICE.—(1) Section 12731(f) of title 10, United States Code, is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(2) Section 12731a of such title is amended—

(A) in subsection (a)(1)(B), by striking ''October 1, 2001'' and inserting ''the end of the period described in subsection (b)''; and

(B) in subsection (b), by striking ''October 1, 2001'' and inserting ''December 31, 2001''.

(o) AFFILIATION WITH GUARD AND RESERVE UNITS; WAIVER OF CERTAIN LIMITATIONS.—Section 1150(a) of such title is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(p) RESERVE MONTGOMERY GI BILL.—Section 16133(b)(1)(B) of such title is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

SEC. 572. VOLUNTARY SEPARATION INCENTIVE.

(a) AUTHORITY FOR TERMINATION UPON ENTITLEMENT TO RETIRED PAY.—Section 1175(e)(3) of title 10, United States Code, is amended—

(1) inserting ''(A)'' after ''(3)''; and

(2) by adding at the end the following new subparagraph:

''(B) If a member is receiving simultaneous voluntary separation incentive payments and retired or retainer pay, the member may elect to terminate the receipt of voluntary separation incentive payments. Any such election is permanent and irrevocable. The rate of monthly recoupment from retired or retainer pay of voluntary separation incentive payments received after such an election shall be reduced by a percentage that is equal to a fraction with a denominator equal to the number of months that the voluntary separation incentive payments were scheduled to be paid and a numerator equal to the number of months that would not be paid as a result of the member's decision to terminate the voluntary separation incentive.''.

(b) EFFECTIVE DATE.—Subparagraph (B) of section 1175(e)(3) of title 10, United States Code, as added by subsection (a), shall apply with respect to decisions by members to terminate voluntary separation incentive payments under section 1175 of title 10, United States Code, to be effective after September 30, 2000.

SEC. 573. CONGRESSIONAL REVIEW PERIOD FOR ASSIGNMENT OF WOMEN TO DUTY ON SUBMARINES AND FOR ANY PROPOSED RECONFIGURATION OR DESIGN OF SUBMARINES TO ACCOMMODATE FEMALE CREW MEMBERS.

(a) IN GENERAL.—(1) Chapter 555 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 6035. Female members: congressional review period for assignment to duty on submarines or for reconfiguration of submarines

''(a) No change in the Department of the Navy policy limiting service on submarines to males, as in effect on May 10, 2000, may take effect until—

''(1) the Secretary of Defense submits to Congress written notice of the proposed change; and

''(2) a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) expires following the date on which the notice is received.

''(b) No funds available to the Department of the Navy may be expended to reconfigure any existing submarine, or to design any new submarine, to accommodate female crew members until—

''(1) the Secretary of Defense submits to Congress written notice of the proposed reconfiguration or design; and

''(2) a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) expires following the date on which the notice is received.

''(c) For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''6035. Female members: congressional review period for assignment to duty on submarines or for reconfiguration of submarines.''.

(b) CONFORMING AMENDMENT.—Section 542(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 113 note) is amended by inserting ''or by section 6035 of title 10, United States Code'' after ''Except in a case covered by subsection (b)''.

SEC. 574. MANAGEMENT AND PER DIEM REQUIREMENTS FOR MEMBERS SUBJECT TO LENGTHY OR NUMEROUS DEPLOYMENTS.

(a) APPROVING AUTHORITY FOR LENGTHY DEPLOYMENTS OF MEMBERS.—Subsection (a) of section 991 of title 10, United States Code, is amended—

(1) by striking ''unless an officer'' in the second sentence of paragraph (1) and all that follows through the period at the end of that sentence and inserting a period and the following: ''However, the member may be deployed, or continued in a deployment, without regard to the preceding sentence if such deployment, or continued deployment, is approved—

''(A) in the case of a member who is assigned to a combatant command in a position under the operational control of the officer in that combatant command who is the service component commander for the members of that member's armed force in that combatant command, by that officer; and

''(B) in the case of a member not assigned as described in subparagraph (A), by the service chief of that member's armed force (or, if so designated by that service chief, by an officer of the same armed force on active duty who is in the grade of general or admiral or who is the personnel chief for that armed force).''; and

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

''(3) In paragraph (1)(B), the term 'service chief' means the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, or the Commandant of the Marine Corps.''.

(b) CLARIFICATION OF DEFINITION OF DEPLOYMENT.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting ''or homeport, as the case may be'' before the period at the end;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) In the case of a member of a reserve component performing active service, the member shall be considered deployed or in a deployment for the purposes of paragraph (1) on any day on which, pursuant to orders that do not establish a permanent change of station, the member is performing the active service at a location that—

''(A) is not the member's permanent training site; and

''(B) is—

''(i) at least 100 miles from the member's permanent residence; or

''(ii) a lesser distance from the member's permanent residence that, under the circumstances applicable to the member's travel, is a distance that requires at least three hours of travel to traverse.''; and

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(C) unavailable solely because of—

''(i) a hospitalization of the member at the member's permanent duty station or homeport or in the immediate vicinity of the member's permanent residence; or

''(ii) a disciplinary action taken against the member.''.

(c) ASSOCIATED PER DIEM ALLOWANCE.—Section 435 of title 37, United States Code (as added to that title effective October 1, 2001, by section 586(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 638)) is amended—

(1) in subsection (a), by striking ''251 days or more out of the preceding 365 days'' and inserting ''401 or more days out of the preceding 730 days''; and

(2) in subsection (b), by striking ''prescribed under paragraph (3)'' and inserting ''prescribed under paragraph (4)''.

(d) REVIEW OF MANAGEMENT OF DEPLOYMENTS OF INDIVIDUAL MEMBERS.— Not later than March 31, 2002, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the administration of section 991 of title 10, United States Code, during fiscal year 2001. The report shall include—

(1) a discussion of the experience in tracking and recording the deployments of members of the Armed Forces; and

(2) any recommendations for revision of such section that the Secretary considers appropriate.

(e) EFFECTIVE DATE.—If this Act is enacted before October 1, 2000, the amendments made by subsections (a) and (b) shall take effect on October 1, 2000, immediately after the amendment made by section 586(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 637) adding section 991 of title 10, United States Code, to such title.

SEC. 575. PAY IN LIEU OF ALLOWANCE FOR FUNERAL HONORS DUTY.

(a) COMPENSATION AT RATE FOR INACTIVE-DUTY TRAINING.—(1) Section 115(b)(2) of title 32, United States Code, is amended to read as follows:

''(2) as directed by the Secretary concerned, either—

''(A) the allowance under section 435 of title 37; or

''(B) compensation under section 206 of title 37.''.

(2) Section 12503(b)(2) of title 10, United States Code, is amended to read as follows:

''(2) as directed by the Secretary concerned, either—

''(A) the allowance under section 435 of title 37; or

''(B) compensation under section 206 of title 37.''.

(b) CONFORMING REPEAL.—Section 435 of title 37, United States Code, is amended by striking subsection (c).

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to funeral honors duty performed on or after October 1, 2000.

SEC. 576. TEST OF ABILITY OF RESERVE COMPONENT INTELLIGENCE UNITS AND PERSONNEL TO MEET CURRENT AND EMERGING DEFENSE INTELLIGENCE NEEDS.

(a) TEST PROGRAM REQUIRED.—(1) Beginning not later than June 1, 2001, the Secretary of Defense shall conduct a three-year test program of reserve component intelligence units and personnel. The purpose of the test program shall be—

(A) to determine the most effective peacetime structure and operational employment of reserve component intelligence assets for meeting current and future Department of Defense peacetime operational intelligence requirements; and

(B) to establish a means to coordinate and transition that peacetime intelligence operational support network into use for meeting wartime requirements.

(2) The test program shall be carried out using the Joint Reserve Intelligence Program and appropriate reserve component intelligence units and personnel.

(3) In conducting the test program, the Secretary of Defense shall expand the current Joint Reserve Intelligence Program as needed to meet the objectives of the test program.

(b) OVERSIGHT PANEL.—The Secretary shall establish an oversight panel to structure the test program so as to achieve the objectives of the test program, ensure proper funding for the test program, and oversee the conduct and evaluation of the test program. The panel members shall include—

(1) the Assistant Secretary of Defense for Command, Control, Communications and Intelligence;

(2) the Assistant Secretary of Defense for Reserve Affairs; and

(3) representatives from the Defense Intelligence Agency, the Army, Navy, Air Force, and Marine Corps, the Joint Staff, and the combatant commands.

(c) TEST PROGRAM OBJECTIVES.—The test program shall have the following objectives:

(1) To identify the range of peacetime roles and missions that are appropriate for reserve component intelligence units and personnel, including the following missions: counterdrug, counterintelligence, counterterrorism, information operations, information warfare, and other emerging threats.

(2) To recommend a process for justifying and validating reserve component intelligence force structure and manpower to support the peacetime roles and missions identified under paragraph (1) and to establish a means to coordinate and transition that peacetime operational support network and structure into wartime requirements.

(3) To provide, pursuant to paragraphs (1) and (2), the basis for new or revised intelligence and reserve component policy guidelines for the peacetime use, organization, management, infrastructure ,and funding of reserve component intelligence units and personnel.

(4) To determine the most effective structure, organization, manning, and management of Joint Reserve Intelligence Centers to enable them to be both reserve training facilities and virtual collaborative production facilities in support of Department of Defense peacetime operational intelligence requirements.

(5) To determine the most effective uses of technology for virtual collaborative intelligence operational support during peacetime and wartime.

(6) To determine personnel and career management initiatives or modifications that are required to improve the recruiting and retention of personnel in the reserve component intelligence specialties and occupational skills.

(7) To identify and make recommendations for the elimination of statutory prohibitions and barriers to using reserve component intelligence units and individuals to carry out peacetime operational requirements.

(d) REPORTS.—The Secretary of Defense shall submit to Congress—

(1) interim reports on the status of the test program not later than July 1, 2002, and July 1, 2003; and

(2) a final report, with such recommendations for changes as the Secretary considers necessary, not later than December 1, 2004.

SEC. 577. NATIONAL GUARD CHALLENGE PROGRAM.

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Subsection (a) of section 509 of title 32, United States Code, is amended by striking '', *acting through the Chief of the National Guard Bureau,''.*

(b) SOURCES OF FEDERAL SUPPORT.—Subsection (b) of such section is amended—

(1) by inserting ''(1)'' before ''The Secretary of Defense'';

(2) by striking '', *except that Federal expenditures under the program may not exceed $62,500,000 for any fiscal year''; and*

(3) by adding at the end the following new paragraphs:

''(2) The Secretary shall carry out the National Guard Challenge Program using—

''(A) funds appropriated directly to the Secretary of Defense for the program, except that the amount of funds appropriated directly to the Secretary and expended for the program in a fiscal year may not exceed $62,500,000; and

''(B) nondefense funds made available or transferred to the Secretary of Defense by other Federal agencies to support the program.

''(3) Federal funds made available or transferred to the Secretary of Defense under paragraph (2)(B) by other Federal agencies to support the National Guard Challenge Program may be expended for the program in excess of the fiscal year limitation specified in paragraph (2)(A).''.

(c) REGULATIONS.—Such section is further amended by adding at the end the following new subsection:

''(m) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the National Guard Challenge Program. The regulations shall address at a minimum the following:

''(1) The terms to be included in the program agreements required by subsection (c).

''(2) The qualifications for persons to participate in the program, as required by subsection (e).

''(3) The benefits authorized for program participants, as required by subsection (f).

''(4) The status of National Guard personnel assigned to duty in support of the program under subsection (g).

''(5) The conditions for the use of National Guard facilities and equipment to carry out the program, as required by subsection (h).

''(6) The status of program participants, as described in subsection (i).

''(7) The procedures to be used by the Secretary when communicating with States about the program.''.

(d) CONFORMING AMENDMENT.—Section 2033 of title 10, United States Code, is amended by striking ''appropriated for'' and inserting ''appropriated directly to the Secretary of Defense for''.

SEC. 578. STUDY OF USE OF CIVILIAN CONTRACTOR PILOTS FOR OPERATIONAL SUPPORT MISSIONS.

(a) STUDY.—The Secretary of Defense shall conduct a study to determine the feasibility and cost, as well as the advantages and disadvantages, of using civilian contractor personnel as pilots and other air crew members to fly nonmilitary Government aircraft (referred to as ''operational support aircraft'') to perform noncombat personnel transportation missions worldwide. In carrying out the study, the Secretary shall consider the views and recommendations of the Chairman of the Joint Chiefs and the other members of the Joint Chiefs of Staff.

(b) MATTERS TO BE INCLUDED.—The study shall, as a minimum—

(1) determine whether use of civilian contractor personnel as pilots and other air crew members for such operational support missions would be a cost effective means of freeing for duty in units with combat and combat support missions those military pilots and other personnel who now perform such operational support missions; and

(2) the effect on retention of military pilots and other personnel if they are no longer required to fly operational support missions.

(c) SUBMISSION OF REPORT.—The Secretary shall submit a report containing the results of the study to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not later than six months after the date of the enactment of this Act.

SEC. 579. REIMBURSEMENT FOR EXPENSES INCURRED BY MEMBERS IN CONNECTION WITH CANCELLATION OF LEAVE ON SHORT NOTICE.

(a) REIMBURSEMENT AUTHORIZED.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1053 the following new section:

''§ 1053a. Expenses incurred in connection with leave canceled due to contingency operations: reimbursement

''(a) AUTHORIZATION TO REIMBURSE.—The Secretary concerned may reimburse a member of the armed forces under the jurisdiction of the Secretary for travel and related expenses (to the extent not otherwise reimbursable under law) incurred by the member as a result of the cancellation of previously approved leave when the leave is canceled in connection with the member's participation in a contingency operation and the cancellation occurs within 48 hours of the time the leave would have commenced.

''(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations to establish the criteria for the applicability of subsection (a).

''(c) CONCLUSIVENESS OF SETTLEMENT.—The settlement of an application for reimbursement under subsection (a) is final and conclusive.''.

(b) EFFECTIVE DATE.—Section 1053a of title 10, United States Code, as added by subsection (a) shall apply with respect to any travel and related expenses incurred by a member in connection with leave canceled after the date of the enactment of this Act.

(c) CONFORMING AND CLERICAL AMENDMENTS.—(1) The heading of section 1052 of such title is amended to read as follows:

''§ 1052. Adoption expenses: reimbursement''.

(2) The heading of section 1053 of such title is amended to read as follows:

''§ 1053. Financial institution charges incurred because of Government error in direct deposit of pay: reimbursement''.

(3) The table of sections at the beginning of chapter 53 of such title is amended by striking the items relating to sections 1052 and 1053 and inserting the following:

''1052. Adoption expenses: reimbursement.

''1053. Financial institution charges incurred because of Government error in direct deposit of pay: reimbursement.

''1053a. Expenses incurred in connection with leave canceled due to contingency operations: reimbursement.''.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay for fiscal year 2001.

Sec. 602. Additional restructuring of basic pay rates for enlisted members.

Sec. 603. Revised method for calculation of basic allowance for subsistence.

Sec. 604. Family subsistence supplemental allowance for low-income members of the Armed Forces.

Sec. 605. Basic allowance for housing.

Sec. 606. Additional amount available for fiscal year 2001 increase in basic allowance for housing inside the United States.

Sec. 607. Equitable treatment of junior enlisted members in computation of basic allowance for housing.

Sec. 608. Eligibility of members in grade E–4 to receive basic allowance for housing while on sea duty.

Sec. 609. Personal money allowance for senior enlisted members of the Armed Forces.

Sec. 610. Increased uniform allowances for officers.

Sec. 611. Cabinet-level authority to prescribe requirements and allowance for clothing of enlisted members.

Sec. 612. Increase in monthly subsistence allowance for members of precommissioning programs.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 621. Extension of certain bonuses and special pay authorities for reserve forces.

Sec. 622. Extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.

Sec. 623. Extension of authorities relating to payment of other bonuses and special pays.

Sec. 624. Revision of enlistment bonus authority.

Sec. 625. Consistency of authorities for special pay for reserve medical and dental officers.

Sec. 626. Elimination of required congressional notification before implementation of certain special pay authority.

Sec. 627. Special pay for physician assistants of the Coast Guard.

Sec. 628. Authorization of special pay and accession bonus for pharmacy officers.

Sec. 629. Correction of references to Air Force veterinarians.

Sec. 630. Career sea pay.

Sec. 631. Increased maximum rate of special duty assignment pay.

Sec. 632. Entitlement of members of the National Guard and other reserves not on active duty to receive special duty assignment pay.

Sec. 633. Authorization of retention bonus for members of the Armed Forces qualified in a critical military skill.

Sec. 634. Entitlement of active duty officers of the Public Health Service Corps to special pays and bonuses of health professional officers of the Armed Forces.

Subtitle C—Travel and Transportation Allowances

Sec. 641. Advance payments for temporary lodging of members and dependents.

Sec. 642. Additional transportation allowance regarding baggage and household effects.

Sec. 643. Incentive for shipping and storing household goods in less than average weights.

Sec. 644. Equitable dislocation allowances for junior enlisted members.

Sec. 645. Authority to reimburse military recruiters, Senior ROTC cadre, and military entrance processing personnel for certain parking expenses.

Sec. 646. Expansion of funded student travel for dependents.

Subtitle D—Retirement and Survivor Benefit Matters

Sec. 651. Exception to high-36 month retired pay computation for members retired following a disciplinary reduction in grade.
Sec. 652. Increase in maximum number of Reserve retirement points that may be credited in any year.
Sec. 653. Retirement from active reserve service after regular retirement.
Sec. 654. Same treatment for Federal judges as for other Federal officials regarding payment of military retired pay.
Sec. 655. Reserve component Survivor Benefit Plan spousal consent requirement.
Sec. 656. Sense of Congress on increasing Survivor Benefit Plan annuities for surviving spouses age 62 or older.
Sec. 657. Revision to special compensation authority to repeal exclusion of uniformed services retirees in receipt of disability retired pay.

Subtitle E—Other Matters

Sec. 661. Participation in Thrift Savings Plan.
Sec. 662. Determinations of income eligibility for special supplemental food program.
Sec. 663. Billeting services for reserve members traveling for inactive-duty training.
Sec. 664. Settlement of claims for payments for unused accrued leave and for retired pay.
Sec. 665. Additional benefits and protections for personnel incurring injury, illness, or disease in the performance of funeral honors duty.
Sec. 666. Authority for extension of deadline for filing claims associated with capture and internment of certain persons by North Vietnam.
Sec. 667. Back pay for members of the Navy and Marine Corps selected for promotion while interned as prisoners of war during World War II.
Sec. 668. Sense of Congress concerning funding for reserve components.

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2001.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2001 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2001, the rates of monthly basic pay for members of the uniformed services are increased by 3.7 percent.

SEC. 602. ADDITIONAL RESTRUCTURING OF BASIC PAY RATES FOR ENLISTED MEMBERS.

(a) MINIMUM PAY INCREASES FOR MID-LEVEL ENLISTED GRADES.—(1) Subject to paragraph (2), effective on July 1, 2001, the rates of monthly basic pay for enlisted members of the Armed Forces in the pay grades E–7, E–6, and E–5 shall be as follows:

ENLISTED MEMBERS

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E–7	1,831.20	1,999.20	2,075.10	2,149.80	2,228.10
E–6	1,575.00	1,740.30	1,817.40	1,891.80	1,969.80
E–5	1,381.80	1,549.20	1,623.90	1,701.00	1,779.30
	Over 8	Over 10	Over 12	Over 14	Over 16
E–7	2,362.20	2,437.80	2,512.80	2,588.10	2,666.10
E–6	2,097.30	2,174.10	2,248.80	2,325.00	2,379.60
E–5	1,888.50	1,962.90	2,040.30	2,040.30	2,040.30
	Over 18	Over 20	Over 22	Over 24	Over 26
E–7	2,742.00	2,817.90	2,949.60	3,034.80	3,250.50
E–6	2,421.30	2,421.30	2,421.30	2,421.30	2,421.30
E–5	2,040.30	2,040.30	2,040.30	2,040.30	2,040.30

(2) The amounts specified in the table in paragraph (1) are subject to such revision as the Secretary of Defense and the Secretary of Transportation may prescribe under subsection (b)(1)(A).

(b) SECRETARIAL AUTHORITY TO FURTHER REVISE.—(1) To ensure the efficient and effective operation of the military pay system, the Secretary of Defense, and the Secretary of Transportation with regard to the Coast Guard, may—

(A) further increase any of the amounts specified in the table in subsection (a) for enlisted members of the Armed Forces in the pay grades E–7, E–6, and E–5; and

(B) increase any of the amounts specified for other enlisted members in the table under the heading ''ENLISTED MEMBERS'' in section 601(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 648), as adjusted on January 1, 2001, pursuant to section 601(b) of this Act.

(2) The revisions in monthly basic pay made by the Secretary of Defense and the Secretary of Transportation under paragraph (1) shall take effect on July 1, 2001, but only if the Secretaries also comply with paragraph (3).

(3) If the Secretary of Defense or the Secretary of Transportation exercises the authority provided by paragraph (1), the Secretaries shall include, in the budget justification materials submitted to Congress in support of the President's budget submitted under section 1105 of title 31, United States Code, for fiscal year 2002—

(A) a revised pay table for enlisted members of the Armed Forces to reflect the increases in monthly basic pay to take effect on July 1, 2001; and

(B) a description of the various increases made and the reasons therefor.

SEC. 603. REVISED METHOD FOR CALCULATION OF BASIC ALLOWANCE FOR SUBSISTENCE.

(a) ANNUAL REVISION OF RATE.—Subsection (b) of section 402 of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''The monthly rate'' and inserting ''Through December 31, 2001, the monthly rate'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) On and after January 1, 2002, the monthly rate of basic allowance for subsistence to be in effect for an enlisted member for a year (beginning on January 1 of that year) shall be equal to the sum of—

''(A) the monthly rate of basic allowance for subsistence that was in effect for an enlisted member for the preceding year; plus

''(B) the product of the monthly rate under subparagraph (A) and the percentage increase in the monthly cost of a liberal food plan for a male in the United States who is between 20 and 50 years of age over the preceding fiscal year, as determined by the Secretary of Agriculture each October 1.''.

(b) CONFORMING AMENDMENT.—Subsection (d)(1) of such section is amended by striking ''established under subsection (b)(1)'' and inserting ''in effect under paragraph (1) or (2) of subsection (b)''.

(c) EARLY TERMINATION OF BAS TRANSITIONAL AUTHORITY.—Effective October 1, 2001, subsections (c) through (f) of section 602 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 37 U.S.C. 402 note) are repealed.

SEC. 604. FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE FOR LOW-INCOME MEMBERS OF THE ARMED FORCES.

(a) SUPPLEMENTAL ALLOWANCE REQUIRED.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

''§ 402a. Supplemental subsistence allowance for low-income members with dependents

''(a) SUPPLEMENTAL ALLOWANCE REQUIRED.—(1) The Secretary concerned shall increase the basic allowance for subsistence to which a member of the armed forces described in subsection (b) is otherwise entitled under section 402 of this title by an amount (in this section referred to as the 'supplemental subsistence allowance') designed to remove the member's household from eligibility for benefits under the food stamp program.

''(2) The supplemental subsistence allowance may not exceed $500 per month. In establishing the amount of the supplemental subsistence allowance to be paid an eligible member under this paragraph, the Secretary shall take into consideration the amount of the basic allowance for housing that the member receives under section 403 of this title or would otherwise receive under such section, in the case of a member who is not entitled to that allowance as a result of assignment to quarters of the United States or a housing facility under the jurisdiction of a uniformed service.

''(3) In the case of a member described in subsection (b) who establishes to the satisfaction of the Secretary concerned that the allotment of the member's household under the food stamp program, calculated in the absence of the supplemental subsistence allowance, would exceed the amount established by the Secretary concerned under paragraph (2), the amount of the supplemental subsistence allowance for the

member shall be equal to the lesser of the following:

''(A) The value of that allotment.

''(B) $500.

''(b) MEMBERS ENTITLED TO ALLOWANCE.—(1) Subject to subsection (d), a member of the armed forces is entitled to receive the supplemental subsistence allowance if the Secretary concerned determines that the member's income, together with the income of the rest of the member's household (if any), is within the highest income standard of eligibility, as then in effect under section 5(c) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)) and without regard to paragraph (1) of such section, for participation in the food stamp program.

''(2) In determining whether a member meets the eligibility criteria under paragraph (1), the Secretary—

''(A) shall not take into consideration the amount of the supplemental subsistence allowance payable under this section; but

''(B) shall take into consideration the amount of the basic allowance for housing that the member receives under section 403 of this title or would otherwise receive under such section, in the case of a member who is not entitled to that allowance as a result of assignment to quarters of the United States or a housing facility under the jurisdiction of a uniformed service.

''(c) APPLICATION FOR ALLOWANCE.—To request the supplemental subsistence allowance, a member shall submit an application to the Secretary concerned in such form and containing such information as the Secretary concerned may prescribe. A member applying for the supplemental subsistence allowance shall furnish such evidence regarding the member's satisfaction of the eligibility criteria under subsection (b) as the Secretary concerned may require.

''(d) EFFECTIVE PERIOD.—The entitlement of a member to receive the supplemental subsistence allowance terminates upon the occurrence of any of the following events, even though the member continues to meet the eligibility criteria described in subsection (b):

''(1) Payment of the supplemental subsistence allowance for 12 consecutive months.

''(2) Promotion of the member to a higher grade.

''(3) Transfer of the member in a permanent change of station.

''(e) REAPPLICATION.—Upon the termination of the effective period of the supplemental subsistence allowance for a member, or in anticipation of the imminent termination of the allowance, a member may reapply for the allowance under subsection (c), and the Secretary concerned shall approve the application and resume payment of the allowance to the member, if the member continues to meet, or once again meets, the eligibility criteria described in subsection (b).

''(f) REPORTING REQUIREMENT.—Not later than March 1 of each year after 2001, the Secretary of Defense shall submit to Congress a report specifying the number of members of the armed forces who received, at any time during the preceding year, the supplemental subsistence allowance. In preparing the report, the Secretary of Defense shall consult with the Secretary of Transportation. No report is required under this subsection after March 1, 2006.

''(g) DEFINITIONS.—In this section:

''(1) The term 'Secretary concerned' means—

''(A) the Secretary of Defense; and

''(B) the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy.

''(2) The terms 'allotment' and 'household' have the meanings given those terms in section 3 of the Food Stamp Act of 1977 (7 U.S.C. 2012).

''(3) The term 'food stamp program' means the program established pursuant to section 4 of the Food Stamp Act of 1977 (7 U.S.C. 2013).

''(h) TERMINATION OF AUTHORITY.—No supplemental subsistence allowance may be provided under this section after September 30, 2006.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

''402a. Supplemental subsistence allowance for low-income members with dependents.''.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, as added by subsection (a), shall take effect on the first day of the first month that begins not less than 180 days after the date of the enactment of this Act.

SEC. 605. BASIC ALLOWANCE FOR HOUSING.

(a) CALCULATION OF RATES.—Subsection (b) of section 403 of title 37, United States Code, is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (1) as paragraph (2); and

(3) by inserting after the subsection heading the following: ''(1) The Secretary of Defense shall prescribe the rates of the basic allowance for housing that are applicable for the various military housing areas in the United States. The rates for an area shall be based on the costs of adequate housing determined for the area under paragraph (2).''.

(b) MINIMUM ANNUAL AMOUNT AVAILABLE FOR HOUSING ALLOWANCES.—Subsection (b) of such section is further amended—

(1) by striking paragraphs (3) and (5); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) The total amount that may be paid for a fiscal year for the basic allowance for housing under this subsection may not be less than the product of—

''(A) the total amount authorized to be paid for such allowance for the preceding fiscal year; and

''(B) a fraction—

''(i) the numerator of which is the index of the national average monthly cost of housing for June of the preceding fiscal year; and

''(ii) the denominator of which is the index of the national average monthly cost of housing for June of the second preceding fiscal year.''.

(c) LIMITATIONS ON REDUCTION IN MEMBER'S ALLOWANCE.—(1) Paragraph (6) of such subsection is amended by striking '', changes in the national average monthly cost of housing,''.

(2) Paragraph (7) of such subsection is amended by striking ''without dependents''.

(d) ALLOWANCE WHEN DEPENDENTS ARE UNABLE TO ACCOMPANY MEMBERS.—Subsection (d) of such section is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) If a member with dependents is assigned to duty in an area that is different from the area in which the member's dependents reside, the member is entitled to a basic allowance for housing as provided in subsection (b) or (c), whichever applies to the member, subject to the following:

''(A) If the member's assignment to duty in that area, or the circumstances of that assignment, require the member's dependents to reside in a different area, as determined by the Secretary concerned, the amount of the basic allowance for housing for the member shall be based on the area in which the dependents reside or the member's last duty station, whichever the Secretary concerned determines to be most equitable.

''(B) If the member's assignment to duty in that area is under the conditions of a low-cost or no-cost permanent change of station or permanent change of assignment, the amount of the basic allowance for housing for the member shall be based on the member's last duty station if the Secretary concerned determines that it would be inequitable to base the allowance on the cost of housing in the area to which the member is reassigned.''.

(e) EXTENSION OF TRANSITION PERIOD.—Section 603(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 37 U.S.C. 403 note) is amended by striking ''six years'' and inserting ''eight years''.

(f) EFFECTIVE DATE; APPLICATION.—(1) The amendments made by this section shall take effect on October 1, 2000.

(2) In the case of the amendment made by subsection (c)(2), the amendment shall apply with respect to pay periods beginning on and after October 1, 2000, for a member of the uniformed services covered by the provision of law so amended regardless of the date on which the member was first reassigned to duty under the conditions of a low-cost or no-cost permanent change of station or permanent change of assignment.

(3) In the case of the amendment made by subsection (d), the amendment shall apply with respect to pay periods beginning on and after October 1, 2000, for a member of the uniformed services covered by the provision of law so amended regardless of the date on which the member was first assigned to duty in an area that is different from the area in which the member's dependents reside.

SEC. 606. ADDITIONAL AMOUNT AVAILABLE FOR FISCAL YEAR 2001 INCREASE IN BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES.

In addition to the amount determined by the Secretary of Defense under section 403(b)(3) of title 37, United States Code, as amended by section 605(b), to be the total amount to be paid during fiscal year 2001 for the basic allowance for housing for military housing areas inside the United States, $30,000,000 of the amount authorized to be appropriated by section 421 for military personnel shall be used by the Secretary to further increase the total amount available for the basic allowance for housing for military housing areas inside the United States.

SEC. 607. EQUITABLE TREATMENT OF JUNIOR ENLISTED MEMBERS IN COMPUTATION OF BASIC ALLOWANCE FOR HOUSING.

(a) DETERMINATION OF COSTS OF ADEQUATE HOUSING.—Paragraph (2) of subsection (b) of section 403 of title 37, United States Code, as redesignated by section 605(a)(2), is amended by adding at the end the following new sentence: ''After June 30, 2001, the Secretary may not differentiate between members with dependents in pay grades E–1 through E–4 in determining what constitutes adequate housing for members.''.

(b) SINGLE RATE; MINIMUM.—Subsection (b) of such section, as amended by section 605(b)(1), is amended by inserting after paragraph (4) the following new paragraph:

''(5) On and after July 1, 2001, the Secretary of Defense shall establish a single monthly rate for members of the uniformed services with dependents in pay grades E–1 through E–4 in the same military housing area. The rate shall be consistent with the rates paid to members in pay grades other than pay grades E–1 through E–4 and shall be based on the following:

''(A) The average cost of a two-bedroom apartment in that military housing area.

''(B) One-half of the difference between the average cost of a two-bedroom townhouse in that area and the amount determined in subparagraph (A).''.

SEC. 608. ELIGIBILITY OF MEMBERS IN GRADE E–4 TO RECEIVE BASIC ALLOWANCE FOR HOUSING WHILE ON SEA DUTY.

(a) PAYMENT AUTHORIZED.—Subsection (f)(2)(B) of section 403 of title 37, United States Code, is amended—

(1) by striking ''E–5'' in the first sentence and inserting ''E–4 or E–5''; and

(2) by striking ''grade E–5'' in the second sentence and inserting ''grades E–4 and E–5''.

(b) CONFORMING AMENDMENT.—Subsection (m)(1)(B) of such section is amended by striking ''E–4'' and inserting ''E–3''.

SEC. 609. PERSONAL MONEY ALLOWANCE FOR SENIOR ENLISTED MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY.—Section 414 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(c) ALLOWANCE FOR SENIOR ENLISTED MEMBERS.—In addition to other pay or allowances authorized by this title, a noncommissioned officer is entitled to a personal money allowance of $2,000 a year while serving as the Sergeant Major of the Army, the Master Chief Petty Officer of the Navy, the Chief Master Sergeant of the Air Force, the Sergeant Major of the Marine Corps, or the Master Chief Petty Officer of the Coast Guard.''.

(b) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''ALLOWANCE FOR OFFICERS SERVING IN CERTAIN RANKS OR POSITIONS.—'' after ''(a)''; and

(2) in subsection (b), by inserting ''ALLOWANCE FOR CERTAIN NAVAL OFFICERS.—'' after ''(b)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

SEC. 610. INCREASED UNIFORM ALLOWANCES FOR OFFICERS.

(a) INITIAL ALLOWANCE.—Section 415(a) of title 37, United States Code, is amended by striking ''$200'' and inserting ''$400''.

(b) ADDITIONAL ALLOWANCE.—Section 416(a) of such title is amended by striking ''$100'' and inserting ''$200''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

SEC. 611. CABINET-LEVEL AUTHORITY TO PRESCRIBE REQUIREMENTS AND ALLOWANCE FOR CLOTHING OF ENLISTED MEMBERS.

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

(1) in subsection (a), by striking ''The President'' and inserting ''The Secretary of Defense and the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy,''; and

(2) in subsection (b), by striking ''the President'' and inserting ''the Secretary of Defense''.

SEC. 612. INCREASE IN MONTHLY SUBSISTENCE ALLOWANCE FOR MEMBERS OF PRECOMMISSIONING PROGRAMS.

(a) PAY RATES FOR CADETS AND MIDSHIPMEN.—Section 203(c) of title 37, United States Code, is amended by striking ''at the rate of $600.00.'' and inserting ''at the monthly rate equal to 35 percent of the basic pay of a commissioned officer in the pay grade O–1 with less than two years of service.''.

(b) SUBSISTENCE ALLOWANCE RATES.—Subsection (a) of section 209 of such title is amended—

(1) by inserting ''(1)'' before ''Except'';

(2) by striking ''subsistence allowance of $200 a month'' and inserting ''monthly subsistence allowance at a rate prescribed under paragraph (2)'';

(3) by striking ''Subsistence'' and inserting the following:

''(3) A subsistence''; and

(4) by inserting after the first sentence the following:

''(2) The Secretary of Defense shall prescribe by regulation the monthly rates for subsistence allowances provided under this section. The rate may not be less than $250 per month, but may not exceed $674 per month.''.

(c) CONFORMING AND STYLISTIC AMENDMENTS.—Section 209 of such title is further amended—

(1) in subsection (a), by inserting ''SENIOR ROTC MEMBERS IN ADVANCED TRAINING.—'' after ''(a)'';

(2) in subsection (b)—

(A) by inserting ''SENIOR ROTC MEMBERS APPOINTED IN RESERVES.—'' after ''(b)''; and

(B) by striking ''in the amount provided in subsection (a)'' and inserting ''at a rate prescribed under subsection (a)'';

(3) in subsection (c), by inserting ''PAY WHILE ATTENDING TRAINING OR PRACTICE CRUISE.—'' after ''(c)'' the first place it appears; and

(4) in subsection (d)—

(A) by inserting ''MEMBERS OF MARINE CORPS OFFICER CANDIDATE PROGRAM.—'' after ''(d)''; and

(B) by striking ''the same rate as that prescribed by subsection (a),'' and inserting ''a monthly rate prescribed under subsection (a)''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect October 1, 2001.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 621. EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302g(f) of title 37, United States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(b) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(f) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(c) SELECTED RESERVE ENLISTMENT BONUS.—Section 308c(e) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(d) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(e) SELECTED RESERVE AFFILIATION BONUS.—Section 308e(e) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(f) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS.—Section 308h(g) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(g) PRIOR SERVICE ENLISTMENT BONUS.—Section 308i(f) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(h) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of title 10, United States Code, is amended by striking ''January 1, 2001'' and inserting ''January 1, 2002''.

SEC. 622. EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(c) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of title 37, United States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

SEC. 623. EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER BONUSES AND SPECIAL PAYS.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking ''December 31, 2000,'' and inserting ''December 31, 2001,''.

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(c) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(d) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(e) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

SEC. 624. REVISION OF ENLISTMENT BONUS AUTHORITY.

(a) BONUS AUTHORIZED.—(1) Title 37, United States Code, is amended by inserting after section 308i the following new section:

''§ 309. Special pay: enlistment bonus

''(a) BONUS AUTHORIZED; BONUS AMOUNT.—A person who enlists in an armed force for a period of at least 2 years may be paid a bonus in an amount not to exceed $20,000. The bonus may be paid in a single lump sum or in periodic installments.

''(b) REPAYMENT OF BONUS.—(1) A member of the armed forces who voluntarily, or because of the member's misconduct, does not complete the term of enlistment for which a bonus was paid under this section, or a member who is not technically qualified in the skill for which the bonus was paid, if any (other than a member who is not qualified because of injury, illness, or other impairment not the result of the member's misconduct), shall refund to the United States that percentage of the bonus that the unexpired part of member's enlistment is of the total enlistment period for which the bonus was paid.

''(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an enlistment for which a bonus was paid under this section does not discharge the person receiving the bonus from the debt arising under paragraph (1).

''(c) RELATION TO PROHIBITION ON BOUNTIES.—The enlistment bonus authorized by this section is not a bounty for purposes of section 514(a) of title 10.

''(d) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under the jurisdiction of the Secretary of Defense and by the Secretary of Transportation for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

''(e) DURATION OF AUTHORITY.—No bonus shall be paid under this section with respect to any enlistment in the armed forces made after December 31, 2001.''.

(2) The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 308i the following new item:

''309. Special pay: enlistment bonus.''.

(b) REPEAL OF SUPERSEDED ENLISTMENT BONUS AUTHORITIES.—(1) Sections 308a and 308f of title 37, United States Code, are repealed.

(2) The table of sections at the beginning of chapter 5 of such title is amended by striking the items relating to such sections.

(c) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall take effect on October 1, 2000, and apply with respect to enlistments in the Armed Forces made on or after that date.

(2) The amendments made by subsection (b) shall take effect on October 1, 2000. The repeal of sections 308a and 308f of title 37, United States Code, by such subsection shall not affect the validity or terms of any bonus provided under such sections for enlistments in the Armed Forces made before that date.

SEC. 625. CONSISTENCY OF AUTHORITIES FOR SPECIAL PAY FOR RESERVE MEDICAL AND DENTAL OFFICERS.

(a) CONSISTENT DESCRIPTIONS OF ACTIVE DUTY.—Section 302(h)(1) of title 37, United

States Code, is amended by inserting before the period at the end the following: '', including active duty in the form of annual training, active duty for training, and active duty for special work''.

(b) RELATION TO OTHER SPECIAL PAY AUTHORITIES.—Subsection (d) of section 302f of such title is amended to read as follows:

''(d) SPECIAL RULE FOR RESERVE MEDICAL AND DENTAL OFFICERS.—While a reserve medical or dental officer receives a special pay under section 302 or 302b of this title by reason of subsection (a), the officer shall not be entitled to special pay under section 302(h) or 302b(h) of this title.''.

SEC. 626. ELIMINATION OF REQUIRED CONGRESSIONAL NOTIFICATION BEFORE IMPLEMENTATION OF CERTAIN SPECIAL PAY AUTHORITY.

(a) RETENTION SPECIAL PAY FOR OPTOMETRISTS.—(1) Section 302a(b)(1) of title 37, United States Code, is amended by striking ''an officer described in paragraph (2) may be paid'' and inserting ''the Secretary concerned may pay an officer described in paragraph (2) a''.

(2) Section 617 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 302a note) is amended by striking subsection (b).

(b) SPECIAL PAY FOR OFFICERS IN NURSING SPECIALTIES.—(1) Section 302e(b)(2)(A) of title 37, United States Code, is amended by striking ''the Secretary'' and inserting ''the Secretary of the military department concerned''.

(2) Section 614 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 302e note) is amended by striking subsection (c).

SEC. 627. SPECIAL PAY FOR PHYSICIAN ASSISTANTS OF THE COAST GUARD.

Section 302c(d)(1) of title 37, United States Code, is amended by inserting after ''nurse,'' the following: ''an officer of the Coast Guard or Coast Guard Reserve designated as a physician assistant,''.

SEC. 628. AUTHORIZATION OF SPECIAL PAY AND ACCESSION BONUS FOR PHARMACY OFFICERS.

(a) AUTHORIZATION OF SPECIAL PAY AND BONUS.—Chapter 5 of title 37, United States Code, is amended by inserting after section 302h the following new sections:

''§ 302i. Special pay: pharmacy officers

''(a) ARMY, NAVY, AND AIR FORCE PHARMACY OFFICERS.—Under regulations prescribed pursuant to section 303a of this title, the Secretary of the military department concerned may, subject to subsection (c), pay special pay at the rates specified in subsection (d) to an officer who—

''(1) is a pharmacy officer in the Medical Service Corps of the Army or Navy or the Biomedical Sciences Corps of the Air Force; and

''(2) is on active duty under a call or order to active duty for a period of not less than one year.

''(b) PUBLIC HEALTH SERVICE CORPS.—Subject to subsection (c), the Secretary of Health and Human Services may pay special pay at the rates specified in subsection (d) to an officer who—

''(1) is an officer in the Regular or Reserve Corps of the Public Health Service and is designated as a pharmacy officer; and

''(2) is on active duty under a call or order to active duty for a period of not less than one year.

''(c) LIMITATION.—Special pay may not be paid under this section to an officer serving in a pay grade above pay grade O–6.

''(d) RATE OF SPECIAL PAY.—The rate of special pay paid to an officer under subsection (a) or (b) is as follows:

''(1) $3,000 per year, if the officer is undergoing pharmacy internship training or has less than 3 years of creditable service.

''(2) $7,000 per year, if the officer has at least 3 but less than 6 years of creditable service and is not undergoing pharmacy internship training.

''(3) $7,000 per year, if the officer has at least 6 but less than 8 years of creditable service.

''(4) $12,000 per year, if the officer has at least 8 but less than 12 years of creditable service.

''(5) $10,000 per year, if the officer has at least 12 but less than 14 years of creditable service.

''(6) $9,000 per year, if the officer has at least 14 but less than 18 years of creditable service.

''(7) $8,000 per year, if the officer has 18 or more years of creditable service.

''§ 302j. Special pay: accession bonus for pharmacy officers

''(a) ACCESSION BONUS AUTHORIZED.—A person who is a graduate of an accredited pharmacy school and who, during the period beginning on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 and ending on September 30, 2004, executes a written agreement described in subsection (c) to accept a commission as an officer of a uniformed service and remain on active duty for a period of not less than 4 years may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

''(b) LIMITATION ON AMOUNT OF BONUS.—The amount of an accession bonus under subsection (a) may not exceed $30,000.

''(c) LIMITATION ON ELIGIBILITY FOR BONUS.—A person may not be paid a bonus under subsection (a) if—

''(1) the person, in exchange for an agreement to accept an appointment as a warrant or commissioned officer, received financial assistance from the Department of Defense or the Department of Health and Human Services to pursue a course of study in pharmacy; or

''(2) the Secretary concerned determines that the person is not qualified to become and remain licensed as a pharmacist.

''(d) AGREEMENT.—The agreement referred to in subsection (a) shall provide that, consistent with the needs of the uniformed service concerned, the person executing the agreement shall be assigned to duty, for the period of obligated service covered by the agreement, as a pharmacy officer in the Medical Service Corps of the Army or Navy, a biomedical sciences officer in the Air Force designated as a pharmacy officer, or a pharmacy officer of the Public Health Service.

''(e) REPAYMENT.—(1) An officer who receives a payment under subsection (a) and who fails to become and remain licensed as a pharmacist during the period for which the payment is made shall refund to the United States an amount equal to the full amount of such payment.

''(2) An officer who voluntarily terminates service on active duty before the end of the period agreed to be served under subsection (a) shall refund to the United States an amount that bears the same ratio to the amount paid to the officer as the unserved part of such period bears to the total period agreed to be served.

''(3) An obligation to reimburse the United States under paragraph (1) or (2) is for all purposes a debt owed to the United States.

''(4) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or this subsection. This paragraph applies to any case commenced under title 11 after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.''.

(b) ADMINISTRATION.—Section 303a of title 37, United States Code, is amended by striking ''302h'' each place it appears and inserting ''302j''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 302h the following new items:

''302i. Special pay: pharmacy officers.

''302j. Special pay: accession bonus for pharmacy officers.''.

SEC. 629. CORRECTION OF REFERENCES TO AIR FORCE VETERINARIANS.

Section 303(a) of title 37, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''who is designated as a veterinary officer'' and inserting ''who is an officer in the Biomedical Sciences Corps and holds a degree in veterinary medicine''; and

(2) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) of a reserve component of the Air Force, of the Army or the Air Force without specification of component, or of the National Guard, who—

''(i) is designated as a veterinary officer; or

''(ii) is an officer in the Biomedical Sciences Corps of the Air Force and holds a degree in veterinary medicine; or''.

SEC. 630. CAREER SEA PAY.

(a) REFORM OF AUTHORITIES.—Section 305a of title 37, United States Code, is amended—

(1) in subsection (a), by striking ''(a) Under regulations prescribed by the President, a member'' and inserting ''(a) AVAILABILITY OF SPECIAL PAY.—A member'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by striking subsections (b) and (c) and inserting the following new subsections:

''(b) RATES; MAXIMUM.—The Secretary concerned shall prescribe the monthly rates for special pay applicable to members of each armed force under the Secretary's jurisdiction. No monthly rate may exceed $750.

''(c) PREMIUM.—A member of a uniformed service entitled to career sea pay under this section who has served 36 consecutive months of sea duty is also entitled to a career sea pay premium for the thirty-seventh consecutive month and each subsequent consecutive month of sea duty served by such member. The monthly amount of the premium shall be prescribed by the Secretary concerned, but may not exceed $350.

''(d) REGULATIONS.—The Secretary concerned shall prescribe regulations for the administration of this section for the armed force or armed forces under the jurisdiction of the Secretary. The entitlements under this section shall be subject to the regulations.''.

(b) STYLISTIC AMENDMENT.—Subsection (e) of such section, as redesignated by subsection (a)(2), is amended by inserting before ''(1)'' in paragraph (1) the following: ''DEFINITION OF SEA DUTY.—''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000, and shall apply with respect to months beginning on or after that date.

SEC. 631. INCREASED MAXIMUM RATE OF SPECIAL DUTY ASSIGNMENT PAY.

Section 307(a) of title 37, United States Code, is amended—

(1) by striking ''$275'' and inserting ''$600''; and

(2) by striking the second sentence.

SEC. 632. ENTITLEMENT OF MEMBERS OF THE NATIONAL GUARD AND OTHER RESERVES NOT ON ACTIVE DUTY TO RECEIVE SPECIAL DUTY ASSIGNMENT PAY.

(a) AUTHORITY.—Section 307 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) Under regulations prescribed by the Secretary concerned and to the extent provided for by appropriations, when an enlisted member of the National Guard or a reserve component of a uniformed service who is entitled to compensation under section 206 of this title performs duty for which a member described in subsection (a) is entitled to special pay under such subsection, the member of the National Guard or reserve

component is entitled to an increase in compensation equal to 1/30 of the monthly special duty assignment pay prescribed by the Secretary concerned for the performance of that same duty by members described in subsection (a).

''(2) A member of the National Guard or a reserve component entitled to an increase in compensation under paragraph (1) is entitled to the increase—

''(A) for each regular period of instruction, or period of appropriate duty, at which the member is engaged for at least two hours, including that performed on a Sunday or holiday; or

''(B) for the performance of such other equivalent training, instruction, duty, or appropriate duties, as the Secretary may prescribe under section 206(a) of this title.

''(3) This subsection does not apply to a member of the National Guard or a reserve component who is entitled to basic pay under section 204 of this title.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2000.

SEC. 633. AUTHORIZATION OF RETENTION BONUS FOR MEMBERS OF THE ARMED FORCES QUALIFIED IN A CRITICAL MILITARY SKILL.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 323. Special pay: retention incentives for members qualified in a critical military skill

''(a) RETENTION BONUS AUTHORIZED.—An officer or enlisted member of the armed forces who is serving on active duty and is qualified in a designated critical military skill may be paid a retention bonus as provided in this section if—

''(1) in the case of an officer, the member executes a written agreement to remain on active duty for at least 1 year; or

''(2) in the case of an enlisted member, the member reenlists or voluntarily extends the member's enlistment for a period of at least 1 year.

''(b) DESIGNATION OF CRITICAL SKILLS.—(1) A designated critical military skill referred to in subsection (a) is a military skill designated as critical by the Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy.

''(2) The Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall notify Congress, in advance, of each military skill to be designated by the Secretary as critical for purposes of this section. The notice shall be submitted at least 90 days before any bonus with regard to that critical skill is offered under subsection (a) and shall include a discussion of the necessity for the bonus, the amount and method of payment of the bonus, and the retention results that the bonus is expected to achieve.

''(c) PAYMENT METHODS.—A bonus under this section may be paid in a single lump sum or in periodic installments.

''(d) MAXIMUM BONUS AMOUNT.—A member may enter into an agreement under this section, or reenlist or voluntarily extend the member's enlistment, more than once to receive a bonus under this section. However, a member may not receive a total of more than $200,000 in payments under this section.

''(e) CERTAIN MEMBERS INELIGIBLE.—A retention bonus may not be provided under subsection (a) to a member of the armed forces who—

''(1) has completed more than 25 years of active duty; or

''(2) will complete the member's twenty-fifth year of active duty before the end of the period of active duty for which the bonus is being offered.

''(f) RELATIONSHIP TO OTHER INCENTIVES.—A retention bonus paid under this section is in addition to any other pay and allowances to which a member is entitled.

''(g) REPAYMENT OF BONUS.—(1) If an officer who has entered into a written agreement under subsection (a) fails to complete the total period of active duty specified in the agreement, or an enlisted member who voluntarily or because of misconduct does not complete the term of enlistment for which a bonus was paid under this section, the Secretary of Defense, and the Secretary of Transportation with respect to members of the Coast Guard when it is not operating as a service in the Navy, may require the member to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid under this section.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a) does not discharge the member from a debt arising under paragraph (2).

''(h) ANNUAL REPORT.—Not later than February 15 of each year, the Secretary of Defense and the Secretary of Transportation shall submit to Congress a report—

''(1) analyzing the effect, during the preceding fiscal year, of the provision of bonuses under this section on the retention of members qualified in the critical military skills for which the bonuses were offered; and

''(2) describing the intentions of the Secretary regarding the continued use of the bonus authority during the current and next fiscal years.

''(i) TERMINATION OF BONUS AUTHORITY.—No bonus may be paid under this section with respect to any reenlistment, or voluntary extension of an enlistment, in the armed forces entered into after December 31, 2001, and no agreement under this section may be entered into after that date.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''323. Special pay: retention incentives for members qualified in a critical military skill.''.

(b) EFFECTIVE DATE.—Section 323 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2000.

SEC. 634. ENTITLEMENT OF ACTIVE DUTY OFFICERS OF THE PUBLIC HEALTH SERVICE CORPS TO SPECIAL PAYS AND BONUSES OF HEALTH PROFESSIONAL OFFICERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 303a of title 37, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b)(1) Except as provided in paragraph (2) or as otherwise provided under a provision of this chapter, a commissioned officer in the Regular or Reserve Corps of the Public Health Service is entitled to special pay under a provision of this chapter in the same amounts, and under the same terms and conditions, as a commissioned officer of the armed forces is entitled to special pay under that provision.

''(2) A commissioned medical officer in the Regular or Reserve Corps of the Public Health Service (other than an officer serving in the Indian Health Service) may not receive additional special pay under section 302(a)(4) of this title for any period during which the officer is providing obligated service under the following provisions of law:

''(A) Section 338B of the Public Health Service Act (42 U.S.C. 254l–1).

''(B) Section 225(e) of the Public Health Service Act, as that section was in effect before 1, 1977.

''(C) Section 752 of the Public Health Service Act, as that section was in effect between October 1, 1977, and August 13, 1981.''.

(b) REPEAL OF SUPERSEDED PROVISIONS.—Section 208(a) of the Public Health Service Act (42 U.S.C. 210(a)) is amended—

(1) by striking paragraphs (2) and (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) For provisions relating to the receipt of special pay by commissioned officers of the Regular and Reserve Corps while on active duty, see section 303a(b) of title 37, United States Code.''.

Subtitle C—Travel and Transportation Allowances

SEC. 641. ADVANCE PAYMENTS FOR TEMPORARY LODGING OF MEMBERS AND DEPENDENTS.

(a) SUBSISTENCE EXPENSES.— Section 404a of title 37, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively; and

(2) by striking subsection (a) and inserting the following:

''(a) PAYMENT OR REIMBURSEMENT OF SUBSISTENCE EXPENSES.—(1) Under regulations prescribed by the Secretaries concerned, a member of a uniformed service who is ordered to make a change of permanent station described in paragraph (2) shall be paid or reimbursed for subsistence expenses of the member and the member's dependents for the period (subject to subsection (c)) for which the member and dependents occupy temporary quarters incident to that change of permanent station.

''(2) Paragraph (1) applies to the following:

''(A) A permanent change of station from any duty station to a duty station in the United States (other than Hawaii or Alaska).

''(B) A permanent change of station from a duty station in the United States (other than Hawaii or Alaska) to a duty station outside the United States or in Hawaii or Alaska.

''(C) In the case of an enlisted member who is reporting to the member's first permanent duty station, the change from the member's home of record or initial technical school to that first permanent duty station.

''(b) PAYMENT IN ADVANCE.—The Secretary concerned may make any payment for subsistence expenses to a member under this section in advance of the member actually incurring the expenses. The amount of an advance payment made to a member shall be computed on the basis of the Secretary's determination of the average number of days that members and their dependents occupy temporary quarters under the circumstances applicable to the member and the member's dependents.

''(c) MAXIMUM PAYMENT PERIOD.—(1) In the case of a change of permanent station described in subparagraph (A) or (C) of subsection (a)(2), the period for which subsistence expenses are to be paid or reimbursed under this section may not exceed 10 days.

''(2) In the case of a change of permanent station described in subsection (a)(2)(B)—

''(A) the period for which such expenses are to be paid or reimbursed under this section may not exceed five days; and

''(B) such payment or reimbursement may be provided only for expenses incurred before leaving the United States (other than Hawaii or Alaska).''.

(b) PER DIEM.—Section 405 of such title is amended to read as follows:

''§ 405. Travel and transportation allowances: per diem while on duty outside the United States or in Hawaii or Alaska

''(a) PER DIEM AUTHORIZED.—Without regard to the monetary limitation of this title, the Secretary concerned may pay a per diem to a member of the uniformed services who is on duty outside of the United States or in Hawaii or Alaska, whether or not the member is in a travel status. The Secretary may pay the per diem in advance of the accrual of the per diem.

''(b) DETERMINATION OF PER DIEM.—In determining the per diem to be paid under this section, the Secretary concerned shall consider all elements of the cost of living to members of the uniformed services under the Secretary's jurisdiction and their dependents, including the cost of quarters, subsistence, and other necessary incidental expenses. However, dependents may not be considered in determining the per diem allowance for a member in a travel status.

''(c) TREATMENT OF HOUSING COST AND ALLOWANCE.—Housing cost and allowance may be disregarded in prescribing a station cost of living allowance under this section.''.

(c) STYLISTIC AMENDMENTS.—Section 404a of such title is further amended—

(1) in subsection (d), as redesignated by subsection (a), by striking ''(d)'' and inserting ''(d) DAILY SUBSISTENCE RATES.—''; and

(2) in subsection (e), as redesignated by subsection (a), by striking ''(e)'' and inserting ''(e) MAXIMUM DAILY PAYMENT.—''.

SEC. 642. ADDITIONAL TRANSPORTATION ALLOWANCE REGARDING BAGGAGE AND HOUSEHOLD EFFECTS.

(a) PET QUARANTINE FEES.—Section 406(a)(1) of title 37, United States Code, is amended by adding at the end the following new sentence: ''The Secretary concerned may also reimburse the member for mandatory pet quarantine fees for household pets, but not to exceed $275 per change of station, when the member incurs the fees incident to such change of station.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2000.

SEC. 643. INCENTIVE FOR SHIPPING AND STORING HOUSEHOLD GOODS IN LESS THAN AVERAGE WEIGHTS.

Section 406(b)(1) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Under regulations prescribed by the Secretary of Defense, the Secretary concerned may pay a member a share (determined pursuant to such regulations) of the savings resulting to the United States when the total weights of the member's baggage and household effects shipped and stored under subparagraph (A) are less than the average weights of the baggage and household effects that are shipped and stored, respectively, by other members in the same grade and with the same dependents status as the member in connection with changes of station that are comparable to the member's change of station. The total savings shall be equal to the difference between the cost of shipping and cost of storing such average weights of baggage and household effects, respectively, and the corresponding costs associated with the weights of the member's baggage and household effects. For the administration of this subparagraph, the Secretary of Defense shall annually determine the average weights of baggage and household effects shipped and stored in connection with a change of temporary or permanent station.''.

SEC. 644. EQUITABLE DISLOCATION ALLOWANCES FOR JUNIOR ENLISTED MEMBERS.

Section 407(c)(1) of title 37, United States Code, is amended by inserting before the period at the end the following: '', except that the Secretary concerned may not differentiate between members with dependents in pay grades E–1 through E–5''.

SEC. 645. AUTHORITY TO REIMBURSE MILITARY RECRUITERS, SENIOR ROTC CADRE, AND MILITARY ENTRANCE PROCESSING PERSONNEL FOR CERTAIN PARKING EXPENSES.

(a) REIMBURSEMENT AUTHORITY.—Chapter 7 of title 37, United States Code, is amended by inserting after section 411h the following new section:

''§ 411i. Travel and transportation allowances: parking expenses

''(a) REIMBURSEMENT AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may reimburse eligible Department of Defense personnel for expenses incurred after October 1, 2001, for parking a privately owned vehicle at a place of duty described in subsection (b).

''(b) ELIGIBILITY.—A member of the Army, Navy, Air Force, or Marine Corps or an employee of the Department of Defense may be reimbursed under subsection (a) for parking expenses while—

''(1) assigned to duty as a recruiter for any of the armed forces;

''(2) assigned to duty at a military entrance processing facility of the armed forces; or

''(3) detailed for instructional and administrative duties at any institution where a unit of the Senior Reserve Officers' Training Corps is maintained.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 411h the following new item:

''411i. Travel and transportation allowances: parking expenses.''.

SEC. 646. EXPANSION OF FUNDED STUDENT TRAVEL FOR DEPENDENTS.

Section 430 of title 37, United States Code, is amended—

(1) in subsections (a)(3) and (b)(1), by striking ''for the purpose of obtaining a secondary or undergraduate college education'' and inserting ''for the purpose of obtaining a formal education''; and

(2) in subsection (f)—

(A) by striking ''In this section, the term'' and inserting the following:

''In this section:

''(1) The term''; and

(B) by adding at the end the following new subparagraph:

''(2) The term 'formal education' means the following:

''(A) A secondary education.

''(B) An undergraduate college education.

''(C) A graduate education pursued on a full-time basis at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

''(D) Vocational education pursued on a full-time basis at a post-secondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))).''.

Subtitle D—Retirement and Survivor Benefit Matters

SEC. 651. EXCEPTION TO HIGH-36 MONTH RETIRED PAY COMPUTATION FOR MEMBERS RETIRED FOLLOWING A DISCIPLINARY REDUCTION IN GRADE.

Section 1407 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''The retired pay base'' and inserting ''Except as provided in subsection (f), the retired pay base''; and

(2) by adding at the end the following new subsection:

''(f) EXCEPTION FOR ENLISTED MEMBERS REDUCED IN GRADE AND OFFICERS WHO DO NOT SERVE SATISFACTORILY IN HIGHEST GRADE HELD.—

''(1) COMPUTATION BASED ON PRE-HIGH-THREE RULES.—In the case of a member or former member described in paragraph (2), the retired pay base or retainer pay base is determined under section 1406 of this title in the same manner as if the member or former member first became a member of a uniformed service before September 8, 1980.

''(2) AFFECTED MEMBERS.—A member or former member referred to in paragraph (1) is a member or former member who by reason of conduct occurring after the date of the enactment of this subsection—

''(A) in the case of a member retired in an enlisted grade or transferred to the Fleet Reserve or Fleet Marine Corps Reserve, was at any time reduced in grade as the result of a court-martial sentence, nonjudicial punishment, or an administrative action, unless the member was subsequently promoted to a higher enlisted grade or appointed to a commissioned or warrant grade; and

''(B) in the case of an officer, is retired in a grade lower than the highest grade in which served by reason of denial of a determination or certification under section 1370 of this title that the officer served on active duty satisfactorily in that grade.

''(3) SPECIAL RULE FOR ENLISTED MEMBERS.—In the case of a member who retires within three years after having been reduced in grade as described in paragraph (2)(A), who retires in an enlisted grade that is lower than the grade from which reduced, and who would be subject to paragraph (1) but for a subsequent promotion to a higher enlisted grade or a subsequent appointment to a warrant or commissioned grade, the rates of basic pay used in the computation of the member's high-36 average for the period of the member's service in a grade higher than the grade in which retired shall be the rates of pay that would apply if the member had been serving for that period in the grade in which retired.''.

SEC. 652. INCREASE IN MAXIMUM NUMBER OF RESERVE RETIREMENT POINTS THAT MAY BE CREDITED IN ANY YEAR.

Section 12733(3) of title 10, United States Code, is amended by striking ''but not more than'' and all that follows and inserting ''but not more than—

''(A) 60 days in any one year of service before the year of service that includes September 23, 1996;

''(B) 75 days in the year of service that includes September 23, 1996, and in any subsequent year of service before the year of service that includes the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001; and

''(C) 90 days in the year of service that includes the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 and in any subsequent year of service.''.

SEC. 653. RETIREMENT FROM ACTIVE RESERVE SERVICE AFTER REGULAR RETIREMENT.

(a) CONVERSION TO RESERVE RETIREMENT.—(1) Chapter 1223 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 12741. Retirement from active reserve service performed after regular retirement

''(a) ELECTION OF RESERVE RETIRED PAY.—A person who, after becoming entitled to retired or retainer pay under chapter 65, 367, 571, or 867 of this title, serves in an active status in a reserve component is entitled to retired pay under this chapter if—

''(1) the person would, but for paragraphs (3) and (4) of section 12731(a) of this title, otherwise be entitled to retired pay under this chapter;

''(2) the person elects under this section to received retired pay under this chapter; and

''(3) the person's service in an active status after having become entitled to retired or retainer pay under that chapter is determined by the Secretary concerned to have been satisfactory.

''(b) ACTIONS TO EFFECTUATE ELECTION.—As of the effective date of an election made by a person under subsection (a), the Secretary concerned shall—

''(1) terminate the person's entitlement to retired or retainer pay under the applicable chapter of this title referred to in subsection (a); and

''(2) in the case of a reserve commissioned officer, transfer the officer to the Retired Reserve.

''(c) TIME AND FORM OF ELECTION.—An election under subsection (b) shall be made within such time and in such form as the Secretary concerned requires.

''(d) EFFECTIVE DATE OF ELECTION.—An election made by a person under subsection (b) shall be effective—

''(1) except as provided in paragraph (2)(B), as of the date on which the person attains 60 years of age, if the Secretary concerned receives the election in accordance with this section within 180 days after that date; or

''(2) on the first day of the first month that begins after the date on which the Secretary concerned receives the election in accordance with this section, if—

''(A) the date of the receipt of the election is more than 180 days after the date on which the person attains 60 years of age; or

''(B) the person retires from service in an active status within that 180-day period.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''12741. Retirement from active service performed after regular retirement.''.

(b) EFFECTIVE DATE.—Section 12741 of title 10, United States Code, as added by subsection (a), shall take effect 180 days after the date of the enactment of this Act and shall apply with respect to retired pay payable for months beginning on of after that effective date.

SEC. 654. SAME TREATMENT FOR FEDERAL JUDGES AS FOR OTHER FEDERAL OFFICIALS REGARDING PAYMENT OF MILITARY RETIRED PAY.

(a) ARTICLE III JUDGES.—(1) Section 371 of title 28, United States Code, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(2) Subsection (b) of such section is amended by striking ''subsection (f)'' each place it appears and inserting ''subsection (e)''.

(b) JUDGES OF UNITED STATES COURT OF FEDERAL CLAIMS.—(1) Section 180 of title 28, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 180.

(c) RETROACTIVE EFFECTIVE DATE.—The amendments made by this section shall take effect as of October 1, 1999.

SEC. 655. RESERVE COMPONENT SURVIVOR BENEFIT PLAN SPOUSAL CONSENT REQUIREMENT.

(a) ELIGIBLE PARTICIPANTS.—Subsection (a)(2)(B) of section 1448 of title 10, United States Code, is amended to read as follows:

''(B) RESERVE-COMPONENT ANNUITY PARTICIPANTS.—A person who (i) is eligible to participate in the Plan under paragraph (1)(B), and (ii) is married or has a dependent child when he is notified under section 12731(d) of this title that he has completed the years of service required for eligibility for reserve-component retired pay, unless the person elects (with his spouse's concurrence, if required under paragraph (3)) not to participate in the Plan before the end of the 90-day period beginning on the date on which he receives that notification.''.

(b) SUBSEQUENT ELECTION TO PARTICIPATE.—Subsection (a)(3)(B) of such section is amended—

(1) by striking ''who elects to provide'' and inserting ''who is eligible to provide'';

(2) by redesignating clauses (i) and (ii) as clauses (iii) and (iv), respectively; and

(3) by inserting before clause (iii) (as so redesignated) the following new clauses:

''(i) not to participate in the Plan;

''(ii) to designate under subsection (e)(2) the effective date for commencement of annuity payments under the Plan in the event that the member dies before becoming 60 years of age to be the 60th anniversary of the member's birth (rather than the day after the date of the member's death);''.

(c) CONFORMING AMENDMENTS.—Subchapter II of chapter 73 of such title is further amended—

(1) in section 1448(a)(2), by striking ''described in clauses (i) and (ii)'' in the sentence following subparagraph (B) (as amended by subsection (a)) and all that follows through ''that clause'' and inserting ''who elects under subparagraph (B) not to participate in the Plan'';

(2) in section 1448(a)(4)—

(A) by striking ''not to participate in the Plan'' in subparagraph (A); and

(B) by striking ''to participate in the Plan'' in subparagraph (B);

(3) in section 1448(e), by striking ''a person electing to participate'' and all that follows through ''making such election'' and inserting ''a person is required to make a designation under this subsection, the person''; and

(4) in section 1450(j)(1), by striking ''An annuity'' and all that follows through the period and inserting ''A reserve-component annuity shall be effective in accordance with the designation made under section 1448(e) of this title by the person providing the annuity.''.

(d) EFFECTIVE DATE.—The amendments made by this section apply only with respect to a notification under section 12731(d) of title 10, United States Code, made after January 1, 2001, that a member of a reserve component has completed the years of service required for eligibility for reserve-component retired pay.

SEC. 656. SENSE OF CONGRESS ON INCREASING SURVIVOR BENEFIT PLAN ANNUITIES FOR SURVIVING SPOUSES AGE 62 OR OLDER.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, subject to the requirements and limitations of congressional budget procedures relating to the enactment of new (or increased) entitlement authority, there should be enacted legislation that increases the annuities provided under the Survivor Benefit Plan program for surviving spouses who are 62 years of age or older in order to reduce (and eventually eliminate) the different levels of annuities under that program for surviving spouses who are under age 62 and those who are 62 years of age and older.

(b) SURVIVOR BENEFIT PLAN.—For purposes of this section, the term ''Survivor Benefit Plan program'' means the program of annuities for survivors of members of the uniformed services provided under subchapter II of chapter 73 of title 10, United States Code.

SEC. 657. REVISION TO SPECIAL COMPENSATION AUTHORITY TO REPEAL EXCLUSION OF UNIFORMED SERVICES RETIREES IN RECEIPT OF DISABILITY RETIRED PAY.

(a) ELIGIBILITY FOR CHAPTER 61 RETIREES.—Section 1413(c) of title 10, United States Code, is amended by striking ''(other than a member who is retired under chapter 61 of this title)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2001, and shall apply to months that begin on or after that date. No benefit may be paid under section 1413 of title 10, United States Code, to any person by reason of the amendment made by subsection (a) for any period before that date.

Subtitle E—Other Matters

SEC. 661. PARTICIPATION IN THRIFT SAVINGS PLAN.

(a) EFFECTIVE DATE OF AUTHORITY TO PARTICIPATE.—Section 663 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 673; 5 U.S.C. 8440 note) is amended to read as follows:

''SEC. 663. EFFECTIVE DATE.

''(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this subtitle shall take effect 180 days after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

''(b) POSTPONEMENT AUTHORITY.—(1) The Secretary of Defense may postpone by up to 180 days after the date that would otherwise apply under subsection (a)—

''(A) the date as of which the amendments made by this subtitle shall take effect; or

''(B) the date as of which section 211(a)(2) of title 37, United States Code (as added by this subtitle) shall take effect.

''(2) Postponement authority under this subsection may be exercised only to the extent that the failure to do so would prevent the Federal Retirement Thrift Investment Board from being able to provide timely and accurate services to investors or would place an excessive burden on the administrative capacity of the Board to accommodate participants in the Thrift Savings Plan, as determined by the Secretary of Defense after consultation with the Executive Director (appointed by the Board).

''(3) Paragraph (1) includes the authority to postpone the effective date of the amendments made by this subtitle (apart from section 211(a)(2) of title 37, United States Code), and the effective date of such section 211(a)(2), by different lengths of time.

''(4) The Secretary shall notify the congressional defense committees, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate of any determination made under this subsection.''.

(b) REGULATIONS.—Section 661(b) of such Act (113 Stat. 672; 5 U.S.C. 8440e note) is amended by striking ''the date on which'' and all that follows through ''later,'' and inserting ''the 180th day after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001,''.

(c) CONFORMING AMENDMENT.—Section 8440e(b)(2)(B)(i) of title 5, United States Code, is amended by striking ''as of'' and all that follows through ''thereof)'' and inserting ''as of the effective date that applies with respect to such individual under section 663 of the National Defense Authorization Act for Fiscal Year 2000''.

SEC. 662. DETERMINATIONS OF INCOME ELIGIBILITY FOR SPECIAL SUPPLEMENTAL FOOD PROGRAM.

Section 1060a(c)(1)(B) of title 10, United States Code, is amended by striking the second sentence and inserting the following new sentence: ''In the application of such criterion, the Secretary shall exclude from income any basic allowance for housing as permitted under section 17(d)(2)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)).''.

SEC. 663. BILLETING SERVICES FOR RESERVE MEMBERS TRAVELING FOR INACTIVE-DUTY TRAINING.

(a) IN GENERAL.—(1) Chapter 1217 of title 10, United States Code, is amended by inserting after section 12603 the following new section:

''§ 12604. Billeting in Department of Defense facilities: Reserves attending inactive-duty training

''(a) AUTHORITY FOR BILLETING ON SAME BASIS AS ACTIVE DUTY MEMBERS TRAVELING UNDER ORDERS.—The Secretary of Defense shall prescribe regulations authorizing a Reserve traveling to inactive-duty training at a location more than 50 miles from that Reserve's residence to be eligible for billeting in Department of Defense facilities on the same basis and to the same extent as a member of the armed forces on active duty who is traveling under orders away from the member's permanent duty station.

''(b) PROOF OF REASON FOR TRAVEL.—The Secretary shall include in the regulations the means for confirming a Reserve's eligibility for billeting under subsection (a).''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 12603 the following new item:

''12604. Billeting in Department of Defense facilities: Reserves attending inactive-duty training.''.

(b) EFFECTIVE DATE.—Section 12604 of title 10, United States Code, as added by subsection (a), shall apply with respect to periods of inactive-duty training beginning more than 180 days after the date of the enactment of this Act.

SEC. 664. SETTLEMENT OF CLAIMS FOR PAYMENTS FOR UNUSED ACCRUED LEAVE AND FOR RETIRED PAY.

(a) CLAIMS FOR PAYMENTS FOR UNUSED ACCRUED LEAVE.—Subsection (a)(1)(A) of section 3702 of title 31, United States Code, is amended by inserting ''payments for unused accrued leave,'' after ''transportation,''.

(b) WAIVER OF TIME LIMITATIONS.—Subsection (e)(1) of such section is amended by striking ''claim for pay or allowances provided under title 37'' and inserting ''claim for pay, allowances, or payment for unused accrued leave under title 37 or a claim for retired pay under title 10''.

SEC. 665. ADDITIONAL BENEFITS AND PROTECTIONS FOR PERSONNEL INCURRING INJURY, ILLNESS, OR DISEASE IN THE PERFORMANCE OF FUNERAL HONORS DUTY.

(a) INCAPACITATION PAY.—Section 204 of title 37, United States Code, is amended—

(1) in subsection (g)(1)—

(A) by striking ''or'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(C) by adding at the end the following:

''(E) in line of duty while—

''(i) serving on funeral honors duty under section 12503 of title 10 or section 115 of title 32;

''(ii) traveling to or from the place at which the duty was to be performed; or

''(iii) remaining overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence.''; and

(2) in subsection (h)(1)—

(A) by striking ''or'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(C) by adding at the end the following:

''(E) in line of duty while—

''(i) serving on funeral honors duty under section 12503 of title 10 or section 115 of title 32;

''(ii) traveling to or from the place at which the duty was to be performed; or

''(iii) remaining overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence.''.

(b) TORT CLAIMS.—Section 2671 of title 28, United States Code, is amended by inserting ''115,'' in the second paragraph after ''members of the National Guard while engaged in training or duty under section''.

(c) APPLICABILITY.—(1) The amendments made by subsection (a) shall apply with respect to months beginning on or after the date of the enactment of this Act.

(2) The amendment made by subsection (b) shall apply with respect to acts and omissions occurring before, on, or after the date of the enactment of this Act.

SEC. 666. AUTHORITY FOR EXTENSION OF DEADLINE FOR FILING CLAIMS ASSOCIATED WITH CAPTURE AND INTERNMENT OF CERTAIN PERSONS BY NORTH VIETNAM.

Section 657(d)(1) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2585) is amended by adding at the end the following new sentence: ''The Secretary may, in the case of any claim under this section, extend the time limitation under the preceding sentence by up to 18 months if the Secretary determines that such an extension in the case of that claim is necessary to prevent an injustice or that failure of the claimant to file the claim within that time limitation is due to excusable neglect.''.

SEC. 667. BACK PAY FOR MEMBERS OF THE NAVY AND MARINE CORPS SELECTED FOR PROMOTION WHILE INTERNED AS PRISONERS OF WAR DURING WORLD WAR II.

(a) ENTITLEMENT OF FORMER PRISONERS OF WAR.—Upon receipt of a claim made in accordance with this section, the Secretary of the Navy shall pay, from any appropriation currently available to the Secretary, back pay to any person who, by reason of being interned as a prisoner of war while serving as a member of the Navy or the Marine Corps during World War II, was not available to accept a promotion for which the person had been selected.

(b) PAYMENT TO SURVIVING SPOUSE OF DECEASED FORMER MEMBER.—In the case of a person described in subsection (a) who is deceased, the back pay for that person under this section shall be paid to the living surviving spouse of that person, if any. If there is no living surviving spouse, no claim may be paid under this section with respect to that person.

(c) AMOUNT OF BACK PAY.—(1) The amount of back pay payable to or for a person described in subsection (a) is the amount equal to the difference between—

(A) the total amount of basic pay that would have been paid to that person for service in the Navy or the Marine Corps for the back-pay computation period if the person had been promoted to the grade to which selected to be promoted; and

(B) the total amount of basic pay that was actually paid to or for that person for such service for the back-pay computation period.

(2) For purposes of paragraph (1), the back-pay computation period for a person covered by subsection (a) is the period—

(A) beginning on the date (as determined by the Secretary of the Navy) as of when that person's promotion would have been effective for pay purposes but for the person's internment as a prisoner of war; and

(B) ending on the earliest of—

(i) the date of the person's discharge or release from active duty;

(ii) the date on which the person's promotion to that grade in fact became effective for pay purposes; and

(iii) the end of World War II.

(d) TIME LIMITATIONS.—(1) To be eligible for a payment under this section, a claimant must file a claim for such payment with the Secretary of the Navy within two years after the effective date of the regulations prescribed to carry out this section.

(2) Not later than 18 months after receiving a claim for payment under this section, the Secretary shall determine the eligibility of the claimant for payment of the claim. Subject to subsection (f), if the Secretary determines that the claimant is eligible for the payment, the Secretary shall promptly pay the claim.

(e) REGULATIONS.—Not later than six months after the date of the enactment of this Act, the Secretary of the Navy shall prescribe regulations to carry out this section. Such regulations shall include procedures by which persons may submit claims for payment under this section.

(f) LIMITATION ON DISBURSEMENT.—(1) Notwithstanding any power of attorney, assignment of interest, contract, or other agreement, the actual disbursement of a payment of back pay under this section may be made only to a person who is eligible for the payment under subsection (a) or (b).

(2) In the case of a claim approved for payment but not disbursed as a result of paragraph (1), the Secretary shall hold the funds in trust for the person in an interest bearing account until such time as the person makes an election under such paragraph.

(g) ATTORNEY FEES.—Notwithstanding any contract, the representative of a person may not receive, for services rendered in connection with the claim of, or with respect to, a person under this section, more than 10 percent of the amount of a payment made under this section on that claim.

(h) OUTREACH.—The Secretary of the Navy shall take such actions as are necessary to ensure that the benefits and eligibility for benefits under this section are widely publicized by means designed to provide actual notice of the availability of the benefits in a timely manner to the maximum number of eligible persons practicable.

(i) DEFINITION.—In this section, the term ''World War II'' has the meaning given that term in section 101(8) of title 38, United States Code.

SEC. 668. SENSE OF CONGRESS CONCERNING FUNDING FOR RESERVE COMPONENTS.

It is the sense of Congress that it is in the national interest for the President, in the President's Budget for each fiscal year, to provide funds for the reserve components of the Armed Forces at a level sufficient to ensure that the reserve components are able to meet the requirements, including training requirements, specified for them in the National Military Strategy.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Health Care Services

Sec. 701. Provision of domiciliary and custodial care for CHAMPUS beneficiaries and certain former CHAMPUS beneficiaries.
Sec. 702. Chiropractic health care for members on active duty.
Sec. 703. School-required physical examinations for certain minor dependents.
Sec. 704. Two-year extension of dental and medical benefits for surviving dependents of certain deceased members.
Sec. 705. Two-year extension of authority for use of contract physicians at military entrance processing stations and elsewhere outside medical treatment facilities.
Sec. 706. Medical and dental care for Medal of Honor recipients.

Subtitle B—Senior Health Care

Sec. 711. Implementation of TRICARE senior pharmacy program.
Sec. 712. Conditions for eligibility for CHAMPUS and TRICARE upon the attainment of age 65; expansion and modification of medicare subvention project.
Sec. 713. Accrual funding for health care for medicare-eligible retirees and dependents.

Subtitle C—TRICARE Program

Sec. 721. Improvement of access to health care under the TRICARE program.
Sec. 722. Additional beneficiaries under TRICARE Prime Remote program in the continental United States.
Sec. 723. Modernization of TRICARE business practices and increase of use of military treatment facilities.
Sec. 724. Extension of TRICARE managed care support contracts.
Sec. 725. Report on protections against health care providers seeking direct reimbursement from members of the uniformed services.
Sec. 726. Voluntary termination of enrollment in TRICARE retiree dental program.
Sec. 727. Claims processing improvements.
Sec. 728. Prior authorizations for certain referrals and nonavailability-of-health-care statements.

Subtitle D—Demonstration Projects

Sec. 731. Demonstration project for expanded access to mental health counselors.
Sec. 732. Teleradiology demonstration project.
Sec. 733. Health care management demonstration program.

Subtitle E—Joint Initiatives With Department of Veterans Affairs

Sec. 741. VA-DOD sharing agreements for health services.
Sec. 742. Processes for patient safety in military and veterans health care systems.

Sec. 743. Cooperation in developing pharmaceutical identification technology.

Subtitle F—Other Matters

Sec. 751. Management of anthrax vaccine immunization program.
Sec. 752. Elimination of copayments for immediate family.
Sec. 753. Medical informatics.
Sec. 754. Patient care reporting and management system.
Sec. 755. Augmentation of Army Medical Department by detailing Reserve officers of the Public Health Service.
Sec. 756. Privacy of Department of Defense medical records.
Sec. 757. Authority to establish special locality-based reimbursement rates; reports.
Sec. 758. Reimbursement for certain travel expenses.
Sec. 759. Reduction of cap on payments.
Sec. 760. Training in health care management and administration.
Sec. 761. Studies on feasibility of sharing biomedical research facility.
Sec. 762. Study on comparability of coverage for physical, speech, and occupational therapies.

Subtitle A—Health Care Services

SEC. 701. PROVISION OF DOMICILIARY AND CUSTODIAL CARE FOR CHAMPUS BENEFICIARIES AND CERTAIN FORMER CHAMPUS BENEFICIARIES.

(a) CONTINUATION OF CARE FOR CERTAIN CHAMPUS BENEFICIARIES.—Section 703(a)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 682; 10 U.S.C. 1077 note) is amended by inserting before the period at the end the following: ''or by the prohibition in section 1086(d)(1) of such title''.

(b) REIMBURSEMENT FOR SERVICES PROVIDED.—Section 703(a) of such Act is further amended by adding at the end the following new paragraph:

''(4) The Secretary may provide payment for domiciliary or custodial care services provided to an eligible beneficiary for which payment was discontinued by reason of section 1086(d) of title 10, United States Code, and subsequently reestablished under other legal authority. Such payment is authorized for the period beginning on the date of discontinuation of payment for domiciliary or custodial care services and ending on the date of reestablishment of payment for such services.''.

(c) COST LIMITATION FOR INDIVIDUAL CASE MANAGEMENT PROGRAM.—(1) Section 1079(a)(17) of title 10, United States Code, is amended—

(A) by inserting ''(A)'' after ''(17)''; and

(B) by adding at the end the following:

''(B) The total amount expended under subparagraph (A) for a fiscal year may not exceed $100,000,000.''.

(2) Section 703 of the National Defense Authorization Act for Fiscal Year 2000 is further amended by adding at the end the following:

''(e) COST LIMITATION.—The total amount paid for services for eligible beneficiaries under subsection (a) for a fiscal year (together with the costs of administering the authority under that subsection) shall be included in the expenditures limited by section 1079(a)(17)(B) of title 10, United States Code.''.

(3) The amendments made by paragraphs (1) and (2) shall apply to fiscal years after fiscal year 1999.

(d) STUDY REQUIRED.—(1) Not later than the date that is three months after the date of the enactment of this Act, the Comptroller General of the United States shall undertake a study to evaluate the coordination and effectiveness of the supplemental disability health care programs of the Department of Defense, the Program for Persons with Disabilities and the Individual Case Management Program for Persons with Disabilities, as such programs relate to other elements of the TRICARE program in meeting the health care needs of disabled dependents of members of the Armed Forces on active duty. The Comptroller General shall examine—

(A) the number of such dependents who receive services under the Program for Persons with Disabilities, and the number of beneficiaries receiving care under the Individual Case Management Program for Persons with Disabilities, and a description of the patterns of use and expenditures for services provided under such programs;

(B) the effectiveness of the existing system for coordinating the provision of services under the TRICARE program and the supplemental disability programs of the Department of Defense, including the comprehensiveness of services and the cost effectiveness of providing services;

(C) the extent to which the monthly maximum benefit imposed under current law under the Program for Persons with Disabilities affects the ability of beneficiaries to obtain needed health care services;

(D) the number of beneficiaries who are receiving services that supplement services to the TRICARE program under the Program for Persons with Disabilities and the Individual Case Management Program for Persons with Disabilities; and

(E) the extent to which costs or lack of coverage for health care services for disabled dependents of members of the Armed Forces on active duty under existing military health care programs has caused increased enrollment of such dependents in medicaid programs.

(2) Not later than April 16, 2001, the Comptroller General shall submit to Congress a report on the results of the study under this section, including recommendations for legislative or administrative changes for providing a comprehensive, efficient, and complete system of health care services for disabled dependents of members of the Armed Forces on active duty.

SEC. 702. CHIROPRACTIC HEALTH CARE FOR MEMBERS ON ACTIVE DUTY.

(a) PLAN REQUIRED.—(1) Not later than March 31, 2001, the Secretary of Defense shall complete development of a plan to provide chiropractic health care services and benefits, as a permanent part of the Defense Health Program (including the TRICARE program), for all members of the uniformed services who are entitled to care under section 1074(a) of title 10, United States Code.

(2) The plan shall provide for the following:

(A) Access, at designated military medical treatment facilities, to the scope of chiropractic services as determined by the Secretary, which includes, at a minimum, care for neuro-musculoskeletal conditions typical among military personnel on active duty.

(B) A detailed analysis of the projected costs of fully integrating chiropractic health care services into the military health care system.

(C) An examination of the proposed military medical treatment facilities at which such services would be provided.

(D) An examination of the military readiness requirements for chiropractors who would provide such services.

(E) An examination of any other relevant factors that the Secretary considers appropriate.

(F) Phased-in implementation of the plan over a 5-year period, beginning on October 1, 2001.

(b) CONSULTATION REQUIREMENTS.—The Secretary of Defense shall consult with the other administering Secretaries described in section 1073 of title 10, United States Code, and the oversight advisory committee established under section 731 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1092 note) regarding the following:

(1) The development and implementation of the plan required under subsection (a).

(2) Each report that the Secretary is required to submit to Congress regarding the plan.

(3) The selection of the military medical treatment facilities at which the chiropractic services described in subsection (a)(2)(A) are to be provided.

(c) CONTINUATION OF CURRENT SERVICES.—Until the plan required under subsection (a) is implemented, the Secretary shall continue to furnish the same level of chiropractic health care services and benefits under the Defense Health Program that is provided during fiscal year 2000 at military medical treatment facilities that provide such services and benefits.

(d) REPORT REQUIRED.—Not later than January 31, 2001, the Secretary of Defense shall submit a report on the plan required under subsection (a), together with appropriate appendices and attachments, to the Committees on Armed Services of the Senate and the House of Representatives.

(e) GAO REPORTS.—The Comptroller General shall monitor the development and implementation of the plan required under subsection (a), including the administration of services and benefits under the plan, and periodically submit to the committees referred to in subsection (d) written reports on such development and implementation.

SEC. 703. SCHOOL-REQUIRED PHYSICAL EXAMINATIONS FOR CERTAIN MINOR DEPENDENTS.

Section 1076 of title 10, United States Code is amended by adding at the end the following:

''(f)(1) The administering Secretaries shall furnish an eligible dependent a physical examination that is required by a school in connection with the enrollment of the dependent as a student in that school.

''(2) A dependent is eligible for a physical examination under paragraph (1) if the dependent—

''(A) is entitled to receive medical care under subsection (a) or is authorized to receive medical care under subsection (b); and

''(B) is at least 5 years of age and less than 12 years of age.

''(3) Nothing in paragraph (2) may be construed to prohibit the furnishing of a school-required physical examination to any dependent who, except for not satisfying the age requirement under that paragraph, would otherwise be eligible for a physical examination required to be furnished under this subsection.''.

SEC. 704. TWO-YEAR EXTENSION OF DENTAL AND MEDICAL BENEFITS FOR SURVIVING DEPENDENTS OF CERTAIN DECEASED MEMBERS.

(a) DENTAL BENEFITS.—Section 1076a(k)(2) of title 10, United States Code, is amended by striking ''one-year period'' and inserting ''three-year period''.

(b) MEDICAL BENEFITS.—Section 1079(g) of title 10, United States Code, is amended by striking ''one-year period'' in the second sentence and inserting ''three-year period''.

SEC. 705. TWO-YEAR EXTENSION OF AUTHORITY FOR USE OF CONTRACT PHYSICIANS AT MILITARY ENTRANCE PROCESSING STATIONS AND ELSEWHERE OUTSIDE MEDICAL TREATMENT FACILITIES.

Section 1091(a)(2) of title 10, United States Code, is amended by striking ''December 31, 2000'' in the second sentence and inserting ''December 31, 2002''.

SEC. 706. MEDICAL AND DENTAL CARE FOR MEDAL OF HONOR RECIPIENTS.

(a) IN GENERAL.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1074g the following new section:

''§ 1074h. Medical and dental care: medal of honor recipients; dependents

''(a) MEDAL OF HONOR RECIPIENTS.—A former member of the armed forces who is a Medal of Honor recipient and who is not otherwise entitled to medical and dental benefits under this chapter may, upon request, be given medical and dental care provided by the administering Secretaries in the same manner as if entitled to retired pay.

''(b) IMMEDIATE DEPENDENTS.—A person who is an immediate dependent of a Medal of Honor recipient and who is not otherwise entitled to medical and dental benefits under this chapter may, upon request, be given medical and dental care provided by the administering Secretaries in the same manner as if the Medal of Honor recipient were, or (if deceased) was at the time of death, entitled to retired pay.

''(c) DEFINITIONS—In this section:

''(1) The term 'Medal of Honor recipient' means a person who has been awarded a medal of honor under section 3741, 6241, or 8741 of this title or section 491 of title 14.

''(2) The term 'immediate dependent' means a dependent described in subparagraph (A), (B), (C), or (D) of section 1072(2) of this title.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074g the following new item:

''1074h. Medical and dental care: medal of honor recipients; dependents.''.

(b) EFFECTIVE DATE.—Section 1074h of title 10, United States Code, shall apply with respect to medical and dental care provided on or after the date of the enactment of this Act.

Subtitle B—Senior Health Care

SEC. 711. IMPLEMENTATION OF TRICARE SENIOR PHARMACY PROGRAM.

(a) EXPANSION OF TRICARE SENIOR PHARMACY PROGRAM.—Section 723 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2068; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a)—

(A) by striking ''October 1, 1999'' and inserting ''April 1, 2001''; and

(B) by striking ''who reside in an area selected under subsection (f)'';

(2) by amending subsection (b) to read as follows:

''(b) PROGRAM REQUIREMENTS.—The same coverage for pharmacy services and the same requirements for cost sharing and reimbursement as are applicable under section 1086 of title 10, United States Code, shall apply with respect to the program required by subsection (a).'';

(3) in subsection (d)—

(A) by striking ''December 31, 2000'' and inserting ''December 31, 2001''; and

(B) by striking ''December 31, 2002'' and inserting ''December 31, 2003'';

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting ''and'' after the semicolon;

(ii) in subparagraph (C), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (D); and

(B) in paragraph (2), by striking ''at the time'' and all that follows through ''facility'' and inserting '', before April 1, 2001, has attained the age of 65 and did not enroll in the program described in such paragraph''; and

(5) by striking subsection (f).

(b) TERMINATION OF DEMONSTRATION PROJECT AND RETAIL PHARMACY NETWORK REQUIREMENTS.—Section 702 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 1079 note) is amended by adding at the end the following:

''(h) TERMINATION.—This section shall cease to apply to the Secretary of Defense on the date after the implementation of section 711 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 that the Secretary determines appropriate, with a view to minimizing instability with respect to the provision of pharmacy benefits, but in no case later than the date that is one year after the date of the enactment of such Act.''.

SEC. 712. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS AND TRICARE UPON THE ATTAINMENT OF AGE 65; EXPANSION AND MODIFICATION OF MEDICARE SUBVENTION PROJECT.

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—(1) Section 1086(d) of title 10, United States Code, is amended—

(A) by striking paragraph (2) and inserting the following:

''(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

''(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

''(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426–1(a)).''; and

(B) in paragraph (4), by striking ''paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph,'' and inserting ''subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph''.

(2) Subsection (a)(4)(A) of section 1896 of the Social Security Act (42 U.S.C. 1395ggg) is amended to read as follows:

''(A) is eligible for health benefits under section 1086 of such title by reason of subsection (c)(1) of such section;''.

(3) The amendments made by paragraphs (1) and (2) shall take effect on October 1, 2001.

(b) 1-YEAR EXTENSION OF MEDICARE SUBVENTION PROJECT.—Section 1896 of the Social Security Act (42 U.S.C. 1395ggg) is amended—

(1) in subsection (b)(4), by striking ''3-year period'' and inserting ''4-year period''; and

(2) in subsection (i)(4)—

(A) by striking ''and'' at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(D) $70,000,000 for calendar year 2001.''.

(c) FURTHER EXTENSION OF MEDICARE SUBVENTION PROJECT.—(1) Subsection (b)(4) of section 1896 of the Social Security Act (42 U.S.C. 1395ggg) is amended by striking the period at the end and inserting the following: '', except that the administering Secretaries may negotiate and (subject to section 701(f) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001) enter into a new or revised agreement under paragraph (1)(A) to continue the project after the end of such period. If the project is so continued, the administering Secretaries may terminate the agreement under which the program operates after providing notice to Congress in accordance with subsection (k)(2)(B)(v).''.

(2) Such section is further amended—

(A) in the heading, by striking ''DEMONSTRATION PROJECT'' and inserting ''PROGRAM'';

(B) by amending paragraph (2) of subsection (a) to read as follows:

''(2) PROGRAM.—The term 'program' means the program carried out under this section.'';

(C) by striking ''DEMONSTRATION PROJECT'' and ''demonstration project'' and ''project'' each place each appears and inserting ''PROGRAM'', ''program'', and ''program'' respectively; and

(D) by striking ''DEMONSTRATION'' in the heading of subsection (j)(1).

(3) Subsection (i)(4) of such section is amended to read as follows:

''(4) CAP ON AMOUNT.—The maximum aggregate expenditures from the trust funds under this subsection pursuant to the agreement entered into between the administering Secretaries under subsection (b) for a fiscal year (before fiscal year 2006) shall not exceed the amount agreed by the Secretaries to be the amount that would have been expended from the trust funds on beneficiaries who enroll in the program, had the program not been established, plus the following:

''(A) $35,000,000 for fiscal year 2002.

''(B) $55,000,000 for fiscal year 2003.

''(C) $75,000,000 for fiscal year 2004.

''(D) $100,000,000 for fiscal year 2005.''.

(d) AUTHORIZING PROGRAM EXPANSION AND MODIFICATIONS.—(1) Paragraph (2) of subsection (b) of such section 1896 is amended to read as follows:

''(2) LOCATION OF SITES.—Subject to subsection (k)(2)(B), the program shall be conducted in any site that is designated jointly by the administering Secretaries.''.

(2) Subsection (d)(2) of such section is amended by inserting '', or (subject to subsection (k)(2)(B)) such comparable requirements as are included in the agreement under subsection (b)(1)(A)'' after ''the following areas''.

(3) Subsection (i) of such section is amended—

(A) in paragraph (2), by inserting ''subject to paragraph (4),'' after ''paragraph (1)''; and

(B) by striking paragraph (4) and inserting the following:

''(4) MODIFICATION OF PAYMENT METHODOLOGY.—The administering Secretaries may, subject to subsection (k)(2)(B), modify the payment methodology provided under paragraphs (1) and (2) so long as the amount of the reimbursement provided to the Secretary of Defense fully reimburses the Department of Defense for its cost of providing services under the program but does not exceed an amount that is estimated to be equivalent to the amount that otherwise would have been expended under this title for such services if provided other than under the program (not including amounts described in paragraph (2)). Such limiting amount may be based for any site on the amount that would be payable to Medicare+Choice organizations under part C for the area of the site or the amounts that would be payable under parts A and B.''.

(e) CHANGE IN REPORTS.—Paragraph (2) of subsection (k) of such section 1896 is amended to read as follows:

''(2) REPORTS ON PROGRAM OPERATION AND CHANGES.—

''(A) ANNUAL REPORT.—The administering Secretaries shall submit to the Committees on Armed Services and Finance of the Senate and the Committees on Armed Services and Ways and Means of the House of Representatives an annual report on the program and its impact on costs and the provision of health services under this title and title 10, United States Code.

''(B) BEFORE MAKING CERTAIN PROGRAM CHANGES.—The administering Secretaries shall submit to such Committees a report at least 60 days before—

''(i) changing the designation of a site under subsection (b)(2);

''(ii) applying comparable requirements under subsection (d)(2);

''(iii) making significant changes in payment methodology or amounts under subsection (i)(4);

''(iv) making other significant changes in the operation of the program; or

''(v) terminating the agreement under the second sentence of subsection (b)(4).

''(C) EXPLANATION.—Each report under subparagraph (B) shall include justifications for the changes or termination to which the report refers.''.

(f) CONDITIONAL EFFECTIVE DATE.—(1) Upon negotiating an agreement under the amendment made by subsection (c)(1), the Secretary of Defense and the Secretary of Health and Human Services shall jointly transmit a notification of the proposed agreement to the Committee on Armed Services and the Committee on Finance of the Senate and the Committee on Armed Services and the Committee on Ways and Means of the House of Representatives, and shall include with the transmittal a copy of the proposed agreement and all related agreements and supporting documents.

(2) Such proposed agreement shall take effect, and the amendments made by subsections (c)(2), (c)(3), (d), and (e) shall take effect, on such date as is provided for in such agreement and in an Act enacted after the date of the enactment of this Act.

SEC. 713. ACCRUAL FUNDING FOR HEALTH CARE FOR MEDICARE-ELIGIBLE RETIREES AND DEPENDENTS.

(a) ESTABLISHMENT OF FUND.—(1) Part II of subtitle A of title 10, United States Code, is amended by inserting after chapter 55 the following new chapter:

''CHAPTER 56—DEPARTMENT OF DEFENSE MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND

''Sec.
''1111. Establishment and purpose of Fund; definitions.
''1112. Assets of Fund.
''1113. Payments from the Fund.
''1114. Board of Actuaries.
''1115. Determination of contributions to the Fund.
''1116. Payments into the Fund.
''1117. Investment of assets of Fund.

''§ 1111. Establishment and purpose of Fund; definitions

''(a) There is established on the books of the Treasury a fund to be known as the Department of Defense Medicare-Eligible Retiree Health Care Fund (hereinafter in this chapter referred to as the ''Fund''), which shall be administered by the Secretary of the Treasury. The Fund shall be used for the accumulation of funds in order to finance on an actuarially sound basis liabilities of the Department of Defense under Department of Defense retiree health care programs for medicare-eligible beneficiaries.

''(b) In this chapter:

''(1) The term 'Department of Defense retiree health care programs for medicare-eligible beneficiaries' means the provisions of this title or any other provision of law creating entitlement to health care for a medicare-eligible member or former member of the uniformed services entitled to retired or retainer pay, or a medicare-eligible dependent of a member or former member of the uniformed services entitled to retired or retainer pay.

''(2) The term 'medicare-eligible' means entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

''(3) The term 'dependent' means a dependent (as such term is defined in section 1072 of this title) described in section 1076(b)(1) of this title.

''§ 1112. Assets of Fund

''There shall be deposited into the Fund the following, which shall constitute the assets of the Fund:

''(1) Amounts paid into the Fund under section 1116 of this title.

''(2) Any amount appropriated to the Fund.

''(3) Any return on investment of the assets of the Fund.

''§ 1113. Payments from the Fund

''(a) There shall be paid from the Fund amounts payable for Department of Defense retiree health care programs for medicare-eligible beneficiaries.

''(b) The assets of the Fund are hereby made available for payments under subsection (a).

''§ 1114. Board of Actuaries

''(a)(1) There is established in the Department of Defense a Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries (hereinafter in this chapter referred to as the ''Board''). The Board shall consist of three members who shall be appointed by the Secretary of Defense from among qualified professional actuaries who are members of the Society of Actuaries.

''(2)(A) Except as provided in subparagraph (B), the members of the Board shall serve for a term of 15 years, except that a member of the Board appointed to fill a vacancy occurring before the end of the term for which his predecessor was appointed shall only serve until the end of such term. A member may serve after the end of his term until his successor has taken office. A member of the Board may be removed by the Secretary of Defense for misconduct or failure to perform functions vested in the Board, and for no other reason.

''(B) Of the members of the Board who are first appointed under this paragraph, one each shall be appointed for terms ending five, ten, and 15 years, respectively, after the date of appointment, as designated by the Secretary of Defense at the time of appointment.

''(3) A member of the Board who is not otherwise an employee of the United States is entitled to receive pay at the daily equivalent of the annual rate of basic pay of the highest rate of basic pay under the General Schedule of subchapter III of chapter 53 of title 5, for each day the member is engaged in the performance of duties vested in the Board, and is entitled to travel expenses, including a per diem allowance, in accordance with section 5703 of title 5.

''(b) The Board shall report to the Secretary of Defense annually on the actuarial status of the Fund and shall furnish its advice and opinion on matters referred to it by the Secretary.

''(c) The Board shall review valuations of the Fund under section 1115(c) of this title and shall report periodically, not less than once every four years, to the President and Congress on the status of the Fund. The Board shall include in such reports recommendations for such changes as in the Board's judgment are necessary to protect the public interest and maintain the Fund on a sound actuarial basis.

''§ 1115. Determination of contributions to the Fund

''(a) The Board shall determine the amount that is the present value (as of October 1, 2002) of future benefits payable from the Fund that are attributable to service in the uniformed services performed before October 1, 2002. That amount is the original unfunded liability of the Fund. The Board shall determine the period of time over which the original unfunded liability should be liquidated and shall determine an amortization schedule for the liquidation of such liability over that period. Contributions to the Fund for the liquidation of the original unfunded liability in accordance with such schedule shall be made as provided in section 1116(b) of this title.

''(b)(1) The Secretary of Defense shall determine each year, in sufficient time for inclusion in budget requests for the following fiscal year, the total amount of Department of Defense contributions to be made to the Fund during that fiscal year under section 1116(a) of this title. That amount shall be the sum of the following:

''(A) The product of—

''(i) the current estimate of the value of the single level dollar amount to be determined under subsection (c)(1)(A) at the time of the next actuarial valuation under subsection (c); and

''(ii) the expected average force strength during that fiscal year for members of the uniformed services on active duty (other than active duty for training) and full-time National Guard duty (other than full-time National Guard duty for training only).

''(B) The product of—

''(i) the current estimate of the value of the single level dollar amount to be determined under subsection (c)(1)(B) at the time of the next actuarial valuation under subsection (c); and

''(ii) the expected average force strength during that fiscal year for members of the Ready Reserve of the uniformed services other than members on full-time National Guard duty other than for training) who are not otherwise described in subparagraph (A)(ii).

''(2) The amount determined under paragraph (1) for any fiscal year is the amount needed to be appropriated to the Department of Defense for that fiscal year for payments to be made to the Fund during that year under section 1116(a) of this title. The President shall include not less than the full amount so determined in the budget transmitted to Congress for that fiscal year under section 1105 of title 31. The President may comment and make recommendations concerning any such amount.

''(c)(1) Not less often than every four years, the Secretary of Defense shall carry out an actuarial valuation of the Fund. Each such actuarial valuation shall include—

''(A) a determination (using the aggregate entry-age normal cost method) of a single level dollar amount for members of the uniformed services on active duty (other than active duty for training) or full-time National Guard duty (other than full-time National Guard duty for training only); and

''(B) a determination (using the aggregate entry-age normal cost method) of a single level dollar amount for members of the Ready Reserve of the uniformed services and other than members on full-time National Guard duty other than for training) who are not otherwise described by subparagraph (A).

Such single level dollar amounts shall be used for the purposes of subsection (b) and section 1116(a) of this title.

''(2) If at the time of any such valuation there has been a change in benefits under the Department of Defense retiree health care programs for medicare-eligible beneficiaries that has been made since the last such valuation and such change in benefits increases or decreases the present value of amounts payable from the Fund, the Secretary of Defense shall determine an amortization methodology and schedule for the amortization of the cumulative unfunded liability (or actuarial gain to the Fund) created by such change and any previous such changes so that the present value of the sum of the amortization payments (or reductions in payments that would otherwise be made) equals the cumulative increase (or decrease) in the present value of such amounts.

''(3) If at the time of any such valuation the Secretary of Defense determines that, based upon changes in actuarial assumptions since the last valuation, there has been an actuarial gain or loss to the Fund, the Secretary shall determine an amortization methodology and schedule for the amortization of the cumulative gain or loss to the Fund created by such change in assumptions and any previous such changes in assumptions through an increase or decrease in the payments that would otherwise be made to the Fund.

''(4) If at the time of any such valuation the Secretary of Defense determines that, based upon the Fund's actuarial experience (other than resulting from changes in benefits or actuarial assumptions) since the last valuation, there has been an actuarial gain or loss to the Fund, the Secretary shall determine an amortization methodology and schedule for the amortization of the cumulative gain or loss to the Fund created by such actuarial experience and any previous actuarial experience through an increase or decrease in the payments that would otherwise be made to the Fund.

''(5) Contributions to the Fund in accordance with amortization schedules under paragraphs (2), (3), and (4) shall be made as provided in section 1116(b) of this title.

''(d) All determinations under this section shall be made using methods and assumptions approved by the Board of Actuaries (including assumptions of interest rates and medical inflation) and in accordance with generally accepted actuarial principles and practices.

''(e) The Secretary of Defense shall provide for the keeping of such records as are necessary for determining the actuarial status of the Fund.

''§ 1116. Payments into the Fund

''(a) The Secretary of Defense shall pay into the Fund at the end of each month as the Department of Defense contribution to the Fund for that month the amount that is the sum of the following:

''(1) The product of—

''(A) the monthly dollar amount determined using all the methods and assumptions approved for the most recent (as of the first day of the current fiscal year) actuarial valuation under section 1115(c)(1)(A) of this title (except that any statutory change in the Department of Defense retiree health care programs for medicare-eligible beneficiaries that is effective after the date of that valuation and on or before the first day of the current fiscal year shall be used in such determination); and

''(B) the total end strength for that month for members of the uniformed services on active duty (other than active duty for training) and full-time National Guard duty (other than full-time National Guard duty for training only).

''(2) The product of—

''(A) the level monthly dollar amount determined using all the methods and assumptions approved for the most recent (as of the first day of the current fiscal year) actuarial valuation under section 1115(c)(1)(B) of this title (except that any statutory change in the Department of Defense retiree health care programs for medicare-eligible beneficiaries that is effective after the date of that valuation and on or before the first day of the current fiscal year shall be used in such determination); and

''(B) the total end strength for that month for members of the Ready Reserve of the uniformed services other than members on full-time National Guard duty other than for training) who are not otherwise described in paragraph (1)(B). Amounts paid into the Fund under this subsection shall be paid from funds available for the Defense Health Program.

''(b)(1) At the beginning of each fiscal year the Secretary of the Treasury shall promptly pay into the Fund from the General Fund of the Treasury the amount certified to the Secretary by the Secretary of Defense under paragraph (3). Such payment shall be the contribution to the Fund for that fiscal year required by sections 1115(a) and 1115(c) of this title.

''(2) At the beginning of each fiscal year the Secretary of Defense shall determine the sum of the following:

''(A) The amount of the payment for that year under the amortization schedule determined by the Board of Actuaries under section 1115(a) of this title for the amortization of the original unfunded liability of the Fund.

''(B) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 1115(c)(2) of this title for the amortization of any cumulative unfunded liability (or any gain) to the Fund resulting from changes in benefits.

''(C) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 1115(c)(3) of this title for the amortization of any cumulative actuarial gain or loss to the Fund resulting from actuarial assumption changes.

''(D) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 111(c)(4) of this title for the amortization of any cumulative actuarial gain or loss to the Fund resulting from actuarial experience.

''(3) The Secretary of Defense shall promptly certify the amount determined under paragraph (2) each year to the Secretary of the Treasury.

''§ 1117. Investment of assets of Fund

''The Secretary of the Treasury shall invest such portion of the Fund as is not in the judgment of the Secretary of Defense required to meet current withdrawals. Such investments shall be in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of Defense, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to and form a part of the Fund.''.

(2) The tables of chapters at the beginning of subtitle A, and at the beginning of part II of subtitle A, of title 10, United States Code, are amended by inserting after the item relating to chapter 55 the following new item:

''56. Department of Defense Medicare-Eligible Retiree Health Care Fund ..... 1111.''.

(b) DELAYED EFFECTIVE DATES FOR CERTAIN PROVISIONS.—(1) Sections 1113 and 1116 of title 10, United States Code (as added by subsection (a)), shall take effect on October 1, 2002.

(2) Section 1115 of such title (as added by such subsection) shall take effect on October 1, 2001.

Subtitle C—TRICARE Program

SEC. 721. IMPROVEMENT OF ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION.—In the case of a covered beneficiary under chapter 55 of title 10, United States Code, who is enrolled in TRICARE Standard, the Secretary of Defense may not require with regard to authorized health care services (other than mental health services) under any new contract for the provision of health care services under such chapter that the beneficiary—

(1) obtain a nonavailability statement or preauthorization from a military medical treatment facility in order to receive the services from a civilian provider; or

(2) obtain a nonavailability statement for care in specialized treatment facilities outside the 200-mile radius of a military medical treatment facility.

(b) NOTICE.—The Secretary may require that the covered beneficiary inform the primary care manager of the beneficiary of any health care received from a civilian provider or in a specialized treatment facility.

(c) EXCEPTIONS.—Subsection (a) shall not apply if—

(1) the Secretary demonstrates significant costs would be avoided by performing specific procedures at the affected military medical treatment facilities;

(2) the Secretary determines that a specific procedure must be provided at the affected military medical treatment facility to ensure the proficiency levels of the practitioners at the facility; or

(3) the lack of nonavailability statement data would significantly interfere with TRICARE contract administration.

(d) EFFECTIVE DATE—This section shall take effect on October 1, 2001.

SEC. 722. ADDITIONAL BENEFICIARIES UNDER TRICARE PRIME REMOTE PROGRAM IN THE CONTINENTAL UNITED STATES.

(a) COVERAGE OF OTHER UNIFORMED SERVICES.—(1) Section 1074(c) of title 10, United States Code, is amended—

(A) by striking ''armed forces'' each place it appears, except in paragraph (3)(A), and inserting ''uniformed services'';

(B) in paragraph (1), by inserting after ''military department'' in the first sentence the following: '', the Department of Transportation (with respect to the Coast Guard when it is not operating as a service in the Navy), or the Department of Health and Human Services (with respect to the National Oceanic and Atmospheric Administration and the Public Health Service)'';

(C) in paragraph (2), by adding at the end the following:

''(C) The Secretary of Defense shall consult with the other administering Secretaries in the administration of this paragraph.''; and

(D) in paragraph (3)(A), by striking ''The Secretary of Defense may not require a member of the armed forces described in subparagraph (B)'' and inserting ''A member of the uniformed services described in subparagraph (B) may not be required''.

(2)(A) Subsections (b), (c), and (d)(3) of section 731 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1811; 10 U.S.C. 1074 note) are amended by striking ''Armed Forces'' and inserting ''uniformed services''.

(B) Subsection (b) of such section is further amended by adding at the end the following:

''(4) The Secretary of Defense shall consult with the other administering Secretaries in the administration of this subsection.''.

(C) Subsection (f) of such section is amended by adding at the end the following:

''(3) The terms 'uniformed services' and 'administering Secretaries' have the meanings given those terms in section 1072 of title 10, United States Code.''.

(3) Section 706(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 684) is amended by striking ''Armed Forces'' and inserting ''uniformed services (as defined in section 1072(1) of title 10, United States Code)''.

(b) COVERAGE OF IMMEDIATE FAMILY.—(1) Section 1079 of title 10, United States Code, is amended by adding at the end the following:

''(p)(1) Subject to such exceptions as the Secretary of Defense considers necessary, coverage for medical care under this section for the dependents referred to in subsection (a) of a member of the uniformed services referred to in section 1074(c)(3) of this title who are residing with the member, and standards with respect to timely access to such care, shall be comparable to coverage for medical care and standards for timely access to such care under the managed care option of the TRICARE program known as TRICARE Prime.

''(2) The Secretary of Defense shall enter into arrangements with contractors under the TRICARE program or with other appropriate contractors for the timely and efficient processing of claims under this subsection.

''(3) The Secretary of Defense shall consult with the other administering Secretaries in the administration of this subsection.''.

(2) Section 731(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1811; 10 U.S.C. 1074 note) is amended—

(A) in paragraph (1), by adding at the end the following: ''A dependent of the member, as described in subparagraph (A), (D), or (I) of section 1072(2) of title 10, United States Code, who is residing with the member shall have the same entitlement to care and to waiver of charges as the member.''; and

(B) in paragraph (2), by inserting ''or dependent of the member, as the case may be,'' after ''(2) A member''.

(c) EFFECTIVE DATES; APPLICABILITY.—(1) The amendments made by subsections (a)(1) and (b)(1) shall take effect on October 1, 2001.

(2) The amendments made by subsection (a)(2), with respect to members of the uniformed services, and the amendments made by subsection (b)(2), with respect to dependents of members, shall take effect on the date of the enactment of this Act and shall expire with respect to a member or the dependents of a member, respectively, on the later of the following:

(A) The date that is one year after the date of the enactment of this Act.

(B) The date on which the policies required by the amendments made by subsection (a)(1) or (b)(1) are implemented with respect to the coverage of medical care for and provision of such care to the member or dependents, respectively.

(3) Section 731(b)(3) of Public Law 105–85 does not apply to a member of the Coast Guard, the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the Public Health Service, or to a dependent of a member of a uniformed service.

SEC. 723. MODERNIZATION OF TRICARE BUSINESS PRACTICES AND INCREASE OF USE OF MILITARY TREATMENT FACILITIES.

(a) REQUIREMENT TO IMPLEMENT INTERNET-BASED SYSTEM.—Not later than October 1, 2001, the Secretary of Defense shall implement a system to simplify and make accessible through the use of the Internet, through commercially available systems and products, critical administrative processes within the military health care system and the TRICARE program. The purposes of the system shall be to enhance efficiency, improve service, and achieve commercially recognized standards of performance.

(b) ELEMENTS OF SYSTEM.—The system required by subsection (a)—

(1) shall comply with patient confidentiality and security requirements, and incorporate data requirements, that are currently widely used by insurers under medicare and commercial insurers;

(2) shall be designed to achieve improvements with respect to—

(A) the availability and scheduling of appointments;

(B) the filing, processing, and payment of claims;

(C) marketing and information initiatives;

(D) the continuation of enrollments without expiration;

(E) the portability of enrollments nationwide;

(F) education of beneficiaries regarding the military health care system and the TRICARE program; and

(G) education of health care providers regarding such system and program; and

(3) may be implemented through a contractor under TRICARE Prime.

(c) AREAS OF IMPLEMENTATION.—The Secretary shall implement the system required by subsection (a) in at least one region under the TRICARE program.

(d) PLAN FOR IMPROVED PORTABILITY OF BENEFITS.—Not later than March 15, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to provide portability and reciprocity of benefits for all enrollees under the TRICARE program throughout all TRICARE regions.

(e) INCREASE OF USE OF MILITARY MEDICAL TREATMENT FACILITIES.—The Secretary shall initiate a program to maximize the use of military medical treatment facilities by improving the efficiency of health care operations in such facilities.

(f) DEFINITION.—In this section the term ''TRICARE program'' has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 724. EXTENSION OF TRICARE MANAGED CARE SUPPORT CONTRACTS.

(a) AUTHORITY.—Notwithstanding any other provision of law and subject to subsection (b), any TRICARE managed care support contract in effect, or in the final stages of acquisition, on September 30, 1999, may be extended for four years.

(b) CONDITIONS.—Any extension of a contract under subsection (a)—

(1) may be made only if the Secretary of Defense determines that it is in the best interest of the United States to do so; and

(2) shall be based on the price in the final best and final offer for the last year of the existing contract as adjusted for inflation and other factors mutually agreed to by the contractor and the Federal Government.

SEC. 725. REPORT ON PROTECTIONS AGAINST HEALTH CARE PROVIDERS SEEKING DIRECT REIMBURSEMENT FROM MEMBERS OF THE UNIFORMED SERVICES.

Not later than January 31, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report recommending practices to discourage or prohibit health care providers under the TRICARE program, and individuals or entities working on behalf of such providers, from seeking direct reimbursement from members of the uniformed services or their dependents for health care received by such members or dependents.

SEC. 726. VOLUNTARY TERMINATION OF ENROLLMENT IN TRICARE RETIREE DENTAL PROGRAM.

(a) PROCEDURES.—Section 1076c of title 10, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) VOLUNTARY DISENROLLMENT.—(1) With respect to enrollment in the dental insurance plan established under subsection (a), the Secretary of Defense—

''(A) shall allow for a period of up to 30 days at the beginning of the prescribed minimum enrollment period during which an enrollee may disenroll; and

''(B) shall provide for limited circumstances under which disenrollment shall be permitted during the prescribed enrollment period, without jeopardizing the fiscal integrity of the dental program.

''(2) The circumstances described in paragraph (1)(B) shall include—

''(A) a case in which a retired member, surviving spouse, or dependent of a retired member who is also a Federal employee is assigned to a location outside the jurisdiction of the dental insurance plan established under subsection (a) that prevents utilization of dental benefits under the plan;

''(B) a case in which a retired member, surviving spouse, or dependent of a retired member is prevented by a serious medical condition from being able to obtain benefits under the plan;

''(C) a case in which severe financial hardship would result; and

''(D) any other circumstances which the Secretary considers appropriate.

''(3) The Secretary shall establish procedures for timely decisions on requests for disenrollment under this section and for appeal to the TRICARE Management Activity of adverse decisions.''

(b) CLARIFYING AMENDMENT.—The heading for subsection (f) is amended by striking ''TERMINATION'' and inserting ''REQUIRED TERMINATIONS''.

SEC. 727. CLAIMS PROCESSING IMPROVEMENTS.

Beginning on the date of the enactment of this Act, the Secretary of Defense shall, to the maximum extent practicable, take all necessary actions to implement the following improvements with respect to processing of claims under the TRICARE program:

(1) Use of the TRICARE encounter data information system rather than the health care service record in maintaining information on covered beneficiaries under chapter 55 of title 10, United States Code.

(2) Elimination of all delays in payment of claims to health care providers that may result from the development of the health care service record or TRICARE encounter data information.

(3) Requiring all health care providers under the TRICARE program that the Secretary determines are high-volume providers to submit claims electronically.

(4) Processing 50 percent of all claims by health care providers and institutions under the TRICARE program by electronic means.

(5) Authorizing managed care support contractors under the TRICARE program to require providers to access information on the status of claims through the use of telephone automated voice response units.

SEC. 728. PRIOR AUTHORIZATIONS FOR CERTAIN REFERRALS AND NONAVAILABILITY-OF-HEALTH-CARE STATEMENTS.

(a) PROHIBITION REGARDING PRIOR AUTHORIZATION FOR REFERRALS.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1095e the following new section:

''§ 1095f. TRICARE program: referrals for specialty health care

''The Secretary of Defense shall ensure that no contract for managed care support under the TRICARE program includes any requirement that a managed care support contractor require a primary care or specialty care provider to obtain prior authorization before referring a patient to a specialty care provider that is part of the network of health care providers or institutions of the contractor.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1095e the following new item:

''1095f. TRICARE program: referrals for specialty health care.''.

(b) REPORT.—Not later than February 1, 2001, the Comptroller General shall submit to Congress a report on the financial and management implications of eliminating the requirement to obtain nonavailability-of-health-care statements under section 1080 of title 10, United States Code.

(c) EFFECTIVE DATE.—Section 1095f of title 10, United States Code, as added by subsection (a), shall apply with respect to a TRICARE managed care support contract entered into by the Department of Defense after the date of the enactment of this Act.

Subtitle D—Demonstration Projects

SEC. 731. DEMONSTRATION PROJECT FOR EXPANDED ACCESS TO MENTAL HEALTH COUNSELORS.

(a) REQUIREMENT TO CONDUCT DEMONSTRATION PROJECT.—The Secretary of Defense shall conduct a demonstration project under which licensed and certified professional mental health counselors who meet eligibility requirements for participation as providers under the Civilian Health and Medical Program of the Uniformed Services (hereafter in this section referred to as ''CHAMPUS'') or the TRICARE program may provide services to covered beneficiaries under chapter 55 of title 10, United States Code, without referral by physicians or adherence to supervision requirements.

(b) DURATION AND LOCATION OF PROJECT.—The Secretary shall conduct the demonstration project required by subsection (a)—

(1) during the 2-year period beginning October 1, 2001; and

(2) in one established TRICARE region.

(c) REGULATIONS.—The Secretary shall prescribe regulations regarding participation in the demonstration project required by subsection (a).

(d) PLAN FOR PROJECT.—Not later than March 31, 2001, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to carry out the demonstration project. The plan shall include, but not be limited to, a description of the following:

(1) The TRICARE region in which the project will be conducted.

(2) The estimated funds required to carry out the demonstration project.

(3) The criteria for determining which professional mental health counselors will be authorized to participate under the demonstration project.

(4) The plan of action, including critical milestone dates, for carrying out the demonstration project.

(e) REPORT.—Not later than February 1, 2003, the Secretary shall submit to Congress a report on the demonstration project carried out under this section. The report shall include the following:

(1) A description of the extent to which expenditures for reimbursement of licensed or certified professional mental health counselors change as a result of allowing the independent practice of such counselors.

(2) Data on utilization and reimbursement regarding non-physician mental health professionals other than licensed or certified professional mental health counselors under CHAMPUS and the TRICARE program.

(3) Data on utilization and reimbursement regarding physicians who make referrals to, and supervise, mental health counselors.

(4) A description of the administrative costs incurred as a result of the requirement for documentation of referral to mental health counselors and supervision activities for such counselors.

(5) For each of the categories described in paragraphs (1) through (4), a comparison of data for a 1-year period for the area in which the demonstration project is being implemented with corresponding data for a similar area in which the demonstration project is not being implemented.

(6) A description of the ways in which allowing for independent reimbursement of licensed or certified professional mental health counselors affects the confidentiality of mental health and substance abuse services for covered beneficiaries under CHAMPUS and the TRICARE program.

(7) A description of the effect, if any, of changing reimbursement policies on the health and treatment of covered beneficiaries under CHAMPUS and the TRICARE program, including a comparison of the treatment outcomes of covered beneficiaries who receive mental health services from licensed or certified professional mental health counselors acting under physician referral and supervision, other non-physician mental health providers recognized under CHAMPUS and the TRICARE program, and physicians, with treatment outcomes under the demonstration project allowing independent practice of professional counselors on the same basis as other non-physician mental health providers.

(8) The effect of policies of the Department of Defense on the willingness of licensed or certified professional mental health counselors to participate as health care providers in CHAMPUS and the TRICARE program.

(9) Any policy requests or recommendations regarding mental health counselors made by health care plans and managed care organizations participating in CHAMPUS or the TRICARE program.

SEC. 732. TELERADIOLOGY DEMONSTRATION PROJECT.

(a) AUTHORITY TO CONDUCT PROJECT.—(1) The Secretary of Defense may conduct a demonstration project for the purposes of increasing efficiency of operations with respect to teleradiology at military medical treatment facilities, supporting remote clinics, and increasing coordination with respect to teleradiology between such facilities and clinics. Under the project, a military medical treatment facility and each clinic supported by such facility shall be linked by a digital radiology network through which digital radiology X-rays may be sent electronically from clinics to the military medical treatment facility.

(2) The demonstration project may be conducted at several multispecialty tertiary-care military medical treatment facilities affiliated with a university medical school. One of such facilities shall be supported by at least 5 geographically dispersed remote clinics of the Departments of the Army, Navy, and Air Force, and clinics of the Department of Veterans Affairs and the Coast Guard. Another of such facilities shall be in an underserved rural geographic region served under established telemedicine contracts between the Department of Defense, the Department of Veterans Affairs, and a local university.

(b) DURATION OF PROJECT.—The Secretary shall conduct the project during the 2-year period beginning on the date of the enactment of this Act.

SEC. 733. HEALTH CARE MANAGEMENT DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense shall carry out a demonstration program on health care management to explore opportunities for improving the planning, programming, budgeting systems, and management of the Department of Defense health care system.

(b) TEST MODELS.—Under the demonstration program, the Secretary shall test the use of the following planning and management models:

(1) A health care simulation model for studying alternative delivery policies, processes, organizations, and technologies.

(2) A health care simulation model for studying long term disease management.

(c) DEMONSTRATION SITES.—The Secretary shall test each model separately at one or more sites.

(d) PERIOD FOR PROGRAM.—The demonstration program shall begin not later than 180 days after the date of the enactment of this Act and shall terminate on December 31, 2001.

(e) REPORTS.—The Secretary of Defense shall submit a report on the demonstration program to the Committees on Armed Services of the Senate and the House of Representatives not later than March 15, 2002. The report shall include the Secretary's assessment of the value of incorporating the use of the tested planning and management models throughout the planning, programming, budgeting systems, and management of the Department of Defense health care system.

(f) FUNDING.—Of the amount authorized to be appropriated under section 301(22), $6,000,000 shall be available for the demonstration program under this section.

Subtitle E—Joint Initiatives With Department of Veterans Affairs

SEC. 741. VA-DOD SHARING AGREEMENTS FOR HEALTH SERVICES.

(a) PRIMACY OF SHARING AGREEMENTS.—The Secretary of Defense shall—

(1) give full force and effect to any agreement into which the Secretary or the Secretary of a military department entered under section 8111 of title 38, United States Code, or under section 1535 of title 31, United States Code, which was in effect on September 30, 1999; and

(2) ensure that the Secretary of the military department concerned directly reimburses the Secretary of Veterans Affairs for any services or resources provided under such agreement in accordance with the terms of such agreement, including terms providing for reimbursement from funds available for that military department.

(b) MODIFICATION OR TERMINATION.—Any agreement described in subsection (a) shall remain in effect in accordance with such subsection unless, during the 12-month period following the date of the enactment of this Act, such agreement is modified or terminated in accordance with the terms of such agreement.

SEC. 742. PROCESSES FOR PATIENT SAFETY IN MILITARY AND VETERANS HEALTH CARE SYSTEMS.

(a) ERROR TRACKING PROCESS.—The Secretary of Defense shall implement a centralized process for reporting, compilation, and analysis of errors in the provision of health care under the defense health program that endanger patients beyond the normal risks associated with the care and treatment of such patients. To the extent practicable, that process shall emulate the system established by the Secretary of Veterans Affairs for reporting, compilation, and analysis of errors in the provision of health care under the Department of Veterans Affairs health care system that endanger patients beyond such risks.

(b) SHARING OF INFORMATION.—The Secretary of Defense and the Secretary of Veterans Affairs—

(1) shall share information regarding the designs of systems or protocols established to reduce errors in the provision of health care described in subsection (a); and

(2) shall develop such protocols as the Secretaries consider necessary for the establishment and administration of effective processes for the reporting, compilation, and analysis of such errors.

SEC. 743. COOPERATION IN DEVELOPING PHARMACEUTICAL IDENTIFICATION TECHNOLOGY.

The Secretary of Defense and the Secretary of Veterans Affairs shall cooperate in developing systems for the use of bar codes for the identification of pharmaceuticals in the health care programs of the Department of Defense and the Department of Veterans Affairs. In any case in which a common pharmaceutical is used in such programs, the bar codes for those pharmaceuticals shall, to the maximum extent practicable, be identical.

Subtitle F—Other Matters

SEC. 751. MANAGEMENT OF ANTHRAX VACCINE IMMUNIZATION PROGRAM.

(a) SYSTEM AND PROCEDURES FOR TRACKING SEPARATIONS.—(1) Chapter 59 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1178. System and procedures for tracking separations resulting from refusal to participate in anthrax vaccine immunization program

''(a) REQUIREMENT TO ESTABLISH SYSTEM.—The Secretary of each military department shall establish a system for tracking, recording, and reporting separations of members of the armed forces under the Secretary's jurisdiction that result from procedures initiated as a result of a refusal to participate in the anthrax vaccine immunization program.

''(b) REPORT.—The Secretary of Defense shall consolidate the information recorded under the system described in subsection (a) and shall submit to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1 of each year a report on such information. Each such report shall include a description of—

''(1) the number of members separated, categorized by military department, grade, and active-duty or reserve status; and

''(2) any other information determined appropriate by the Secretary.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1178. System and procedures for tracking separations resulting from refusal to participate in anthrax vaccine immunization program.''.

(b) PROCEDURES FOR EXEMPTIONS; MONITORING ADVERSE REACTIONS.—(1) Chapter 55 of such title is amended by adding at the end the following new section:

"§ 1110. Anthrax vaccine immunization program; procedures for exemptions and monitoring reactions

''(a) PROCEDURES FOR MEDICAL AND ADMINISTRATIVE EXEMPTIONS.—(1) The Secretary of Defense shall establish uniform procedures under which members of the armed forces may be exempted from participating in the anthrax vaccine immunization program for either administrative or medical reasons.

''(2) The Secretaries of the military departments shall provide for notification of all members of the armed forces of the procedures established pursuant to paragraph (1).

''(b) SYSTEM FOR MONITORING ADVERSE REACTIONS.—(1) The Secretary shall establish a system for monitoring adverse reactions of members of the armed forces to the anthrax vaccine. That system shall include the following:

''(A) Independent review of Vaccine Adverse Event Reporting System reports.

''(B) Periodic surveys of personnel to whom the vaccine is administered.

''(C) A continuing longitudinal study of a preidentified group of members of the armed forces

(including men and women and members from all services).

''(D) Active surveillance of a sample of members to whom the anthrax vaccine has been administered that is sufficient to identify, at the earliest opportunity, any patterns of adverse reactions, the discovery of which might be delayed by reliance solely on the Vaccine Adverse Event Reporting System.

''(2) The Secretary may extend or expand any ongoing or planned study or analysis of trends in adverse reactions of members of the armed forces to the anthrax vaccine in order to meet any of the requirements in paragraph (1).

''(3) The Secretary shall establish guidelines under which members of the armed forces who are determined by an independent expert panel to be experiencing unexplained adverse reactions may obtain access to a Department of Defense Center of Excellence treatment facility for expedited treatment and follow up.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1110. Anthrax vaccine immunization program; procedures for exemptions and monitoring reactions.''.

(c) EMERGENCY ESSENTIAL EMPLOYEES.—(1) Chapter 81 of such title is amended by inserting after section 1580 the following new section:

''§ 1580a. Emergency essential employees: notification of required participation in anthrax vaccine immunization program

''The Secretary of Defense shall—

''(1) prescribe regulations for the purpose of ensuring that any civilian employee of the Department of Defense who is determined to be an emergency essential employee and who is required to participate in the anthrax vaccine immunization program is notified of the requirement to participate in the program and the consequences of a decision not to participate; and

''(2) ensure that any individual who is being considered for a position as such an employee is notified of the obligation to participate in the program before being offered employment in such position.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1580 the following new item:

''1580a. Emergency essential employees: notification of required participation in anthrax vaccine immunization program.''.

(d) COMPTROLLER GENERAL REPORT.—(1) Not later than April 1, 2002, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the effect of the Department of Defense anthrax vaccine immunization program on the recruitment and retention of active duty and reserve military personnel and civilian personnel of the Department of Defense. The study shall cover the period beginning on the date of the enactment of this Act and ending on December 31, 2001.

(2) The Comptroller General shall include in the report required by paragraph (1) a description of any personnel actions (including transfer, termination, or reassignment of any personnel) taken as a result of the refusal of any civilian employee of the Department of Defense to participate in the anthrax vaccine immunization program.

(e) DEADLINES FOR ESTABLISHMENT AND IMPLEMENTATION.—The Secretary of Defense shall—

(1) not later than April 1, 2001, establish the uniform procedures for exemption from participation in the anthrax vaccine immunization program of the Department of Defense required under subsection (a) of section 1110 of title 10, United States Code (as added by subsection (b));

(2) not later than July 1, 2001, establish the system for monitoring adverse reactions of members of the Armed Forces to the anthrax vaccine required under subsection (b)(1) of such section;

(3) not later than April 1, 2001, establish the guidelines under which members of the Armed Forces may obtain access to a Department of Defense Center of Excellence treatment facility for expedited treatment and follow up required under subsection (b)(3) of such section; and

(4) not later than July 1, 2001, prescribe the regulations regarding emergency essential employees of the Department of Defense required under subsection (a) of section 1580a of such title (as added by subsection(c)).

SEC. 752. ELIMINATION OF COPAYMENTS FOR IMMEDIATE FAMILY.

(a) NO COPAYMENT FOR IMMEDIATE FAMILY.—Section 1097a of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) NO COPAYMENT FOR IMMEDIATE FAMILY.—No copayment shall be charged a member for care provided under TRICARE Prime to a dependent of a member of the uniformed services described in subparagraph (A), (D), or (I) of section 1072 of this title.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to care provided on or after that date.

SEC. 753. MEDICAL INFORMATICS.

(a) ADDITIONAL MATTERS FOR ANNUAL REPORT ON MEDICAL INFORMATICS ADVISORY COMMITTEE.—Section 723(d)(5) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 697; 10 U.S.C. 1071 note) is amended to read as follows:

''(5) The Secretary of Defense shall submit to Congress an annual report on medical informatics. The report shall include a discussion of the following matters:

''(A) The activities of the Committee.

''(B) The coordination of development, deployment, and maintenance of health care informatics systems within the Federal Government, and between the Federal Government and the private sector.

''(C) The progress or growth occurring in medical informatics.

''(D) How the TRICARE program and the Department of Veterans Affairs health care system can use the advancement of knowledge in medical informatics to raise the standards of health care and treatment and the expectations for improving health care and treatment.''.

(b) LIMITATION ON FISCAL YEAR 2001 FUNDING FOR PHARMACEUTICALS-RELATED MEDICAL INFORMATICS.—Of the funds authorized to be appropriated under section 301(22), any amounts used for pharmaceuticals-related informatics may be used only for the following:

(1) Commencement of the implementation of a new computerized medical record, including an automated entry order system for pharmaceuticals and an infrastructure network that is compliant with the provisions enacted in the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 1936), to make all relevant clinical information on beneficiaries under the Defense Health Program available when needed.

(2) An integrated pharmacy system under the Defense Health Program that creates a single profile for all pharmaceuticals for such beneficiaries prescribed at military medical treatment facilities or private pharmacies that are part of the Department of Defense pharmacy network.

SEC. 754. PATIENT CARE REPORTING AND MANAGEMENT SYSTEM.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a patient care error reporting and management system.

(b) PURPOSES OF SYSTEM.—The purposes of the system are as follows:

(1) To study the occurrences of errors in the patient care provided under chapter 55 of title 10, United States Code.

(2) To identify the systemic factors that are associated with such occurrences.

(3) To provide for action to be taken to correct the identified systemic factors.

(c) REQUIREMENTS FOR SYSTEM.—The patient care error reporting and management system shall include the following:

(1) A hospital-level patient safety center, within the quality assurance department of each health care organization of the Department of Defense, to collect, assess, and report on the nature and frequency of errors related to patient care.

(2) For each health care organization of the Department of Defense and for the entire Defense health program, patient safety standards that are necessary for the development of a full understanding of patient safety issues in each such organization and the entire program, including the nature and types of errors and the systemic causes of the errors.

(3) Establishment of a Department of Defense Patient Safety Center within the Armed Forces Institute of Pathology, which shall have the following missions:

(A) To analyze information on patient care errors that is submitted to the Center by each military health care organization.

(B) To develop action plans for addressing patterns of patient care errors.

(C) To execute those action plans to mitigate and control errors in patient care with a goal of ensuring that the health care organizations of the Department of Defense provide highly reliable patient care with virtually no error.

(D) To provide, through the Assistant Secretary of Defense for Health Affairs, to the Agency for Healthcare Research and Quality of the Department of Health and Human Services any reports that the Assistant Secretary determines appropriate.

(E) To review and integrate processes for reducing errors associated with patient care and for enhancing patient safety.

(F) To contract with a qualified and objective external organization to manage the national patient safety database of the Department of Defense.

(d) MEDTEAMS PROGRAM.—The Secretary shall expand the health care team coordination program to integrate that program into all Department of Defense health care operations. In carrying out this subsection, the Secretary shall take the following actions:

(1) Establish not less than two Centers of Excellence for the development, validation, proliferation, and sustainment of the health care team coordination program, one of which shall support all fixed military health care organizations, the other of which shall support all combat casualty care organizations.

(2) Deploy the program to all fixed and combat casualty care organizations of each of the Armed Forces, at the rate of not less than 10 organizations in each fiscal year.

(3) Expand the scope of the health care team coordination program from a focus on emergency department care to a coverage that includes care in all major medical specialties, at the rate of not less than one specialty in each fiscal year.

(4) Continue research and development investments to improve communication, coordination, and team work in the provision of health care.

(e) CONSULTATION.—The Secretary shall consult with the other administering Secretaries (as defined in section 1072(3) of title 10, United States Code) in carrying out this section.

SEC. 755. AUGMENTATION OF ARMY MEDICAL DEPARTMENT BY DETAILING RESERVE OFFICERS OF THE PUBLIC HEALTH SERVICE.

(a) AUTHORITY.—The Secretary of the Army and the Secretary of Health and Human Services may jointly conduct a program to augment the Army Medical Department by exercising any authorities provided to those officials in law for the detailing of reserve commissioned officers of

the Public Health Service not in an active status to the Army Medical Department for that purpose.

(b) AGREEMENT.—The Secretary of the Army and the Secretary of Health and Human Services shall enter into an agreement governing any program conducted under subsection (a).

(c) ASSESSMENT.—(1) The Secretary of the Army shall review the laws providing the authorities described in subsection (a) and assess the adequacy of those laws for authorizing—

(A) the Secretary of Health and Human Services to detail reserve commissioned officers of the Public Health Service not in an active status to the Army Medical Department to augment that department; and

(B) the Secretary of the Army to accept the detail of such officers for that purpose.

(2) The Secretary shall complete the review and assessment under paragraph (1) not later than 90 days after the date of the enactment of this Act.

(d) REPORT TO CONGRESS.—Not later than March 1, 2001, the Secretary of the Army shall submit a report on the results of the review and assessment under subsection (c) to the Committees on Armed Services of the Senate and the House of Representatives. The report shall include the following:

(1) The findings resulting from the review and assessment.

(2) Any proposal for legislation that the Secretary recommends to strengthen the authority of the Secretary of Health and Human Services and the authority of the Secretary of the Army to take the actions described in subparagraphs (A) and (B), respectively, of subsection (c)(1).

(e) CONSULTATION REQUIREMENT.—The Secretary of the Army shall consult with the Secretary of Health and Human Services in carrying out the review and assessment under subsection (c) and in preparing the report (including making recommendations) under subsection (d).

SEC. 756. PRIVACY OF DEPARTMENT OF DEFENSE MEDICAL RECORDS.

(a) COMPREHENSIVE PLAN.—Not later than April 1, 2001, the Secretary of Defense shall submit to Congress a comprehensive plan to improve privacy protections for medical records maintained by the Department of Defense. Such plan shall be consistent with the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 42 U.S.C. 1320d–2 note).

(b) INTERIM REGULATIONS.—(1) Notwithstanding any other provision of law, the Secretary shall prescribe interim regulations, pending full implementation of the comprehensive plan described in subsection (a), to improve privacy protections for medical records maintained by the Department of Defense.

(2) The regulations prescribed under paragraph (1) shall provide maximum protections for privacy consistent with such actions that the Secretary determines are necessary for purposes of national security, law enforcement, patient treatment, public health reporting, accreditation and licensure review activities, external peer review and other quality assurance program activities, payment for health care services, fraud and abuse prevention, judicial and administrative proceedings, research consistent with regulations on Governmentwide protection of human subjects, Department of Veterans Affairs benefit programs, and any other purposes identified by the Secretary for the responsible management of the military health care system.

SEC. 757. AUTHORITY TO ESTABLISH SPECIAL LOCALITY-BASED REIMBURSEMENT RATES; REPORTS.

(a) IN GENERAL.—Section 1079(h) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) To assure access to care for all covered beneficiaries, the Secretary of Defense, in consultation with the other administering Secretaries, shall designate specific rates for reimbursement for services in certain localities if the Secretary determines that without payment of such rates access to health care services would be severely impaired. Such a determination shall be based on consideration of the number of providers in a locality who provide the services, the number of such providers who are CHAMPUS participating providers, the number of covered beneficiaries under CHAMPUS in the locality, the availability of military providers in the location or a nearby location, and any other factors determined to be relevant by the Secretary.''.

(b) REPORTS.—(1) Not later than March 31, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the General Accounting Office a report on actions taken to carry out section 1079(h)(5) of title 10, United States Code (as added by subsection (a)) and section 1097b of such title.

(2) Not later than May 1, 2001, the Comptroller General shall submit to Congress a report analyzing the utility of—

(A) increased reimbursement authorities with respect to ensuring the availability of network providers and nonnetwork providers under the TRICARE program to covered beneficiaries under chapter 55 of such title; and

(B) requiring a reimbursement limitation of 70 percent of usual and customary rates rather than 115 percent of maximum allowable charges under the Civilian Health and Medical Program of the Uniformed Services.

(3)(A) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the extent to which physicians are choosing not to participate in contracts for the furnishing of health care in rural States under chapter 55 of title 10, United States Code. The report shall include the following:

(i) The number of physicians in rural States who are withdrawing from participation, or otherwise refusing to participate, in the health care contracts.

(ii) The reasons for the withdrawals and refusals.

(iii) The actions that the Secretary of Defense can take to encourage more physicians to participate in the health care contracts.

(iv) Any recommendations for legislation that the Secretary considers necessary to encourage more physicians to participate in the health care contracts.

(B) In this paragraph, the term ''rural State'' means a State that has, on average, as determined by the Bureau of the Census in the latest decennial census—

(i) fewer than 76 residents per square mile; and

(ii) fewer than 211 actively practicing physicians (not counting physicians employed by the United States) per 100,000 residents.

SEC. 758. REIMBURSEMENT FOR CERTAIN TRAVEL EXPENSES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074h (as added by section 706) the following new section:

''§ 1074i. Reimbursement for certain travel expenses

''In any case in which a covered beneficiary is referred by a primary care physician to a specialty care provider who provides services more than 100 miles from the location in which the primary care provider provides services to the covered beneficiary, the Secretary shall provide reimbursement for reasonable travel expenses for the covered beneficiary.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074g the following new item:

''1074i. Reimbursement for certain travel expenses.''.

SEC. 759. REDUCTION OF CAP ON PAYMENTS.

Section 1086(b)(4) of title 10, United States Code, is amended by striking ''$7,500'' and inserting ''$3,000''.

SEC. 760. TRAINING IN HEALTH CARE MANAGEMENT AND ADMINISTRATION.

(a) EXPANSION OF PROGRAM.—Section 715(a) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat 375; 10 U.S.C. 1073 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''Not later than six months after the date of the enactment of this Act, the'' and inserting ''The'';

(2) in paragraph (1)—

(A) by inserting '', deputy commander, and managed care coordinator'' after ''commander''; and

(B) by inserting '', and any other person,'' after ''Defense''; and

(3) by amending subsection (b) to read as follows:

''(b) LIMITATION ON ASSIGNMENT UNTIL COMPLETION OF TRAINING.—No person may be assigned as the commander, deputy commander, or managed care coordinator of a military medical treatment facility or as a TRICARE lead agent or senior member of the staff of a TRICARE lead agent office until the Secretary of the military department concerned submits a certification to the Secretary of Defense that such person has completed the training described in subsection (a).''.

(b) REPORT REQUIREMENT.—(1) Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on progress in meeting the requirements of section 715 of such Act (as amended by subsection (a)) by implementing a professional educational program to provide appropriate training in health care management and administration.

(2) The report required by paragraph (1) shall include the following:

(A) A survey of professional civilian certifications and credentials which demonstrate achievement of the requirements of such section.

(B) A description of the continuing education activities required to obtain initial certification and periodic required recertification.

(C) A description of the prominence of such credentials or certifications among senior civilian health care executives.

(c) APPLICABILITY.—The amendments made by subsection (a) to section 715 of such Act—

(1) shall apply to a deputy commander, a managed care coordinator of a military medical treatment facility, or a lead agent for coordinating the delivery of health care by military and civilian providers under the TRICARE program, who is assigned to such position on or after the date that is one year after the date of the enactment of this Act; and

(2) may apply, in the discretion of the Secretary of Defense, to a deputy commander, a managed care coordinator of such a facility, or a lead agent for coordinating the delivery of such health care, who is assigned to such position before the date that is one year after the date of the enactment of this Act.

SEC. 761. STUDIES ON FEASIBILITY OF SHARING BIOMEDICAL RESEARCH FACILITY.

(a) STUDIES REQUIRED.—(1) The Secretary of the Army shall conduct a study on the feasibility of the Tripler Army Medical Center, Hawaii, sharing a biomedical research facility with the Department of Veterans Affairs and the School of Medicine at the University of Hawaii for the purpose of making more efficient use of funding for biomedical research.

(2) The Secretary of the Air Force shall conduct a study on the feasibility of the Little Rock Medical Facility, Arkansas, sharing a biomedical research facility with the Department of Veterans Affairs and the School of Medicine at the University of Arkansas for the purpose of making more efficient use of funding for biomedical research.

(3) The biomedical research facilities described in paragraphs (1) and (2) would include a clinical research center and facilities for educational, academic, and laboratory research.

(b) REPORTS.—Not later than March 1, 2001—

(1) the Secretary of the Army shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the study conducted under subsection (a)(1); and

(2) the Secretary of the Air Force shall submit to such committees a report on the study conducted under subsection (a)(2).

SEC. 762. STUDY ON COMPARABILITY OF COVERAGE FOR PHYSICAL, SPEECH, AND OCCUPATIONAL THERAPIES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study comparing coverage and reimbursement for covered beneficiaries under chapter 55 of title 10, United States Code, for physical, speech, and occupational therapies under the TRICARE program and the Civilian Health and Medical Program of the Uniformed Services to coverage and reimbursement for such therapies by insurers under Medicare and the Federal Employees Health Benefits Program. The study shall examine the following:

(1) Types of services covered.

(2) Whether prior authorization is required to receive such services.

(3) Reimbursement limits for services covered.

(4) Whether services are covered on both an inpatient and outpatient basis.

(b) REPORT.—Not later than March 31, 2001, the Secretary shall submit a report on the findings of the study conducted under this section to the Committees on Armed Services of the Senate and the House of Representatives.

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

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 801. Department of Defense acquisition pilot programs.
Sec. 802. Multiyear services contracts.
Sec. 803. Clarification and extension of authority to carry out certain prototype projects.
Sec. 804. Clarification of authority of Comptroller General to review records of participants in certain prototype projects.
Sec. 805. Extension of time period of limitation on procurement of ball bearings and roller bearings.
Sec. 806. Reporting requirements relating to multiyear contracts.
Sec. 807. Eligibility of small business concerns owned and controlled by women for assistance under the mentor-protege program.
Sec. 808. Qualifications required for employment and assignment in contracting positions.
Sec. 809. Revision of authority for solutions-based contracting pilot program.
Sec. 810. Procurement notice of contracting opportunities through electronic means.

Subtitle B—Information Technology

Sec. 811. Acquisition and management of information technology.
Sec. 812. Tracking and management of information technology purchases.
Sec. 813. Appropriate use of requirements regarding experience and education of contractor personnel in the procurement of information technology services.
Sec. 814. Navy-Marine Corps Intranet.
Sec. 815. Sense of Congress regarding information technology systems for Guard and Reserve components.

Subtitle C—Other Acquisition-Related Matters

Sec. 821. Improvements in procurements of services.
Sec. 822. Financial analysis of use of dual rates for quantifying overhead costs at Army ammunition plants.
Sec. 823. Repeal of prohibition on use of Department of Defense funds for procurement of nuclear-capable shipyard crane from a foreign source.
Sec. 824. Extension of waiver period for live-fire survivability testing for MH–47E and MH–60K helicopter modification programs.
Sec. 825. Compliance with existing law regarding purchases of equipment and products.
Sec. 826. Requirement to disregard certain agreements in awarding contracts for the purchase of firearms or ammunition.

Subtitle D—Studies and Reports

Sec. 831. Study on impact of foreign sourcing of systems on long-term military readiness and related industrial infrastructure.
Sec. 832. Study of policies and procedures for transfer of commercial activities.
Sec. 833. Study and report on practice of contract bundling in military construction contracts.
Sec. 834. Requirement to conduct study on contract bundling.

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 801. DEPARTMENT OF DEFENSE ACQUISITION PILOT PROGRAMS.

(a) EXTENSION OF AUTHORITY.—Section 5064(d)(2) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355; 108 Stat. 3361; 10 U.S.C. 2430 note) is amended by striking ''45 days after the date of the enactment of this Act and ends on September 30, 1998'' and inserting ''on October 13, 1994, and ends on October 1, 2007''.

(b) EXPANSION OF JDAM PROGRAM.—Section 5064(a)(2) of such Act is amended by striking ''1000-pound and 2000-pound bombs'' and inserting ''500-pound, 1000-pound, and 2000-pound bombs''.

(c) REPORT REQUIRED.—(1) Not later than January 1, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the acquisition pilot programs of the Department of Defense. The report shall describe, for each acquisition program identified in section 5064(a) of the Federal Acquisition Streamlining Act of 1994, the following:

(A) Each quantitative measure and goal established for each item described in paragraph (2), which of such goals have been achieved, and the extent to which the use of the authorities in section 809 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2430 note) and section 5064 of the Federal Acquisition Streamlining Act of 1994 was a factor in achieving each of such goals.

(B) Recommended revisions to statutes or the Federal Acquisition Regulation as a result of participation in the pilot program.

(C) Any innovative business practices developed as a result of participation in the pilot program, whether such business practices could be applied to other acquisition programs, and any impediments to application of such practices to other programs.

(D) Technological changes to the program, and to what extent those changes affected the items in paragraph (2).

(E) Any other information determined appropriate by the Secretary.

(2) The items under this paragraph are, with respect to defense acquisition programs, the following:

(A) The acquisition management costs.

(B) The unit cost of the items procured.

(C) The acquisition cycle.

(D) The total cost of carrying out the contract.

(E) Staffing necessary to carry out the program.

SEC. 802. MULTIYEAR SERVICES CONTRACTS.

(a) IN GENERAL.—(1) Chapter 137 of title 10, United States Code, is amended by inserting after section 2306b the following:

''§ 2306c. Multiyear contracts: acquisition of services

''(a) AUTHORITY.—Subject to subsections (d) and (e), the head of an agency may enter into contracts for periods of not more than five years for services described in subsection (b), and for items of supply related to such services, for which funds would otherwise be available for obligation only within the fiscal year for which appropriated whenever the head of the agency finds that—

''(1) there will be a continuing requirement for the services consonant with current plans for the proposed contract period;

''(2) the furnishing of such services will require a substantial initial investment in plant or equipment, or the incurrence of substantial contingent liabilities for the assembly, training, or transportation of a specialized work force; and

''(3) the use of such a contract will promote the best interests of the United States by encouraging effective competition and promoting economies in operation.

''(b) COVERED SERVICES.—The authority under subsection (a) applies to the following types of services:

''(1) Operation, maintenance, and support of facilities and installations.

''(2) Maintenance or modification of aircraft, ships, vehicles, and other highly complex military equipment.

''(3) Specialized training necessitating high quality instructor skills (for example, pilot and air crew members; foreign language training).

''(4) Base services (for example, ground maintenance; in-plane refueling; bus transportation; refuse collection and disposal).

''(c) APPLICABLE PRINCIPLES.—In entering into multiyear contracts for services under the authority of this section, the head of the agency shall be guided by the following principles:

''(1) The portion of the cost of any plant or equipment amortized as a cost of contract performance should not exceed the ratio between the period of contract performance and the anticipated useful commercial life of such plant or equipment. Useful commercial life, for this purpose, means the commercial utility of the facilities rather than the physical life thereof, with due consideration given to such factors as location of facilities, specialized nature thereof, and obsolescence.

''(2) Consideration shall be given to the desirability of obtaining an option to renew the contract for a reasonable period not to exceed three years, at prices not to include charges for plant, equipment and other nonrecurring costs, already amortized.

''(3) Consideration shall be given to the desirability of reserving in the agency the right, upon payment of the unamortized portion of the cost of the plant or equipment, to take title thereto under appropriate circumstances.

''(d) RESTRICTIONS APPLICABLE GENERALLY.—(1) The head of an agency may not initiate under this section a contract for services that includes an unfunded contingent liability in excess of $20,000,000 unless the committees of Congress named in paragraph (5) are notified of the proposed contract at least 30 days in advance of the award of the proposed contract.

''(2) The head of an agency may not initiate a multiyear contract for services under this section if the value of the multiyear contract would exceed $500,000,000 unless authority for the contract is specifically provided by law.

''(3) The head of an agency may not terminate a multiyear procurement contract for services until 10 days after the date on which notice of

the proposed termination is provided to the committees of Congress named in paragraph (5).

''(4) Before any contract described in subsection (a) that contains a clause setting forth a cancellation ceiling in excess of $100,000,000 may be awarded, the head of the agency concerned shall give written notification of the proposed contract and of the proposed cancellation ceiling for that contract to the committees of Congress named in paragraph (5), and such contract may not then be awarded until the end of a period of 30 days beginning on the date of such notification.

''(5) The committees of Congress referred to in paragraphs (1), (3), and (4) are as follows:

''(A) The Committee on Armed Services and the Committee on Appropriations of the Senate.

''(B) The Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(e) CANCELLATION OR TERMINATION FOR INSUFFICIENT FUNDING AFTER FIRST YEAR.—In the event that funds are not made available for the continuation of a multiyear contract for services into a subsequent fiscal year, the contract shall be canceled or terminated, and the costs of cancellation or termination may be paid from—

''(1) appropriations originally available for the performance of the contract concerned;

''(2) appropriations currently available for procurement of the type of services concerned, and not otherwise obligated; or

''(3) funds appropriated for those payments.

''(f) MULTIYEAR CONTRACT DEFINED.—For the purposes of this section, a multiyear contract is a contract for the purchase of services for more than one, but not more than five, program years. Such a contract may provide that performance under the contract during the second and subsequent years of the contract is contingent upon the appropriation of funds and (if it does so provide) may provide for a cancellation payment to be made to the contractor if such appropriations are not made.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2306b the following:

''2306c. Multiyear contracts: acquisition of services.''.

(b) REFERENCE TO RELOCATED AUTHORITY.—Subsection (g) of section 2306 of such title is amended to read as follows:

''(g) Multiyear contracting authority for the acquisition of services is provided in section 2306c of this title.''.

(c) CONFORMING AMENDMENT.—Section 2306b(k) of title 10, United States Code, is amended by striking ''or services''.

(d) APPLICABILITY.—Section 2306c of title 10, United States Code (as added by subsection (a)), shall apply with respect to contracts for which solicitations of offers are issued after the date of the enactment of this Act.

SEC. 803. CLARIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) AMENDMENTS TO AUTHORITY.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

''(d) APPROPRIATE USE OF AUTHORITY.—(1) The Secretary of Defense shall ensure that no official of an agency enters into a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section unless—

''(A) there is at least one nontraditional defense contractor participating to a significant extent in the prototype project; or

''(B) no nontraditional defense contractor is participating to a significant extent in the prototype project, but at least one of the following circumstances exists:

''(i) At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government.

''(ii) The senior procurement executive for the agency (as designated for the purposes of section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)) determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract.

''(2)(A) Except as provided in subparagraph (B), the amounts counted for the purposes of this subsection as being provided, or to be provided, by a party to a transaction with respect to a prototype project that is entered into under this section other than the Federal Government do not include costs that were incurred before the date on which the transaction becomes effective.

''(B) Costs that were incurred for a prototype project by a party after the beginning of negotiations resulting in a transaction (other than a contract, grant, or cooperative agreement) with respect to the project before the date on which the transaction becomes effective may be counted for purposes of this subsection as being provided, or to be provided, by the party to the transaction if and to the extent that the official responsible for entering into the transaction determines in writing that—

''(i) the party incurred the costs in anticipation of entering into the transaction; and

''(ii) it was appropriate for the party to incur the costs before the transaction became effective in order to ensure the successful implementation of the transaction.

''(e) NONTRADITIONAL DEFENSE CONTRACTOR DEFINED.—In this section, the term 'nontraditional defense contractor' means an entity that has not, for a period of at least one year prior to the date that a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section is entered into, entered into or performed with respect to—

''(1) any contract that is subject to full coverage under the cost accounting standards prescribed pursuant to section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422) and the regulations implementing such section; or

''(2) any other contract in excess of $500,000 to carry out prototype projects or to perform basic, applied, or advanced research projects for a Federal agency, that is subject to the Federal Acquisition Regulation.''.

(b) EXTENSION OF AUTHORITY.—Subsection (f) of such section, as redesignated by subsection (a)(1), is amended by striking ''September 30, 2001'' and inserting ''September 30, 2004''.

SEC. 804. CLARIFICATION OF AUTHORITY OF COMPTROLLER GENERAL TO REVIEW RECORDS OF PARTICIPANTS IN CERTAIN PROTOTYPE PROJECTS.

(a) COMPTROLLER GENERAL REVIEW.—Section 845(c) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

''(3)(A) The right provided to the Comptroller General in a clause of an agreement under paragraph (1) is limited as provided in subparagraph (B) in the case of a party to the agreement, an entity that participates in the performance of the agreement, or a subordinate element of that party or entity if the only agreements or other transactions that the party, entity, or subordinate element entered into with Government entities in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of title 10, United States Code.

''(B) The only records of a party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine in the exercise of the right referred to in that subparagraph are records of the same type as the records that the Government has had the right to examine under the audit access clauses of the previous agreements or transactions referred to in such subparagraph that were entered into by that particular party, entity, or subordinate element.''.

SEC. 805. EXTENSION OF TIME PERIOD OF LIMITATION ON PROCUREMENT OF BALL BEARINGS AND ROLLER BEARINGS.

Section 2534(c)(3) of title 10, United States Code, is amended by striking ''October 1, 2000'' and inserting ''October 1, 2005''.

SEC. 806. REPORTING REQUIREMENTS RELATING TO MULTIYEAR CONTRACTS.

Section 2306b(l) of title 10, United States Code, is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking ''The head of an agency'' and all that follows through ''following information'' and inserting ''Not later than the date of the submission of the President's budget request under section 1105 of title 31, the Secretary of Defense shall submit a report to the congressional defense committees each year, providing the following information with respect to each multiyear contract (and each extension of an existing multiyear contract) entered into, or planned to be entered into, by the head of an agency during the current or preceding year''; and

(B) in subparagraph (B), by striking ''in effect immediately before the contract (or contract extension) is entered into'' and inserting ''in effect at the time the report is submitted'';

(2) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively; and

(3) by inserting after paragraph (4) the following new paragraph (5):

''(5) The head of an agency may not enter into a multiyear contract (or extend an existing multiyear contract), the value of which would exceed $500,000,000 (when entered into or when extended, as the case may be), until the Secretary of Defense submits to the congressional defense committees a report containing the information described in paragraph (4) with respect to the contract (or contract extension).''.

SEC. 807. ELIGIBILITY OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN FOR ASSISTANCE UNDER THE MENTOR-PROTEGE PROGRAM.

Section 831(m)(2) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended—

(1) by striking ''or'' at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(3) by adding at the end the following:

''(E) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D)).''.

SEC. 808. QUALIFICATIONS REQUIRED FOR EMPLOYMENT AND ASSIGNMENT IN CONTRACTING POSITIONS.

(a) APPLICABILITY OF REQUIREMENTS TO MEMBERS OF THE ARMED FORCES.—Section 1724 of title 10, United States Code, is amended in the first sentence of subsection (d)—

(1) by striking ''employee of'' and inserting ''employee or member of''; and

(2) by striking ''employee possesses'' and inserting ''employee or member possesses''.

(b) MANDATORY ACADEMIC QUALIFICATIONS.—(1) Subsection (a)(3) of such section is amended—

(A) by inserting ''and'' before ''(B)''; and

(B) by striking '', or (C)'' and all that follows through ''listed in subparagraph (B)''.

(2) Subsection (b) of such section is amended to read as follows:

''(b) GS–1102 SERIES POSITIONS AND SIMILAR MILITARY POSITIONS.—The Secretary of Defense

shall require that a person meet the requirements set forth in paragraph (3) of subsection (a), but not the other requirements set forth in that subsection, in order to qualify to serve in a position in the Department of Defense in—

''(1) the GS–1102 occupational series; or

''(2) a similar occupational specialty if the position is to be filled by a member of the armed forces.''.

(c) EXCEPTION.—Subsection (c) of such section is amended to read as follows:

''(c) EXCEPTION.—The requirements imposed under subsection (a) or (b) shall not apply to a person for the purpose of qualifying to serve in a position in which the person is serving on September 30, 2000.''.

(d) DELETION OF UNNECESSARY CROSS REFERENCES.—Subsection (a) of such section is amended by striking ''(except as provided in subsections (c) and (d))'' in the matter preceding paragraph (1).

(e) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect on October 1, 2000, and shall apply to appointments and assignments to contracting positions made on or after that date.

SEC. 809. REVISION OF AUTHORITY FOR SOLUTIONS-BASED CONTRACTING PILOT PROGRAM.

(a) PILOT PROJECTS UNDER THE PROGRAM.—Section 5312 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1492) is amended—

(1) in subsection (a), by striking ''subsection (d)(2)'' and inserting ''subsection (d)''; and

(2) by striking subsection (d) and inserting the following:

''(d) PILOT PROGRAM PROJECTS.—The Administrator shall authorize to be carried out under the pilot program—

''(1) not more than 10 projects, each of which has an estimated cost of at least $25,000,000 and not more than $100,000,000; and

''(2) not more than 10 projects for small business concerns, each of which has an estimated cost of at least $1,000,000 and not more than $5,000,000.''.

(b) ELIMINATION OF REQUIREMENT FOR FEDERAL FUNDING OF PROGRAM DEFINITION PHASE.—Subsection (c)(9)(B) of such section is amended by striking ''program definition phase (funded, in the case of the source ultimately awarded the contract, by the Federal Government)—'' and inserting ''program definition phase—''.

SEC. 810. PROCUREMENT NOTICE OF CONTRACTING OPPORTUNITIES THROUGH ELECTRONIC MEANS.

(a) PUBLICATION BY ELECTRONIC MEANS.—Subsection (a) of section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published—

''(i) by electronic means that meets the requirements for accessibility under paragraph (7); or

''(ii) by the Secretary of Commerce in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) by adding at the end the following:

''(7) A publication of a notice of solicitation by electronic means meets the requirements for accessibility under this paragraph if the notice is electronically accessible in a form that allows convenient and universal user access through the single Government-wide point of entry designated in the Federal Acquisition Regulation.''.

(b) WAITING PERIOD FOR ISSUANCE OF SOLICITATION.—Paragraph (3) of such subsection is amended—

(1) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(2) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(c) CONFORMING AMENDMENTS TO SMALL BUSINESS ACT.—Subsection (e) of section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published—

''(i) by electronic means that meet the accessibility requirements under section 18(a)(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(7)); or

''(ii) by the Secretary of Commerce in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(B) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(d) PERIODIC REPORTS ON IMPLEMENTATION OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.—Section 30(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 426(e)) is amended—

(1) in the first sentence, by striking ''Not later than March 1, 1998, and every year afterward through 2003'' and inserting ''Not later than March 1 of each even-numbered year through 2004''; and

(2) in paragraph (4)—

(A) by striking ''Beginning with the report submitted on March 1, 1999, an'' and inserting ''An''; and

(B) by striking ''calendar year'' and inserting ''two fiscal years''.

(e) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall take effect on October 1, 2000. The amendments made by subsections (a), (b), and (c) shall apply with respect to solicitations issued on or after that date.

Subtitle B—Information Technology

SEC. 811. ACQUISITION AND MANAGEMENT OF INFORMATION TECHNOLOGY.

(a) RESPONSIBILITY OF DOD CHIEF INFORMATION OFFICER RELATING TO MISSION CRITICAL AND MISSION ESSENTIAL INFORMATION TECHNOLOGY SYSTEMS.—Section 2223(a) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) maintain a consolidated inventory of Department of Defense mission critical and mission essential information systems, identify interfaces between those systems and other information systems, and develop and maintain contingency plans for responding to a disruption in the operation of any of those information systems.''.

(b) MINIMUM PLANNING REQUIREMENTS FOR THE ACQUISITION OF INFORMATION TECHNOLOGY SYSTEMS.—(1) Not later than 60 days after the date of the enactment of this Act, Department of Defense Directive 5000.1 shall be revised to establish minimum planning requirements for the acquisition of information technology systems.

(2) The revised directive required by (1) shall—

(A) include definitions of the terms ''mission critical information system'' and ''mission essential information system'';

(B) prohibit the award of any contract for the acquisition of a mission critical or mission essential information technology system until—

(i) the system has been registered with the Chief Information Officer of the Department of Defense;

(ii) the Chief Information Officer has received all information on the system that is required under the directive to be provided to that official; and

(iii) the Chief Information Officer has determined that there is in place for the system an appropriate information assurance strategy; and

(C) require that, in the case of each system registered pursuant to subparagraph (B)(i), the information required under subparagraph (B)(ii) to be submitted as part of the registration shall be updated on not less than a quarterly basis.

(c) MILESTONE APPROVAL FOR MAJOR AUTOMATED INFORMATION SYSTEMS.—The revised directive required by subsection (b) shall prohibit Milestone I approval, Milestone II approval, or Milestone III approval (or the equivalent) of a major automated information system within the Department of Defense until the Chief Information Officer has determined that—

(1) the system is being developed in accordance with the requirements of division E of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.);

(2) appropriate actions have been taken with respect to the system in the areas of business process reengineering, analysis of alternatives, economic analysis, and performance measures; and

(3) the system has been registered as described in subsection (b)(2)(B).

(d) NOTICE OF REDESIGNATION OF SYSTEMS.—(1) Whenever during fiscal year 2001, 2002, or 2003 the Chief Information Officer designates a system previously designated as a major automated information system to be in a designation category other than a major automated information system, the Chief Information Officer shall notify the congressional defense committees of that designation. The notice shall be provided not later than 30 days after the date of that designation. Any such notice shall include the rationale for the decision to make the designation and a description of the program management oversight that will be implemented for the system so designated.

(2) Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer shall submit to the congressional defense committees a report specifying each information system of the Department of Defense previously designated as a major automated information system that is currently designated in a designation category other than a major automated information system including designation as a ''special interest major technology initiative''. The report shall include for each such system the information specified in the third sentence of paragraph (1).

(e) ANNUAL IMPLEMENTATION REPORT.—(1) The Secretary of Defense shall submit to the congressional defense committees, not later than April 1 of each of fiscal years 2001, 2002, and 2003, a report on the implementation of the requirements of this section during the preceding fiscal year.

(2) The report for a fiscal year under paragraph (1) shall include, at a minimum, for each major automated information system that was approved during such preceding fiscal year under Department of Defense Directive 5000.1 (as revised pursuant to subsection (b)), the following:

(A) The funding baseline.

(B) The milestone schedule.

(C) The actions that have been taken to ensure compliance with the requirements of this section and the directive.

(3) The first report shall include, in addition to the information required by paragraph (2), an explanation of the manner in which the responsible officials within the Department of Defense

have addressed, or intend to address, the following acquisition issues for each major automated information system planned to be acquired after that fiscal year:

(A) Requirements definition.

(B) Presentation of a business case analysis, including an analysis of alternatives and a calculation of return on investment.

(C) Performance measurement.

(D) Test and evaluation.

(E) Interoperability.

(F) Cost, schedule, and performance baselines.

(G) Information assurance.

(H) Incremental fielding and implementation.

(I) Risk mitigation.

(J) The role of integrated product teams.

(K) Issues arising from implementation of the Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance Plan required by Department of Defense Directive 5000.1 and Chairman of the Joint Chiefs of Staff Instruction 3170.01.

(L) Oversight, including the Chief Information Officer's oversight of decision reviews.

(f) DEFINITIONS.—In this section:

(1) The term ''Chief Information Officer'' means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

(2) The term ''information technology system'' has the meaning given the term ''information technology'' in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

(3) The term ''major automated information system'' has the meaning given that term in Department of Defense Directive 5000.1.

SEC. 812. TRACKING AND MANAGEMENT OF INFORMATION TECHNOLOGY PURCHASES.

(a) IN GENERAL.—(1) Chapter 131 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2225. Information technology purchases: tracking and management

''(a) COLLECTION OF DATA REQUIRED.—To improve tracking and management of information technology products and services by the Department of Defense, the Secretary of Defense shall provide for the collection of the data described in subsection (b) for each purchase of such products or services made by a military department or Defense Agency in excess of the simplified acquisition threshold, regardless of whether such a purchase is made in the form of a contract, task order, delivery order, military interdepartmental purchase request, or any other form of interagency agreement.

''(b) DATA TO BE COLLECTED.—The data required to be collected under subsection (a) includes the following:

''(1) The products or services purchased.

''(2) Whether the products or services are categorized as commercially available off-the-shelf items, other commercial items, nondevelopmental items other than commercial items, other noncommercial items, or services.

''(3) The total dollar amount of the purchase.

''(4) The form of contracting action used to make the purchase.

''(5) In the case of a purchase made through an agency other than the Department of Defense—

''(A) the agency through which the purchase is made; and

''(B) the reasons for making the purchase through that agency.

''(6) The type of pricing used to make the purchase (whether fixed price or another type of pricing).

''(7) The extent of competition provided in making the purchase.

''(8) A statement regarding whether the purchase was made from—

''(A) a small business concern;

''(B) a small business concern owned and controlled by socially and economically disadvantaged individuals; or

''(C) a small business concern owned and controlled by women.

''(9) A statement regarding whether the purchase was made in compliance with the planning requirements under sections 5122 and 5123 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422, 1423).

''(c) RESPONSIBILITY TO ENSURE FAIRNESS OF CERTAIN PRICES.—The head of each contracting activity in the Department of Defense shall have responsibility for ensuring the fairness and reasonableness of unit prices paid by the contracting activity for information technology products and services that are frequently purchased commercially available off-the-shelf items.

''(d) LIMITATION ON CERTAIN PURCHASES.—No purchase of information technology products or services in excess of the simplified acquisition threshold shall be made for the Department of Defense from a Federal agency outside the Department of Defense unless—

''(1) the purchase data is collected in accordance with subsection (a); or

''(2)(A) in the case of a purchase by a Defense Agency, the purchase is approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics; or

''(B) in the case of a purchase by a military department, the purchase is approved by the senior procurement executive of the military department.

''(e) ANNUAL REPORT.—Not later than March 15 of each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a summary of the data collected in accordance with subsection (a).

''(f) DEFINITIONS.—In this section:

''(1) The term 'senior procurement executive', with respect to a military department, means the official designated as the senior procurement executive for the military department for the purposes of section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)).

''(2) The term 'simplified acquisition threshold' has the meaning given the term in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).

''(3) The term 'small business concern' means a business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

''(4) The term 'small business concern owned and controlled by socially and economically disadvantaged individuals' has the meaning given that term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

''(5) The term 'small business concern owned and controlled by women' has the meaning given that term in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D)).''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2225. Information technology purchases: tracking and management.''.

(b) TIME FOR IMPLEMENTATION; APPLICABILITY.—(1) The Secretary of Defense shall collect data as required under section 2225 of title 10, United States Code (as added by subsection (a)) for all contractual actions covered by such section entered into on or after the date that is one year after the date of the enactment of this Act.

(2) Subsection (d) of such section shall apply with respect to purchases described in that subsection for which solicitations of offers are issued on or after the date that is one year after the date of the enactment of this Act.

(c) GAO REPORT.—Not later than 15 months after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the collection of data under such section 2225. The report shall include the Comptroller General's assessment of the extent to which the collection of data meets the requirements of that section.

SEC. 813. APPROPRIATE USE OF REQUIREMENTS REGARDING EXPERIENCE AND EDUCATION OF CONTRACTOR PERSONNEL IN THE PROCUREMENT OF INFORMATION TECHNOLOGY SERVICES.

(a) AMENDMENT OF THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421) shall be amended to address the use, in the procurement of information technology services, of requirements regarding the experience and education of contractor personnel.

(b) CONTENT OF AMENDMENT.—The amendment issued pursuant to subsection (a) shall, at a minimum, provide that solicitations for the procurement of information technology services shall not set forth any minimum experience or educational requirement for proposed contractor personnel in order for a bidder to be eligible for award of a contract unless—

(1) the contracting officer first determines that the needs of the executive agency cannot be met without any such requirement; or

(2) the needs of the executive agency require the use of a type of contract other than a performance-based contract.

(c) GAO REPORT.—Not later than one year after the date on which the regulations required by subsection (a) are published in the Federal Register, the Comptroller General shall submit to Congress an evaluation of—

(1) executive agency compliance with the regulations; and

(2) conformance of the regulations with existing law, together with any recommendations that the Comptroller General considers appropriate.

(d) DEFINITIONS.—In this section:

(1) The term ''executive agency'' has the meaning given that term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

(2) The term ''information technology'' has the meaning given that term in section 5002(3) of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401(3)).

(3) The term ''performance-based'', with respect to a contract, means that the contract includes the use of performance work statements that set forth contract requirements in clear, specific, and objective terms with measurable outcomes.

SEC. 814. NAVY-MARINE CORPS INTRANET.

(a) LIMITATION.—None of the funds authorized to be appropriated for the Department of the Navy may be obligated or expended to carry out a Navy-Marine Corps Intranet contract before—

(1) the Comptroller of the Department of Defense and the Director of the Office of Management and Budget—

(A) have reviewed—

(i) the Report to Congress on the Navy-Marine Corps Intranet submitted by the Department of the Navy on June 30, 2000; and

(ii) the Business Case Analysis Supplement for the Report to Congress on the Navy-Marine Corps Intranet submitted by the Department of the Navy on July 15, 2000; and

(B) have provided their written comments to the Secretary of the Navy and the Chief of Naval Operations; and

(2) the Secretary of the Navy and the Chief of Naval Operations have submitted to Congress a joint certification that they have reviewed the business case for the contract and the comments provided by the Comptroller of the Department of Defense and the Director of the Office of Management and Budget and that they have determined that the implementation of the contract is in the best interest of the Department of the Navy.

(b) PHASED IMPLEMENTATION—(1) Upon the submission of the certification under subsection

(a)(2), the Secretary of the Navy may commence a phased implementation of a Navy-Marine Corps Intranet contract.

(2) Not more than 15 percent of the total number of work stations to be provided under the Navy-Marine Corps Intranet program may be provided in the first increment of implementation of the Navy-Marine Corps Intranet contract.

(3) No work stations in excess of the number permitted by paragraph (2) may be provided under the program until—

(A) the Secretary of the Navy has conducted operational testing and cost review of the increment covered by that paragraph;

(B) the Chief Information Officer of the Department of Defense has certified to the Secretary of the Navy that the results of the operational testing of the Intranet are acceptable;

(C) the Comptroller of the Department of Defense has certified to the Secretary of the Navy that the cost review provides a reliable basis for forecasting the cost impact of continued implementation; and

(D) the Secretary of the Navy and the Chief of Naval Operations have submitted to Congress a joint certification that they have reviewed the certifications submitted under subparagraphs (B) and (C) and have determined that the continued implementation of the contract is in the best interest of the Department of the Navy.

(4) No increment of the Navy-Marine Corps Intranet that is implemented during fiscal year 2001 may include any activities of the Marine Corps, the naval shipyards, or the naval aviation depots. Funds available for fiscal year 2001 for activities of the Marine Corps, the naval shipyards, or the naval aviation depots may not be expended for any contract for the Navy-Marine Corps Intranet.

(c) PROHIBITION ON INCREASE OF RATES CHARGED.—The Secretary of the Navy shall ensure that rates charged by a working capital funded industrial facility of the Department of the Navy for goods or services provided by such facility are not increased during fiscal year 2001 for the purpose of funding the Navy-Marine Corps Intranet contract.

(d) APPLICABILITY OF STATUTORY AND REGULATORY REQUIREMENTS.—The acquisition of a Navy-Marine Corps Intranet shall be managed by the Department of the Navy in accordance with the requirements of—

(1) the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106), including the requirement for utilizing modular contracting in accordance with section 38 of the Office of Federal Procurement Policy Act (41 U.S.C. 434); and

(2) Department of Defense Directives 5000.1 and 5000.2–R and all other directives, regulations, and management controls that are applicable to major investments in information technology and related services.

(e) IMPACT ON FEDERAL EMPLOYEES.—The Secretary shall mitigate any adverse impact of the implementation of the Navy-Marine Corps Intranet on civilian employees of the Department of the Navy who, as of the date of the enactment of this Act, are performing functions that are included in the scope of the Navy-Marine Corps Intranet program by—

(1) developing a comprehensive plan for the transition of such employees to the performance of other functions within the Department of the Navy;

(2) taking full advantage of transition authorities available for the benefit of employees;

(3) encouraging the retraining of employees who express a desire to qualify for reassignment to the performance of other functions within the Department of the Navy; and

(4) including a provision in the Navy-Marine Corps Intranet contract that requires the contractor to provide a preference for hiring employees of the Department of the Navy who, as of the date of the enactment of this Act, are performing functions that are included in the scope of the contract.

(f) NAVY-MARINE CORPS INTRANET CONTRACT DEFINED.—In this section, the term ''Navy-Marine Corps Intranet contract'' means a contract providing for a long-term arrangement of the Department of the Navy with the commercial sector that imposes on the contractor a responsibility for, and transfers to the contractor the risk of, providing and managing the significant majority of desktop, server, infrastructure, and communication assets and services of the Department of the Navy.

SEC. 815. SENSE OF CONGRESS REGARDING INFORMATION TECHNOLOGY SYSTEMS FOR GUARD AND RESERVE COMPONENTS.

It is the sense of Congress—

(1) that the Secretary of Defense should take appropriate steps to provide for upgrading information technology systems of the reserve components to ensure that those systems are capable, as required for mission purposes, of communicating with other relevant information technology systems of the military department concerned and of the Department of Defense in general; and

(2) that the Secretary of each military department should ensure that communications systems for the reserve components under the Secretary's jurisdiction receive appropriate funding for information technology systems in order to achieve the capability referred to in paragraph (1).

Subtitle C—Other Acquisition-Related Matters

SEC. 821. IMPROVEMENTS IN PROCUREMENTS OF SERVICES.

(a) PREFERENCE FOR PERFORMANCE-BASED SERVICE CONTRACTING.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421) shall be revised to establish a preference for use of contracts and task orders for the purchase of services in the following order of precedence:

(1) A performance-based contract or performance-based task order that contains firm fixed prices for the specific tasks to be performed.

(2) Any other performance-based contract or performance-based task order.

(3) Any contract or task order that is not a performance-based contract or a performance-based task order.

(b) INCENTIVE FOR USE OF PERFORMANCE-BASED SERVICE CONTRACTS.—(1) A Department of Defense performance-based service contract or performance-based task order may be treated as a contract for the procurement of commercial items if—

(A) the contract or task order is valued at $5,000,000 or less;

(B) the contract or task order sets forth specifically each task to be performed and, for each task—

(i) defines the task in measurable, mission-related terms;

(ii) identifies the specific end products or output to be achieved; and

(iii) contains a firm fixed price; and

(C) the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government.

(2) The special simplified procedures provided in the Federal Acquisition Regulation pursuant to section 2304(g)(1)(B) of title 10, United States Code, shall not apply to a performance-based service contract or performance-based task order that is treated as a contract for the procurement of commercial items under paragraph (1).

(3) Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report on the implementation of this subsection to the congressional defense committees.

(4) The authority under this subsection shall not apply to contracts entered into or task orders issued more than 3 years after the date of the enactment of this Act.

(c) CENTERS OF EXCELLENCE IN SERVICE CONTRACTING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall establish at least one center of excellence in contracting for services. Each center of excellence shall assist the acquisition community by identifying, and serving as a clearinghouse for, best practices in contracting for services in the public and private sectors.

(d) ENHANCED TRAINING IN SERVICE CONTRACTING.—(1) The Secretary of Defense shall ensure that classes focusing specifically on contracting for services are offered by the Defense Acquisition University and the Defense Systems Management College and are otherwise available to contracting personnel throughout the Department of Defense.

(2) The Secretary of each military department and the head of each Defense Agency shall ensure that the personnel of the department or agency, as the case may be, who are responsible for the awarding and management of contracts for services receive appropriate training that is focused specifically on contracting for services.

(e) DEFINITIONS.—In this section:

(1) The term ''performance-based'', with respect to a contract, a task order, or contracting, means that the contract, task order, or contracting, respectively, includes the use of performance work statements that set forth contract requirements in clear, specific, and objective terms with measurable outcomes.

(2) The term ''commercial item'' has the meaning given the term in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

(3) The term ''Defense Agency'' has the meaning given the term in section 101(a)(11) of title 10, United States Code.

SEC. 822. FINANCIAL ANALYSIS OF USE OF DUAL RATES FOR QUANTIFYING OVERHEAD COSTS AT ARMY AMMUNITION PLANTS.

(a) REQUIREMENT FOR ANALYSIS.—The Secretary of the Army shall carry out a financial analysis of the costs that would be incurred and the benefits that would be derived from the implementation of a policy of using—

(1) one set of rates for quantifying the overhead costs associated with Government-owned ammunition plants of the Department of the Army when allocating those costs to contractors operating the plants; and

(2) another set of rates for quantifying the overhead costs to be allocated to the operation of such plants by employees of the United States.

(b) REPORT.—Not later than February 15, 2001, the Secretary shall submit to the congressional defense committees a report on the results of the analysis carried out under subsection (a). The report shall include the following:

(1) The costs and benefits identified in the analysis under subsection (a).

(2) The risks to the United States of implementing a dual-rate policy described in subsection (a).

(3) The effects that a use of dual rates under such a policy would have on the defense industrial base of the United States.

SEC. 823. REPEAL OF PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR PROCUREMENT OF NUCLEAR-CAPABLE SHIPYARD CRANE FROM A FOREIGN SOURCE.

Section 8093 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1253), is amended by striking subsection (d), relating to a prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

SEC. 824. EXTENSION OF WAIVER PERIOD FOR LIVE-FIRE SURVIVABILITY TESTING FOR MH–47E AND MH–60K HELICOPTER MODIFICATION PROGRAMS.

(a) EXISTING WAIVER PERIOD NOT APPLICABLE.—Section 2366(c)(1) of title 10, United States

Code, shall not apply with respect to survivability and lethality tests for the MH–47E and MH–60K helicopter modification programs. Except as provided in the previous sentence, the provisions and requirements in section 2366(c) of such title shall apply with respect to such programs, and the certification required by subsection (b) shall comply with the requirements in paragraph (3) of such section.

(b) EXTENDED PERIOD FOR WAIVER.—With respect to the MH–47E and MH–60K helicopter modification programs, the Secretary of Defense may waive the application of the survivability and lethality tests described in section 2366(a) of title 10, United States Code, if the Secretary, before full materiel release of the MH–47E and MH–60K helicopters for operational use, certifies to Congress that live-fire testing of the programs would be unreasonably expensive and impracticable.

(c) CONFORMING AMENDMENT.—Section 142(a) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2338) is amended by striking ''and survivability testing'' in paragraphs (1) and (2).

SEC. 825. COMPLIANCE WITH EXISTING LAW REGARDING PURCHASES OF EQUIPMENT AND PRODUCTS.

(a) SENSE OF CONGRESS REGARDING PURCHASE BY THE DEPARTMENT OF DEFENSE OF EQUIPMENT AND PRODUCTS.—It is the sense of Congress that any entity of the Department of Defense, in expending funds authorized by this Act for the purchase of equipment or products, should fully comply with the Buy American Act (41 U.S.C. 10a et seq.) and section 2533 of title 10, United States Code.

(b) DEBARMENT OF PERSONS CONVICTED OF FRAUDULENT USE OF ''MADE IN AMERICA'' LABELS.—If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription, or another inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

SEC. 826. REQUIREMENT TO DISREGARD CERTAIN AGREEMENTS IN AWARDING CONTRACTS FOR THE PURCHASE OF FIREARMS OR AMMUNITION.

In accordance with the requirements contained in the amendments enacted in the Competition in Contracting Act of 1984 (title VII of division B of Public Law 98–369; 98 Stat. 1175), the Secretary of Defense may not, in awarding a contract for the purchase of firearms or ammunition, take into account whether a manufacturer or vendor of firearms or ammunition is a party to an agreement under which the manufacturer or vendor agrees to adopt limitations with respect to importing, manufacturing, or dealing in firearms or ammunition in the commercial market.

Subtitle D—Studies and Reports

SEC. 831. STUDY ON IMPACT OF FOREIGN SOURCING OF SYSTEMS ON LONG-TERM MILITARY READINESS AND RELATED INDUSTRIAL INFRASTRUCTURE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study analyzing in detail—

(1) the amount and sources of parts, components, and materials of the systems described in subsection (b) that are obtained from foreign sources;

(2) the impact of obtaining such parts, components, and materials from foreign sources on the long-term readiness of the Armed Forces and on the economic viability of the national technology and industrial base;

(3) the impact on military readiness that would result from the loss of the ability to obtain parts, components, and materials identified pursuant to paragraph (1) from foreign sources; and

(4) the availability of domestic sources for parts, components, and materials identified as being obtained from foreign sources pursuant to paragraph (1).

(b) SYSTEMS.—The systems referred to in subsection (a) are the following:

(1) AH–64D Apache helicopter.

(2) F/A–18 E/F aircraft.

(3) M1A2 Abrams tank.

(4) AIM–120 AMRAAM missile.

(5) Patriot missile ground station.

(6) Hellfire missile.

(c) SOURCE OF INFORMATION.—The Secretary shall collect information to be analyzed under the study from prime contractors and first and second tier subcontractors.

(d) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required by this section.

(e) DEFINITIONS.—In this section:

(1) The term ''domestic source'' means a person or organization that falls within the term ''national technology and industrial base'', as defined in section 2500(1) of title 10, United States Code.

(2) The term ''foreign source'' means a person or organization that does not fall within the meaning of the term ''national technology and industrial base'', as defined in such section.

(3) The term ''national technology and industrial base'' has the meaning given that term in such section.

SEC. 832. STUDY OF POLICIES AND PROCEDURES FOR TRANSFER OF COMMERCIAL ACTIVITIES.

(a) GAO-CONVENED PANEL.—The Comptroller General shall convene a panel of experts to study the policies and procedures governing the transfer of commercial activities for the Federal Government from Government personnel to a Federal contractor, including—

(1) procedures for determining whether functions should continue to be performed by Government personnel;

(2) procedures for comparing the costs of performance of functions by Government personnel and the costs of performance of such functions by Federal contractors;

(3) implementation by the Department of Defense of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note); and

(4) procedures of the Department of Defense for public-private competitions pursuant to the Office of Management and Budget Circular A–76.

(b) COMPOSITION OF PANEL.—(1) The Comptroller General shall appoint highly qualified and knowledgeable persons to serve on the panel and shall ensure that the following entities receive fair representation on the panel:

(A) The Department of Defense.

(B) Persons in private industry.

(C) Federal labor organizations.

(D) The Office of Management and Budget.

(2) For the purposes of the requirement for fair representation under paragraph (1), persons serving on the panel under subparagraph (C) of that paragraph shall not be counted as persons serving on the panel under subparagraph (A), (B), or (D) of that paragraph.

(c) CHAIRMAN.—The Comptroller General, or an individual within the General Accounting Office designated by the Comptroller General, shall be the chairman of the panel.

(d) PARTICIPATION BY OTHER INTERESTED PARTIES.—The chairman shall ensure that all interested parties, including individuals who are not represented on the panel who are officers or employees of the United States, persons in private industry, or representatives of Federal labor organizations, have the opportunity to submit information and views on the matters being studied by the panel.

(e) INFORMATION FROM AGENCIES.—The panel may request directly from any department or agency of the United States any information that the panel considers necessary to carry out a meaningful study of the policies and procedures described in subsection (a), including the Office of Management and Budget Circular A–76 process. To the extent consistent with applicable laws and regulations, the head of such department or agency shall furnish the requested information to the panel.

(f) REPORT.—Not later than May 1, 2002, the Comptroller General shall submit the report of the panel on the results of the study to Congress, including recommended changes with respect to implementation of policies and enactment of legislation.

(g) DEFINITION.—In this section, the term ''Federal labor organization'' has the meaning given the term ''labor organization'' in section 7103(a)(4) of title 5, United States Code.

SEC. 833. STUDY AND REPORT ON PRACTICE OF CONTRACT BUNDLING IN MILITARY CONSTRUCTION CONTRACTS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study regarding the use of the practice known as ''contract bundling'' with respect to military construction contracts.

(b) REPORT.—Not later than February 1, 2001, the Comptroller General shall submit to the committees on Armed Services of the Senate and the House of Representatives a report on the results of the study conducted under subsection (a).

SEC. 834. REQUIREMENT TO CONDUCT STUDY ON CONTRACT BUNDLING.

(a) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive study on the practice known as ''contract bundling'' by the Department of Defense, and the effects of such practice on small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, and historically underutilized business zones (as such terms are used in the Small Business Act (15 U.S.C. 631 et seq.)).

(b) DEADLINE.—The Secretary shall submit the results of the study to the Committees on Armed Services and Small Business of the Senate and the House of Representatives before submission of the budget request of the Department of Defense for fiscal year 2002.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Duties and Functions of Department of Defense Officers

Sec. 901. Overall supervision of Department of Defense activities for combating terrorism.

Sec. 902. Change of title of certain positions in the Headquarters, Marine Corps.

Sec. 903. Clarification of scope of Inspector General authorities under military whistleblower law.

Sec. 904. Policy to ensure conduct of science and technology programs so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation.

Sec. 905. Additional components of Chairman of the Joint Chiefs of staff annual report on combatant command requirements.

Subtitle B—Department of Defense Organizations

Sec. 911. Western Hemisphere Institute for Security Cooperation.

Sec. 912. Department of Defense regional centers for security studies.

Sec. 913. Change in name of Armed Forces Staff College to Joint Forces Staff College.

Sec. 914. Special authority for administration of Navy Fisher Houses.

Sec. 915. Supervisory control of Armed Forces Retirement Home board by Secretary of Defense.
Sec. 916. Semiannual report on Joint Requirements Oversight Council reform initiative.
Sec. 917. Comptroller General review of operations of Defense Logistics Agency.
Sec. 918. Comptroller General review of operations of Defense Information Systems Agency.

Subtitle C—Information Security

Sec. 921. Institute for Defense Computer Security and Information Protection.
Sec. 922. Information security scholarship program.

Subtitle D—Reports

Sec. 931. Date of submittal of reports on shortfalls in equipment procurement and military construction for the reserve components in future-years defense programs.
Sec. 932. Report on number of personnel assigned to legislative liaison functions.
Sec. 933. Joint report on establishment of national collaborative information analysis capability.
Sec. 934. Network centric warfare.
Sec. 935. Report on Air Force Institute of Technology.

Subtitle E—Other Matters

Sec. 941. Flexibility in implementation of limitation on major Department of Defense headquarters activities personnel.
Sec. 942. Consolidation of certain Navy gift funds.
Sec. 943. Temporary authority to dispose of a gift previously accepted for the Naval Academy.

Subtitle A—Duties and Functions of Department of Defense Officers

SEC. 901. OVERALL SUPERVISION OF DEPARTMENT OF DEFENSE ACTIVITIES FOR COMBATING TERRORISM.

Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6)(A) One of the Assistant Secretaries, as designated by the Secretary of Defense from among those Assistant Secretaries with responsibilities that include responsibilities related to combating terrorism, shall have, among that Assistant Secretary's duties, the duty to provide overall direction and supervision for policy, program planning and execution, and allocation and use of resources for the activities of the Department of Defense for combating terrorism, including antiterrorism activities, counterterrorism activities, terrorism consequences management activities, and terrorism-related intelligence support activities.

''(B) The Assistant Secretary designated under subparagraph (A) shall be the principal civilian adviser to the Secretary of Defense on combating terrorism and (after the Secretary and Deputy Secretary) shall be the principal official within the senior management of the Department of Defense responsible for combating terrorism.

''(C) If the Secretary of Defense designates under subparagraph (A) an Assistant Secretary other than the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, then the responsibilities of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict related to combating terrorism shall be exercised subject to subparagraph (B).''.

SEC. 902. CHANGE OF TITLE OF CERTAIN POSITIONS IN THE HEADQUARTERS, MARINE CORPS.

(a) INSTITUTION OF POSITIONS AS DEPUTY COMMANDANTS.—Section 5041(b) of title 10, United States Code, is amended—

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

''(3) The Deputy Commandants.''; and

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

(b) DESIGNATION OF DEPUTY COMMANDANTS.—(1) Section 5045 of such title is amended to read as follows:

''§ 5045. Deputy Commandants

''There are in the Headquarters, Marine Corps, not more than five Deputy Commandants, detailed by the Secretary of the Navy from officers on the active-duty list of the Marine Corps.''.

(2) The item relating to section 5045 in the table of sections at the beginning of chapter 506 of such title is amended to read as follows:

''5045. Deputy Commandants.''.

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

''(D) the Deputy Commandant of the Marine Corps with responsibility for personnel matters.''.

SEC. 903. CLARIFICATION OF SCOPE OF INSPECTOR GENERAL AUTHORITIES UNDER MILITARY WHISTLEBLOWER LAW.

(a) CLARIFICATION OF RESPONSIBILITIES.—Subsection (c)(3)(A) of section 1034 of title 10, United States Code, is amended by inserting '', in accordance with regulations prescribed under subsection (h),'' after ''shall expeditiously determine''.

(b) REDEFINITION OF INSPECTOR GENERAL.—Subsection (i)(2) of such section is amended—

(1) by inserting ''any of'' in the matter preceding subparagraph (A) after ''means'';

(2) by striking subparagraphs (C), (D), (E), (F) and (G); and

(3) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) Any officer of the armed forces or employee of the Department of Defense who is assigned or detailed to serve as an Inspector General at any level in the Department of Defense.''.

SEC. 904. POLICY TO ENSURE CONDUCT OF SCIENCE AND TECHNOLOGY PROGRAMS SO AS TO FOSTER THE TRANSITION OF SCIENCE AND TECHNOLOGY TO HIGHER LEVELS OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(a) IN GENERAL.—(1) Chapter 139 of title 10, United States Code, is amended by inserting after section 2358 the following new section:

''§ 2359. Science and technology programs to be conducted so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation

''(a) POLICY.—Each official specified in subsection (b) shall ensure that the management and conduct of the science and technology programs under the authority of that official are carried out in a manner that will foster the transition of science and technology to higher levels of research, development, test, and evaluation.

''(b) COVERED OFFICIALS.—Subsection (a) applies to the following officials of the Department of Defense:

''(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

''(2) The Secretary of each military department.

''(3) The Director of the Defense Advanced Research Projects Agency.

''(4) The directors and heads of other offices and agencies of the Department of Defense with assigned research, development, test, and evaluation responsibilities.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2358 the following new item:

''2359. Science and technology programs to be conducted so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation.''.

(b) OFFICE OF NAVAL RESEARCH.—Section 5022(b) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

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

''(4) the execution of, and management responsibility for, programs for which funds are provided in the basic and applied research and advanced technology categories of the Department of the Navy research, development, test, and evaluation budget in such a manner that will foster the transition of science and technology to higher levels of research, development, test and evaluation.''.

SEC. 905. ADDITIONAL COMPONENTS OF CHAIRMAN OF THE JOINT CHIEFS OF STAFF ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS.

(a) ADDITIONAL COMPONENTS.—Section 153(d)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraphs:

''(C) A description of the extent to which the most recent future-years defense program (under section 221 of this title) addresses the requirements on the consolidated lists.

''(D) A description of the funding proposed in the President's budget for the next fiscal year, and for the subsequent fiscal years covered by the most recent future-years defense program, to address each deficiency in readiness identified during the joint readiness review conducted under section 117 of this title for the first quarter of the current fiscal year.''.

(b) TIME FOR SUBMISSION.—Such section is further amended by striking ''Not later than August 15 of each year,'' and inserting ''At or about the time that the budget is submitted to Congress for a fiscal year under section 1105(a) of title 31,''.

Subtitle B—Department of Defense Organizations

SEC. 911. WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION.

(a) IN GENERAL.—Chapter 108 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2166. Western Hemisphere Institute for Security Cooperation

''(a) ESTABLISHMENT AND ADMINISTRATION.—(1) The Secretary of Defense may operate an education and training facility for the purpose set forth in subsection (b). The facility shall be known as the 'Western Hemisphere Institute for Security Cooperation'.

''(2) The Secretary may designate the Secretary of a military department as the Department of Defense executive agent for carrying out the responsibilities of the Secretary of Defense under this section.

''(b) PURPOSE.—The purpose of the Institute is to provide professional education and training to eligible personnel of nations of the Western Hemisphere within the context of the democratic principles set forth in the Charter of the Organization of American States (such charter being a treaty to which the United States is a party), while fostering mutual knowledge, transparency, confidence, and cooperation among the participating nations and promoting democratic values, respect for human rights, and knowledge and understanding of United States customs and traditions.

''(c) ELIGIBLE PERSONNEL.—(1) Subject to paragraph (2), personnel of nations of the Western Hemisphere are eligible for education and training at the Institute as follows:

''(A) Military personnel.

''(B) Law enforcement personnel.

''(C) Civilian personnel.

''(2) The Secretary of State shall be consulted in the selection of foreign personnel for education or training at the Institute.

''(d) CURRICULUM.—(1) The curriculum of the Institute shall include mandatory instruction for each student, for at least 8 hours, on human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.

''(2) The curriculum may include instruction and other educational and training activities on the following:

''(A) Leadership development.

''(B) Counterdrug operations.

''(C) Peace support operations.

''(D) Disaster relief.

''(E) Any other matter that the Secretary determines appropriate.

''(e) BOARD OF VISITORS.—(1) There shall be a Board of Visitors for the Institute. The Board shall be composed of the following:

''(A) The chairman and ranking minority member of the Committee on Armed Services of the Senate, or a designee of either of them.

''(B) The chairman and ranking minority member of the Committee on Armed Services of the House of Representatives, or a designee of either of them.

''(C) Six persons designated by the Secretary of Defense including, to the extent practicable, persons from academia and the religious and human rights communities.

''(D) One person designated by the Secretary of State.

''(E) The senior military officer responsible for training and doctrine for the Army or, if the Secretary of the Navy or the Secretary of the Air Force is designated as the executive agent of the Secretary of Defense under subsection (a)(2), the senior military officer responsible for training and doctrine for the Navy or Marine Corps or for the Air Force, respectively, or a designee of the senior military officer concerned.

''(F) The commander of the unified combatant command having geographic responsibility for Latin America, or a designee of that officer.

''(2) A vacancy in a position on the Board shall be filled in the same manner as the position was originally filled.

''(3) The Board shall meet at least once each year.

''(4)(A) The Board shall inquire into the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Institute, other matters relating to the Institute that the Board decides to consider, and any other matter that the Secretary of Defense determines appropriate.

''(B) The Board shall review the curriculum of the Institute to determine whether—

''(i) the curriculum complies with applicable United States laws and regulations;

''(ii) the curriculum is consistent with United States policy goals toward Latin America and the Caribbean;

''(iii) the curriculum adheres to current United States doctrine; and

''(iv) the instruction under the curriculum appropriately emphasizes the matters specified in subsection (d)(1).

''(5) Not later than 60 days after its annual meeting, the Board shall submit to the Secretary of Defense a written report of its activities and of its views and recommendations pertaining to the Institute.

''(6) Members of the Board shall not be compensated by reason of service on the Board.

''(7) With the approval of the Secretary of Defense, the Board may accept and use the services of voluntary and uncompensated advisers appropriate to the duties of the Board without regard to section 1342 of title 31.

''(8) Members of the Board and advisers whose services are accepted under paragraph (7) shall be allowed travel and transportation expenses, including per diem in lieu of subsistence, while away from their homes or regular places of business in the performance of services for the Board. Allowances under this paragraph shall be computed—

''(A) in the case of members of the Board who are officers or employees of the United States, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5; and

''(B) in the case of other members of the Board and advisers, as authorized under section 5703 of title 5 for employees serving without pay.

''(9) The Federal Advisory Committee Act (5 U.S.C. App. 2), other than section 14 (relating to termination after two years), shall apply to the Board.

''(f) FIXED COSTS.—The fixed costs of operating and maintaining the Institute for a fiscal year may be paid from—

''(1) any funds available for that fiscal year for operation and maintenance for the executive agent designated under subsection (a)(2); or

''(2) if no executive agent is designated under subsection (a)(2), any funds available for that fiscal year for the Department of Defense for operation and maintenance for Defense-wide activities.

''(g) TUITION.—Tuition fees charged for persons who attend the Institute may not include the fixed costs of operating and maintaining the Institute.

''(h) ANNUAL REPORT.—Not later than March 15 of each year, the Secretary of Defense shall submit to Congress a detailed report on the activities of the Institute during the preceding year. The report shall be prepared in consultation with the Secretary of State.''.

(b) REPEAL OF AUTHORITY FOR UNITED STATES ARMY SCHOOL OF THE AMERICAS.—Section 4415 of title 10, United States Code, is repealed.

(c) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 108 of title 10, United States Code, is amended by inserting after the item relating to section 2165 the following new item:

''2166. Western Hemisphere Institute for Security Cooperation.''.

(2) The table of sections at the beginning of chapter 407 of such title is amended by striking the item relating to section 4415.

SEC. 912. DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) REQUIREMENT FOR ANNUAL REPORT.—(1) Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 184. Department of Defense regional centers for security studies

''(a) ADVANCE NOTIFICATION TO CONGRESS OF THE ESTABLISHMENT OF NEW REGIONAL CENTERS.—After the date of the enactment of this section, a regional center for security studies may not be established in the Department of Defense until—

''(1) the Secretary of Defense submits to Congress a notification of the intent of the Secretary to establish the center, including a description of the mission and functions of the proposed center and a justification for the proposed center; and

''(2) a period of 90 days has elapsed after the date on which that notification is submitted.

''(b) REQUIREMENT FOR ANNUAL REPORT.—Not later than February 1 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the operation of the Department of Defense regional centers for security studies during the preceding fiscal year. The annual report shall include, for each regional center, the following information:

''(1) The status and objectives of the center.

''(2) The budget of the center, including the costs of operating the center.

''(3) A description of the extent of the international participation in the programs of the center, including the costs incurred by the United States for the participation of each foreign nation.

''(4) A description of the foreign gifts and donations, if any, accepted under any of the following provisions of law:

''(A) Section 2611 of this title.

''(B) Section 1306 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2892).

''(C) Section 1065 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2653; 10 U.S.C. 113 note).

''(c) REGIONAL CENTER FOR SECURITY STUDIES DEFINED.—For the purposes of this section, a regional center for security studies is any center within the Department of Defense that—

''(1) is operated, and designated as such, by the Secretary of Defense for the study of security issues relating to a specified geographic region of the world; and

''(2) serves as a forum for bilateral and multilateral communication and military and civilian exchanges with nations in that region.''.

(2) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following new item:

''184. Department of Defense regional centers for security studies.''.

(b) FIRST ANNUAL REPORT.—In the first annual report on Department of Defense regional centers for security studies under section 184(b) of title 10, United States Code (as added by subsection (a)), to be submitted not later than February 1, 2001, the Secretary of Defense shall include any recommendation for legislation that the Secretary considers appropriate for the operation of Department of Defense regional centers for security studies, together with a detailed justification for the recommended legislation.

SEC. 913. CHANGE IN NAME OF ARMED FORCES STAFF COLLEGE TO JOINT FORCES STAFF COLLEGE.

(a) CHANGE IN NAME.—The Armed Forces Staff College of the Department of Defense is hereby renamed the ''Joint Forces Staff College''.

(b) CONFORMING AMENDMENT.—Section 2165(b)(3) of title 10, United States Code, is amended by striking ''Armed Forces Staff College'' and inserting ''Joint Forces Staff College''.

(c) REFERENCES.—Any reference to the Armed Forces Staff College in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Joint Forces Staff College.

SEC. 914. SPECIAL AUTHORITY FOR ADMINISTRATION OF NAVY FISHER HOUSES.

(a) BASE OPERATING SUPPORT.—Section 2493 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL AUTHORITY FOR NAVY.—The Secretary of the Navy shall provide base operating support for Fisher Houses associated with health care facilities of the Navy. The level of the support shall be equivalent to the base operating support that the Secretary provides for morale, welfare, and recreation category B community activities (as defined in regulations, prescribed by the Secretary, that govern morale, welfare, and recreation activities associated with Navy installations).''.

(b) SAVINGS PROVISIONS FOR CERTAIN NAVY EMPLOYEES.—(1) The Secretary of the Navy may continue to employ, and pay out of appropriated funds, any employee of the Navy in the competitive service who, as of October 17, 1998, was employed by the Navy in a position at a Fisher House administered by the Navy, but only for so long as the employee is continuously employed in that position.

(2) After a person vacates a position in which the person was continued to be employed under the authority of paragraph (1), a person employed in that position shall be employed as an

employee of a nonappropriated fund instrumentality of the United States and may not be paid for services in that position out of appropriated funds.

(3) In this subsection:

(A) The term ''Fisher House'' has the meaning given the term in section 2493(a)(1) of title 10, United States Code.

(B) The term ''competitive service'' has the meaning given the term in section 2102 of title 5, United States Code.

(c) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall be effective as of October 17, 1998, as if included in section 2493 of title 10, United States Code, as enacted by section 906(a) of Public Law 105–261.

(2) Subsection (b) applies with respect to the pay period that includes October 17, 1998, and subsequent pay periods.

SEC. 915. SUPERVISORY CONTROL OF ARMED FORCES RETIREMENT HOME BOARD BY SECRETARY OF DEFENSE.

The Armed Forces Retirement Home Act of 1991 (title XV of Public Law 101–510; 24 U.S.C. 401 et seq.) is amended by inserting after section 1523 the following new section:

''SEC. 1524. CONDITIONAL SUPERVISORY CONTROL OF RETIREMENT HOME BOARD BY SECRETARY OF DEFENSE.

''(a) APPLICABILITY.—This section shall apply only when the deduction authorized by section 1007(i)(1) of title 37, United States Code, to be made from the monthly pay of certain members of the armed forces is equal to $1.00 for each enlisted member, warrant officer, and limited duty officer of the armed forces on active duty.

''(b) BOARD AUTHORITY SUBJECT TO SECRETARY'S CONTROL.—The Retirement Home Board shall be subject to the authority, direction, and control of the Secretary of Defense in the performance of the Board's duties under section 1516.

''(c) APPOINTMENT OF BOARD MEMBERS.—When an appointment of a member of the Retirement Home Board under section 1515 is not made by the Secretary of Defense, the appointment shall be subject to the approval of the Secretary of Defense.

''(d) TERMS OF BOARD MEMBERS.—(1) Notwithstanding section 1515(e)(3), only the Secretary of Defense may appoint a member of the Retirement Home Board for a second consecutive term.

''(2) The Secretary of Defense may terminate the appointment of a member of the Retirement Home Board at the pleasure of the Secretary.

''(e) RESPONSIBILITY OF CHAIRMAN TO THE SECRETARY.—Notwithstanding section 1515(d)(1)(B), the chairman of the Retirement Home Board shall be responsible to the Secretary of Defense, but not to the Secretaries of the military departments, for direction and management of the Retirement Home or each facility maintained as a separate facility of the Retirement Home.''.

SEC. 916. SEMIANNUAL REPORT ON JOINT REQUIREMENTS OVERSIGHT COUNCIL REFORM INITIATIVE.

(a) SEMIANNUAL REPORT.—The Chairman of the Joints Chiefs of Staff shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a series of five semiannual reports, as prescribed by subsection (b), on the activities of the Joint Requirements Oversight Council. The principal focus of each such report shall be on the progress made on the initiative of the Chairman to reform and refocus the Joint Requirements Oversight Council.

(b) SUBMISSION OF REPORTS.—Reports under this section shall be submitted not later than March 1, 2001, September 1, 2001, March 1, 2002, September 1, 2002, and March 1, 2003. Each report shall cover the half of a fiscal year that ends five months before the date on which the report is due.

(c) CONTENT.—In the case of any report under this section after the first such report, if any matter to be included is unchanged from the preceding report, that matter may be included by reference to the preceding report. Each such report shall include, to the extent practicable, the following:

(1) A listing of each of the capability areas designated by the Chairman of the Joints Chiefs of Staff as being within the principal domain of the Joint Requirements Oversight Council and a justification for each such designation.

(2) A listing of the joint requirements developed, considered, or approved within each of the capability areas listed pursuant to paragraph (1).

(3) A listing and explanation of the decisions made by the Joint Requirements Oversight Council and, to the extent appropriate, a listing of each of the recommendations to the Council made by the commander of the United States Joint Forces Command.

(4) An assessment of—

(A) the progress made in shifting the Joint Requirements Oversight Council to having a more strategic focus on future war fighting requirements;

(B) the progress made on integration of requirements; and

(C) the progress made on development of overarching common architectures for defense information systems to ensure that common defense information systems are fully interoperable.

(5) A description of any actions that have been taken to improve the Joint Requirements Oversight Council.

SEC. 917. COMPTROLLER GENERAL REVIEW OF OPERATIONS OF DEFENSE LOGISTICS AGENCY.

(a) COMPTROLLER GENERAL REVIEW REQUIRED.—The Comptroller General shall review the operations of the Defense Logistics Agency—

(1) to assess—

(A) the efficiency of those operations;

(B) the effectiveness of those operations in meeting customer requirements; and

(C) the flexibility of those operation to adopt best business practices; and

(2) to identify alternative approaches for improving the operations of that agency.

(b) REPORT.—Not later than February 1, 2002, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives one or more reports setting forth the Comptroller General's findings resulting from the review under subsection (a).

SEC. 918. COMPTROLLER GENERAL REVIEW OF OPERATIONS OF DEFENSE INFORMATION SYSTEMS AGENCY.

(a) COMPTROLLER GENERAL REVIEW REQUIRED.—The Comptroller General shall review the operations of the Defense Information Systems Agency—

(1) to assess—

(A) the efficiency of those operations;

(B) the effectiveness of those operations in meeting customer requirements; and

(C) the flexibility of those operations to adopt best business practices; and

(2) to identify alternative approaches for improving the operations of that agency.

(b) REPORT.—Not later than February 1, 2002, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives one or more reports setting forth the Comptroller General's findings resulting from the review under subsection (a).

Subtitle C—Information Security

SEC. 921. INSTITUTE FOR DEFENSE COMPUTER SECURITY AND INFORMATION PROTECTION.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish an Institute for Defense Computer Security and Information Protection.

(b) MISSION.—The Secretary shall require the institute—

(1) to conduct research and technology development that is relevant to foreseeable computer and network security requirements and information assurance requirements of the Department of Defense with a principal focus on areas not being carried out by other organizations in the private or public sector; and

(2) to facilitate the exchange of information regarding cyberthreats, technology, tools, and other relevant issues.

(c) CONTRACTOR OPERATION.—The Secretary shall enter into a contract with a not-for-profit entity, or a consortium of not-for-profit entities, to organize and operate the institute. The Secretary shall use competitive procedures for the selection of the contractor to the extent determined necessary by the Secretary.

(d) FUNDING.—Of the amount authorized to be appropriated by section 301(5), $5,000,000 shall be available for the Institute for Defense Computer Security and Information Protection.

(e) REPORT.—Not later than April 1, 2001, the Secretary shall submit to the congressional defense committees the Secretary's plan for implementing this section.

SEC. 922. INFORMATION SECURITY SCHOLARSHIP PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—(1) Part III of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 112—INFORMATION SECURITY SCHOLARSHIP PROGRAM

''Sec.
''2200. Programs; purpose.
''2200a. Scholarship program.
''2200b. Grant program.
''2200c. Centers of Academic Excellence in Information Assurance Education.
''2200d. Regulations.
''2200e. Definitions.
''2200f. Inapplicability to Coast Guard.

''§ 2200. Programs; purpose

''(a) IN GENERAL.—To encourage the recruitment and retention of Department of Defense personnel who have the computer and network security skills necessary to meet Department of Defense information assurance requirements, the Secretary of Defense may carry out programs in accordance with this chapter to provide financial support for education in disciplines relevant to those requirements at institutions of higher education.

''(b) TYPES OF PROGRAMS.—The programs authorized under this chapter are as follows:

''(1) Scholarships for pursuit of programs of education in information assurance at institutions of higher education.

''(2) Grants to institutions of higher education.

''§ 2200a. Scholarship program

''(a) AUTHORITY.—The Secretary of Defense may, subject to subsection (g), provide financial assistance in accordance with this section to a person—

''(1) who is pursuing an associate, baccalaureate, or advanced degree, or a certification, in an information assurance discipline referred to in section 2200(a) of this title at an institution of higher education; and

''(2) who enters into an agreement with the Secretary as described in subsection (b).

''(b) SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.—(1) To receive financial assistance under this section—

''(A) a member of the armed forces shall enter into an agreement to serve on active duty in the member's armed force for the period of obligated service determined under paragraph (2);

''(B) an employee of the Department of Defense shall enter into an agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

''(C) a person not referred to in subparagraph (A) or (B) shall enter into an agreement—

''(i) to enlist or accept a commission in one of the armed forces and to serve on active duty in

that armed force for the period of obligated service determined under paragraph (2); or

''(ii) to accept and continue employment in the Department of Defense for the period of obligated service determined under paragraph (2).

''(2) For the purposes of this subsection, the period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for the financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title. In no event may the period of service required of a recipient be less than the period equal to three-fourths of the total period of pursuit of a degree for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty or in the civil service, as the case may be.

''(3) An agreement entered into under this section by a person pursuing an academic degree shall include terms that provide the following:

''(A) That the period of obligated service begins on a date after the award of the degree that is determined under the regulations prescribed under section 2200d of this title.

''(B) That the person will maintain satisfactory academic progress, as determined in accordance with those regulations, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

''(C) Any other terms and conditions that the Secretary of Defense determines appropriate for carrying out this section.

''(c) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of Defense as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

''(d) USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the degree for which assistance is provided the person under this section.

''(e) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—(1) A person who voluntarily terminates service before the end of the period of obligated service required under an agreement entered into under subsection (b) shall refund to the United States an amount determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title.

''(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) The Secretary of Defense may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

''(f) EFFECT OF DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or under subsection (e).

''(g) ALLOCATION OF FUNDING.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of degrees referred to in subsection (a) at institutions of higher education that have established, improved, or are administering programs of education in information assurance under the grant program established in section 2200b of this title, as determined by the Secretary of Defense.

''§ 2200b. Grant program

''(a) AUTHORITY.—The Secretary of Defense may provide grants of financial assistance to institutions of higher education to support the establishment, improvement, or administration of programs of education in information assurance disciplines referred to in section 2200(a) of this title.

''(b) PURPOSES.—The proceeds of grants under this section may be used by an institution of higher education for the following purposes:

''(1) Faculty development.

''(2) Curriculum development.

''(3) Laboratory improvements.

''(4) Faculty research in information security.

''§ 2200c. Centers of Academic Excellence in Information Assurance Education

''In the selection of a recipient for the award of a scholarship or grant under this chapter, consideration shall be given to whether—

''(1) in the case of a scholarship, the institution at which the recipient pursues a degree is a Center of Academic Excellence in Information Assurance Education; and

''(2) in the case of a grant, the recipient is a Center of Academic Excellence in Information Assurance Education.

''§ 2200d. Regulations

''The Secretary of Defense shall prescribe regulations for the administration of this chapter.

''§ 2200e. Definitions

''In this chapter:

''(1) The term 'information assurance' includes the following:

''(A) Computer security.

''(B) Network security.

''(C) Any other information technology that the Secretary of Defense considers related to information assurance.

''(2) The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(3) The term 'Center of Academic Excellence in Information Assurance Education' means an institution of higher education that is designated by the Director of the National Security Agency as a Center of Academic Excellence in Information Assurance Education.

''§ 2200f. Inapplicability to Coast Guard

''This chapter does not apply to the Coast Guard when it is not operating as a service in the Navy.''.

(2) The tables of chapters at the beginning of subtitle A of title 10, United States Code, and the beginning of part III of such subtitle are amended by inserting after the item relating to chapter 111 the following new item:

''112. Information Security Scholarship Program ..... 2200''.

(b) FUNDING.—Of the amount authorized to be appropriated by section 301(5), $15,000,000 shall be available for carrying out chapter 112 of title 10, United States Code (as added by subsection (a)).

(c) REPORT.—Not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing the programs under chapter 112 of title 10, United States Code.

Subtitle D—Reports

SEC. 931. DATE OF SUBMITTAL OF REPORTS ON SHORTFALLS IN EQUIPMENT PROCUREMENT AND MILITARY CONSTRUCTION FOR THE RESERVE COMPONENTS IN FUTURE-YEARS DEFENSE PROGRAMS.

Section 10543(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) A report required under paragraph (1) for a fiscal year shall be submitted not later than 15 days after the date on which the President submits to Congress the budget for such fiscal year under section 1105(a) of title 31.''.

SEC. 932. REPORT ON NUMBER OF PERSONNEL ASSIGNED TO LEGISLATIVE LIAISON FUNCTIONS.

(a) REPORT.—Not later than December 1, 2000, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the number of personnel of the Department of Defense performing legislative liaison functions as of April 1, 2000.

(b) MATTERS TO BE INCLUDED.—The report shall include the following:

(1) The number of military and civilian personnel of the Department of Defense assigned to full-time legislative liaison functions, shown by organizational entity and by pay grade.

(2) The number of military and civilian personnel of the Department not covered by paragraph (1) (other than personnel described in subsection (e)) who perform legislative liaison functions as part of their assigned duties, shown by organizational entity and by pay grade.

(c) LEGISLATIVE LIAISON FUNCTIONS.—For purposes of this section, a legislative liaison function is a function (regardless of how characterized within the Department of Defense) that has been established or designated to principally provide advice, information, and assistance to the legislative branch on Department of Defense policies, plans, and programs.

(d) ORGANIZATIONAL ENTITIES.—The display of information under subsection (b) by organizational entity shall be for the Department of Defense and for each military department as a whole and separately for each organization at the level of major command or Defense Agency or higher.

(e) PERSONNEL NOT COVERED.—Subsection (b)(2) does not apply to civilian officers appointed by the President, by and with the advice and consent of the Senate, or to general or flag officers.

SEC. 933. JOINT REPORT ON ESTABLISHMENT OF NATIONAL COLLABORATIVE INFORMATION ANALYSIS CAPABILITY.

(a) REPORT.—Not later than March 1, 2000, the Secretary of Defense and the Director of Central Intelligence shall submit to the congressional defense committees and the congressional intelligence committees a joint report assessing alternatives for the establishment of a national collaborative information analysis capability. The report shall include the following:

(1) An assessment of alternative architectures to establish a national collaborative information analysis capability to conduct data mining and profiling of information from a wide array of electronic data sources.

(2) Identification, from among the various architectures assessed under paragraph (1), of the preferred architecture and a detailed description of that architecture and of a program to acquire and implement the capability that would be provided through that architecture.

(3) A detailed explanation of how the personal information resulting from the data mining and profiling capability developed under the preferred architecture will be employed consistent with the requirements of section 552a of title 5, United States Code

(b) COMPLETION AND USE OF ARMY LAND INFORMATION WARFARE ACTIVITY.—The Secretary of Defense—

(1) shall ensure that the data mining, profiling, and analysis capability of the Army's Land Information Warfare Activity is completed and is fully operational as soon as possible; and

(2) shall make appropriate use of that capability to provide support to all appropriate national defense components.

SEC. 934. NETWORK CENTRIC WARFARE.

(a) FINDINGS.—Congress makes the following findings:

(1) Joint Vision 2020 set the goal for the Department of Defense to pursue information superiority in order that joint forces may possess superior knowledge and attain decision superiority during operations across the spectrum of conflict.

(2) One concept being pursued to attain information superiority is known as Network Centric Warfare. The concept of Network Centric Warfare links sensors, communications systems and weapons systems in an interconnected grid that allows for a seamless information flow to warfighters, policy makers, and support personnel.

(3) The Joint Staff, the Defense Agencies, and the military departments are all pursuing various concepts related to Network Centric Warfare.

(b) GOAL.—It shall be the goal of Department of Defense to fully coordinate various efforts being pursued by the Joint Staff, the Defense Agencies, and the military departments as they develop the concept of Network Centric Warfare.

(c) REPORT ON NETWORK CENTRIC WARFARE.—(1) The Secretary of Defense shall submit to the congressional defense committees a report on the development and implementation of network centric warfare concepts within the Department of Defense. The report shall be prepared in consultation with the Chairman of the Joint Chiefs of Staff.

(2) The report shall include the following:

(A) A clear definition and terminology to describe the set of operational concepts referred to as ''network centric warfare''.

(B) An identification and description of the current and planned activities by the Office of the Secretary of Defense, the Joint Chiefs of Staff, and the United States Joint Forces Command relating to network centric warfare.

(C) A discussion of how the concept of network centric warfare is related to the strategy of transformation as outlined in the document entitled ''Joint Vision 2020'', along with the advantages and disadvantages of pursing that concept.

(D) A discussion on how the Department is implementing the concepts of network centric warfare as it relates to information superiority and decision superiority articulated in ''Joint Vision 2020.''

(E) An identification and description of the current and planned activities of each of the Armed Forces relating to network centric warfare.

(F) A discussion on how the Department plans to attain a fully integrated, joint command, control, communications, computers, intelligence, surveillance, and reconnaissance (C^4ISR) capability.

(G) A description of the joint requirements under development that will lead to the acquisition of technologies for enabling network centric warfare and whether those joint requirements are modifying existing service requirements and vision statements.

(H) A discussion of how Department of Defense activities to establish a joint network centric capability are coordinated with other departments and agencies of the United States and with United States allies.

(I) A discussion of the coordination of the science and technology investments of the military departments and Defense Agencies in the development of future joint network centric warfare capabilities.

(J) The methodology being used to measure progress toward stated goals.

(d) STUDY ON THE USE OF JOINT EXPERIMENTATION FOR DEVELOPING NETWORK CENTRIC WARFARE CONCEPTS.—(1) The Secretary of Defense shall conduct a study on the present and future use of the joint experimentation program of the Department of Defense in the development of network centric warfare concepts.

(2) The Secretary shall submit to the congressional defense committees a report on the results of the study. The report shall include the following:

(A) A survey of and description of how experimentation under the joint experimentation at United States Joint Forces Command is being used for evaluating emerging concepts in network centric warfare.

(B) A survey of and description of how experimentation under the joint experimentation of each of the armed services are being used for evaluating emerging concepts in network centric warfare.

(C) A description of any emerging concepts and recommendations developed by those experiments, with special emphasis on force structure implications.

(3) The Secretary of Defense, acting through the Chairman of the Joint Chief of Staff, shall designate the Commander in Chief of the United States Joint Forces Command to carry out the study and prepare the report required under this subsection.

(e) TIME FOR SUBMISSION OF REPORTS.—Each report required under this section shall be submitted not later than March 1, 2001.

SEC. 935. REPORT ON AIR FORCE INSTITUTE OF TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than September 30, 2001, the Secretary of the Air Force shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the roles and missions, organizational structure, funding, and operations of the Air Force Institute of Technology as projected through 2010.

(b) MATTERS TO BE INCLUDED.—The report shall provide—

(1) a statement of the Institute's roles and missions through 2010 in meeting the critical scientific and educational requirements of the Air Force;

(2) a statement of the strategic priorities for the Institute in meeting long-term core science and technology educational needs of the Air Force; and

(3) a plan for the near-term increase in the production by the Institute of masters and doctoral degree graduates.

(c) RECOMMENDATIONS TO BE PROVIDED.—Based on the matters determined for purposes of subsection (b), the report shall include recommendations of the Secretary of the Air Force with respect to the following:

(1) The grade of the Commandant of the Institute.

(2) The chain of command of the Commandant within the Air Force.

(3) The employment and compensation of civilian professors at the Institute.

(4) The processes for the identification of requirements for personnel with advanced degrees within the Air Force and identification and selection of candidates for annual enrollment at the Institute.

(5) Postgraduation opportunities within the Air Force for graduates of the Institute.

(6) The policies and practices regarding the admission to the Institute of—

(A) officers of the Army, Navy, Marine Corps, and Coast Guard;

(B) employees of the Department of the Army, Department of the Navy, and Department of Transportation;

(C) personnel of the military forces of foreign countries;

(D) enlisted members of the Armed Forces; and

(E) other persons eligible for admission.

(7) Near- and long-term funding of the institute.

(8) Opportunities for cooperation, collaboration, and joint endeavors with other military and civilian scientific and technical educational institutions for the production of qualified personnel to meet Department of Defense scientific and technical requirements.

(d) CONSULTATION.—The report shall be prepared in consultation with the Chief of Staff of the Air Force and the Commander of the Air Force Materiel Command.

Subtitle E—Other Matters

SEC. 941. FLEXIBILITY IN IMPLEMENTATION OF LIMITATION ON MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES PERSONNEL.

Section 130a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) FLEXIBILITY.—(1) If during fiscal year 2001 or fiscal year 2002 the Secretary of Defense determines, and certifies to Congress, that the limitation under subsection (a), or a limitation under subsection (b), would adversely affect United States national security, the Secretary may take any of the following actions:

''(A) Increase the percentage specified in subsection (b)(1) by such amount as the Secretary determines necessary or waive the limitation under that subsection.

''(B) Increase the percentage specified in subsection (b)(2) by such amount as the Secretary determines necessary, not to exceed a cumulative increase of 7.5 percentage points.

''(C) Increase the percentage specified in subsection (a) by such amount as the Secretary determines necessary, not to exceed a cumulative increase of 7.5 percentage points.

''(2) Any certification under paragraph (1) shall include notice of the specific waiver or increases made pursuant to the authority provided in that paragraph.''.

SEC. 942. CONSOLIDATION OF CERTAIN NAVY GIFT FUNDS.

(a) MERGER OF NAVAL HISTORICAL CENTER FUND INTO DEPARTMENT OF THE NAVY GENERAL GIFT FUND.—(1) The Secretary of the Navy shall transfer all amounts in the Naval Historical Center Fund maintained under section 7222 of title 10, United States Code, to the Department of the Navy General Gift Fund maintained under section 2601 of such title. Upon completing the transfer, the Secretary shall close the Naval Historical Center Fund.

(2) Amounts transferred to the Department of the Navy General Gift Fund under this subsection shall be merged with other amounts in that Fund and shall be available for the purposes for which amounts in that Fund are available.

(b) CONSOLIDATION OF NAVAL ACADEMY GENERAL GIFT FUND AND NAVAL ACADEMY MUSEUM FUND.—(1) The Secretary of the Navy shall transfer all amounts in the United States Naval Academy Museum Fund established by section 6974 of title 10, United States Code, to the gift fund maintained for the benefit and use of the United States Naval Academy under section 6973 of such title. Upon completing the transfer, the Secretary shall close the United States Naval Academy Museum Fund.

(2) Amounts transferred under this subsection shall be merged with other amounts in the gift fund to which transferred and shall be available for the purposes for which amounts in that gift fund are available.

(c) CONSOLIDATION AND REVISION OF AUTHORITIES FOR ACCEPTANCE OF GIFTS, BEQUESTS, AND LOANS FOR THE UNITED STATES NAVAL ACADEMY.—(1) Subsection (a) of section 6973 of title 10, United States Code, is amended—

(A) in the first sentence—

(i) by striking ''gifts and bequests of personal property'' and inserting ''any gift or bequest of personal property, and may accept, hold, and administer any loan of personal property other than money, that is''; and

(ii) by inserting ''or the Naval Academy Museum, its collection, or its services'' before the period at the end;

(B) in the second sentence, by striking ''''United States Naval Academy general gift fund'''' and inserting ''''United States Naval Academy Gift and Museum Fund''''; and

(C) in the third sentence, by inserting ''(including the Naval Academy Museum)'' after ''the Naval Academy''.

(2) Such section is further amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following new subsection (b):

''(b) The Secretary shall prescribe written guidelines to be used for determinations of whether the acceptance of money, any personal property, or any loan of personal property under subsection (a) would reflect unfavorably on the ability of the Department of the Navy or any officer or employee of the Department of the Navy to carry out responsibilities or duties in a fair and objective manner, or would compromise either the integrity or the appearance of the integrity of any program of the Department of the Navy or any officer or employee of the Department of the Navy who is involved in any such program.''.

(3) Subsection (d) of such section, as redesignated by paragraph (2)(A), is amended by striking ''United States Naval Academy general gift fund'' both places it appears and inserting ''United States Naval Academy Gift and Museum Fund''.

(4) The heading for such section is amended to read as follows:

''§ 6973. Gifts, bequests, and loans of property: acceptance for benefit and use of Naval Academy''.

(d) REFERENCES TO CLOSED GIFT FUNDS.—(1) Section 6974 of title 10, United States Code, is amended to read as follows:

''§ 6974. United States Naval Academy Museum Fund: references to Fund

''Any reference in a law, regulation, document, paper, or other record of the United States to the United States Naval Academy Museum Fund formerly maintained under this section shall be deemed to refer to the United States Naval Academy Gift and Museum Fund maintained under section 6973 of this title.''.

(2) Section 7222 of such title is amended to read as follows:

''§ 7222. Naval Historical Center Fund: references to Fund

''Any reference in a law, regulation, document, paper, or other record of the United States to the Naval Historical Center Fund formerly maintained under this section shall be deemed to refer to the Department of the Navy General Gift Fund maintained under section 2601 of this title.''.

(e) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 603 of title 10, United States Code, is amended by striking the items relating to sections 6973 and 6974 and inserting the following:

''6973. Gifts, bequests, and loans of property: acceptance for benefit and use of Naval Academy.
''6974. United States Naval Academy Museum Fund: references to Fund.''.

(2) The item relating to section 7222 of such title in the table of sections at the beginning of chapter 631 of such title is amended to read as follows:

''7222. Naval Historical Center Fund: references to Fund.''.

SEC. 943. TEMPORARY AUTHORITY TO DISPOSE OF A GIFT PREVIOUSLY ACCEPTED FOR THE NAVAL ACADEMY.

Notwithstanding section 6973 of title 10, United States Code, during fiscal year 2001 the Secretary of the Navy may dispose of a gift accepted before the date of the enactment of this Act for the United States Naval Academy by disbursing from the United States Naval Academy general gift fund to an entity designated by the donor of the gift the amount equal to the current cash value of that gift.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. Transfer authority.
Sec. 1002. Incorporation of classified annex.
Sec. 1003. Authorization of emergency supplemental appropriations for fiscal year 2000.
Sec. 1004. United States contribution to NATO common-funded budgets in fiscal year 2001.
Sec. 1005. Limitation on funds for Bosnia and Kosovo peacekeeping operations for fiscal year 2001.
Sec. 1006. Requirement for prompt payment of contract vouchers.
Sec. 1007. Plan for prompt recording of obligations of funds for contractual transactions.
Sec. 1008. Electronic submission and processing of claims for contract payments.
Sec. 1009. Administrative offsets for overpayment of transportation costs.
Sec. 1010. Interest penalties for late payment of interim payments due under Government service contracts.

Subtitle B—Naval Vessels and Shipyards

Sec. 1011. Revisions to national defense features program.
Sec. 1012. Sense of Congress on the naming of the CVN–77 aircraft carrier.
Sec. 1013. Authority to transfer naval vessels to certain foreign countries.
Sec. 1014. Authority to consent to retransfer of alternative former naval vessel by Government of Greece.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension of authority to provide support for counter-drug activities of Colombia.
Sec. 1022. Report on Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1023. Recommendations on expansion of support for counter-drug activities.
Sec. 1024. Review of riverine counter-drug program.
Sec. 1025. Report on tethered aerostat radar system.
Sec. 1026. Sense of Congress regarding use of Armed Forces for counter-drug and counter-terrorism activities.

Subtitle D—Counterterrorism and Domestic Preparedness

Sec. 1031. Preparedness of military installation first responders for incidents involving weapons of mass destruction.
Sec. 1032. Additional weapons of mass destruction civil support teams.
Sec. 1033. Authority to provide loan guarantees to improve domestic preparedness to combat cyberterrorism.
Sec. 1034. Report on the status of domestic preparedness against the threat of biological terrorism.
Sec. 1035 Report on strategy, policies, and programs to combat domestic terrorism.

Subtitle E—Strategic Forces

Sec. 1041. Revised nuclear posture review.
Sec. 1042. Plan for the long-term sustainment and modernization of United States strategic nuclear forces.
Sec. 1043. Modification of scope of waiver authority for limitation on retirement or dismantlement of strategic nuclear delivery systems.
Sec. 1044. Report on the defeat of hardened and deeply buried targets.
Sec. 1045. Sense of Congress on the maintenance of the strategic nuclear triad.

Subtitle F—Miscellaneous Reporting Requirements

Sec. 1051. Management review of working-capital fund activities.
Sec. 1052. Report on submarine rescue support vessels.
Sec. 1053. Report on Federal Government progress in developing information assurance strategies.
Sec. 1054. Department of Defense process for decisionmaking in cases of false claims.

Subtitle G—Government Information Security Reform

Sec. 1061. Coordination of Federal information policy.
Sec. 1062. Responsibilities of certain agencies.
Sec. 1063. Relationship of Defense Information Assurance Program to Government-wide information security program.
Sec. 1064. Technical and conforming amendments.
Sec. 1065. Effective date.

Subtitle H—Security Matters

Sec. 1071. Limitation on granting of security clearances.
Sec. 1072. Process for prioritizing background investigations for security clearances for Department of Defense personnel and defense contractor personnel.
Sec. 1073. Authority to withhold certain sensitive information from public disclosure.
Sec. 1074. Expansion of authority to exempt geodetic products of the Department of Defense from public disclosure.
Sec. 1075. Expenditures for declassification activities.
Sec. 1076. Enhanced access to criminal history record information for national security and other purposes
Sec. 1077. Two-year extension of authority to engage in commercial activities as security for intelligence collection activities.
Sec. 1078. Coordination of nuclear weapons secrecy policies and consideration of health of workers at former Department of Defense nuclear facilities.

Subtitle I—Other Matters

Sec. 1081. Funds for administrative expenses under Defense Export Loan Guarantee program.
Sec. 1082. Transit pass program for Department of Defense personnel in poor air quality areas.
Sec. 1083. Transfer of Vietnam era TA–4 aircraft to nonprofit foundation.
Sec. 1084. Transfer of 19th century cannon to museum.
Sec. 1085. Fees for providing historical information to the public.
Sec. 1086. Grants to American Red Cross for Armed Forces emergency services.
Sec. 1087. Technical and clerical amendments.
Sec. 1088. Maximum size of parcel post packages transported overseas for Armed Forces post offices.
Sec. 1089. Sense of Congress regarding tax treatment of members receiving special pay for duty subject to hostile fire or imminent danger.
Sec. 1090. Organization and management of Civil Air Patrol.
Sec. 1091. Additional duties for Commission to Assess United States National Security Space Management and Organization.
Sec. 1092. Commission on the Future of the United States Aerospace Industry.
Sec. 1093. Drug addiction treatment.

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the

Department of Defense in this division for fiscal year 2001 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. INCORPORATION OF CLASSIFIED ANNEX.

(a) STATUS OF CLASSIFIED ANNEX.—The Classified Annex prepared by the committee of conference to accompany the conference report on the bill H.R. 4205 of the One Hundred Sixth Congress and transmitted to the President is hereby incorporated into this Act.

(b) CONSTRUCTION WITH OTHER PROVISIONS OF ACT.—The amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.

(c) LIMITATION ON USE OF FUNDS.—Funds appropriated pursuant to an authorization contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for that program, project, or activity in the Classified Annex.

(d) DISTRIBUTION OF CLASSIFIED ANNEX.—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

SEC. 1003. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2000.

Amounts authorized to be appropriated to the Department of Defense for fiscal year 2000 in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased (by a supplemental appropriation) or decreased (by a rescission), or both, in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246) or in title IX of the Department of Defense Appropriations Act, 2001 (Public Law 106–259).

SEC. 1004. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2001.

(a) FISCAL YEAR 2001 LIMITATION.—The total amount contributed by the Secretary of Defense in fiscal year 2001 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions under the fiscal year 1998 baseline limitation).

(b) TOTAL AMOUNT.—The amount of the limitation applicable under subsection (a) is the sum of the following:

(1) The amounts of unexpended balances, as of the end of fiscal year 2000, of funds appropriated for fiscal years before fiscal year 2001 for payments for those budgets.

(2) The amount specified in subsection (c)(1).

(3) The amount specified in subsection (c)(2).

(4) The total amount of the contributions authorized to be made under section 2501.

(c) AUTHORIZED AMOUNTS.—Amounts authorized to be appropriated by titles II and III of this Act are available for contributions for the common-funded budgets of NATO as follows:

(1) Of the amount provided in section 201(1), $743,000 for the Civil Budget.

(2) Of the amount provided in section 301(1), $181,981,000 for the Military Budget.

(d) DEFINITIONS.—For purposes of this section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term ''common-funded budgets of NATO'' means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term ''fiscal year 1998 baseline limitation'' means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

SEC. 1005. LIMITATION ON FUNDS FOR BOSNIA AND KOSOVO PEACEKEEPING OPERATIONS FOR FISCAL YEAR 2001.

(a) LIMITATION.—Of the amounts authorized to be appropriated by section 301(24) for the Overseas Contingency Operations Transfer Fund—

(1) no more than $1,387,800,000 may be obligated for incremental costs of the Armed Forces for Bosnia peacekeeping operations; and

(2) no more than $1,650,400,000 may be obligated for incremental costs of the Armed Forces for Kosovo peacekeeping operations.

(b) PRESIDENTIAL WAIVER.—The President may waive the limitation in subsection (a)(1), or the limitation in subsection (a)(2), after submitting to Congress the following:

(1) The President's written certification that the waiver is necessary in the national security interests of the United States.

(2) The President's written certification that exercising the waiver will not adversely affect the readiness of United States military forces.

(3) A report setting forth the following:

(A) The reasons that the waiver is necessary in the national security interests of the United States.

(B) The specific reasons that additional funding is required for the continued presence of United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case may be, for fiscal year 2001.

(C) A discussion of the impact on the military readiness of United States Armed Forces of the continuing deployment of United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case may be.

(4) A supplemental appropriations request for the Department of Defense for such amounts as are necessary for the additional fiscal year 2001 costs associated with United States military forces participating in, or supporting, Bosnia or Kosovo peacekeeping operations.

(c) PEACEKEEPING OPERATIONS DEFINED.—For the purposes of this section:

(1) The term ''Bosnia peacekeeping operations'' has the meaning given such term in section 1004(e) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2112).

(2) The term ''Kosovo peacekeeping operations''—

(A) means the operation designated as Operation Joint Guardian and any other operation involving the participation of any of the Armed Forces in peacekeeping or peace enforcement activities in and around Kosovo; and

(B) includes, with respect to Operation Joint Guardian or any such other operation, each activity that is directly related to the support of the operation.

SEC. 1006. REQUIREMENT FOR PROMPT PAYMENT OF CONTRACT VOUCHERS.

(a) REQUIREMENT.—(1) Chapter 131 of title 10, United States Code, is amended by adding after section 2225, as added by section 812(a)(1), the following new section:

''§2226. Contracted property and services: prompt payment of vouchers

''(a) REQUIREMENT.—Of the contract vouchers that are received by the Defense Finance and Accounting Service by means of the mechanization of contract administration services system, the number of such vouchers that remain unpaid for more than 30 days as of the last day of each month may not exceed 5 percent of the total number of the contract vouchers so received that remain unpaid on that day.

''(b) CONTRACT VOUCHER DEFINED.—In this section, the term 'contract voucher' means a voucher or invoice for the payment to a contractor for services, commercial items (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))), or other deliverable items provided by the contractor under a contract funded by the Department of Defense.''.

(2) The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2225, as added by section 812(a)(2), the following new item:

''2226. Contracted property and services: prompt payment of vouchers.''.

(b) EFFECTIVE DATE.—Section 2226 of title 10, United States Code (as added by subsection (a)), shall take effect on December 1, 2000.

(c) CONDITIONAL REQUIREMENT FOR REPORT.—(1) If for any month of the noncompliance reporting period the requirement in section 2226 of title 10, United States Code (as added by subsection (a)), is not met, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the magnitude of the unpaid contract vouchers. The report for a month shall be submitted not later than 30 days after the end of that month.

(2) A report for a month under paragraph (1) shall include information current as of the last day of the month as follows:

(A) The number of the vouchers received by the Defense Finance and Accounting Service by means of the mechanization of contract administration services system during each month.

(B) The number of the vouchers so received, whenever received by the Defense Finance and Accounting Service, that remain unpaid for each of the following periods:

(i) Over 30 days and not more than 60 days.

(ii) Over 60 days and not more than 90 days.

(iii) More than 90 days.

(C) The number of the vouchers so received that remain unpaid for the major categories of procurements, as defined by the Secretary of Defense.

(D) The corrective actions that are necessary, and those that are being taken, to ensure compliance with the requirement in subsection (a).

(3) For purposes of this subsection:

(A) The term ''noncompliance reporting period'' means the period beginning on December 1, 2000, and ending on November 30, 2004.

(B) The term ''contract voucher'' has the meaning given that term in section 2226(b) of title 10, United States Code (as added by subsection (a)).

SEC. 1007. PLAN FOR PROMPT RECORDING OF OBLIGATIONS OF FUNDS FOR CONTRACTUAL TRANSACTIONS.

(a) REQUIREMENT FOR PLAN.—The Secretary of Defense shall submit to the Committees on

Armed Services of the Senate and the House of Representatives, not later than November 15, 2000, a plan for ensuring that each obligation of the Department of Defense under a transaction described in subsection (c) be recorded in the appropriate financial administration systems of the Department of Defense not later than 10 days after the date on which the obligation is incurred.

(b) CONTENT OF PLAN.—The plan under subsection (a) shall provide for the following:

(1) The recording of obligations in accordance with requirements that apply uniformly throughout the Department of Defense, including requirements for the recording of detailed data on each such obligation.

(2) A system of accounting classification reference numbers for the recording of obligations that applies uniformly throughout the Department of Defense.

(3) A discussion of how the plan is to be implemented, including a schedule for implementation.

(c) COVERED TRANSACTIONS.—The plan shall apply to each obligation under any of the following transactions of the Department of Defense:

(1) A contract.

(2) A grant.

(3) A cooperative agreement.

(4) A transaction authorized under section 2371 of title 10, United States Code.

SEC. 1008. ELECTRONIC SUBMISSION AND PROCESSING OF CLAIMS FOR CONTRACT PAYMENTS.

(a) REQUIREMENTS.—(1) Chapter 131 of title 10, United States Code, is amended by adding after section 2226, as added by section 1006(a)(1), the following new section:

"§ 2227. Electronic submission and processing of claims for contract payments

''(a) SUBMISSION OF CLAIMS.—The Secretary of Defense shall require that any claim for payment under a Department of Defense contract shall be submitted to the Department of Defense in electronic form.

''(b) PROCESSING.—A contracting officer, contract administrator, certifying official, or other officer or employee of the Department of Defense who receives a claim for payment in electronic form in accordance with subsection (a) and is required to transmit the claim to any other officer or employee of the Department of Defense for processing under procedures of the department shall transmit the claim and any additional documentation necessary to support the determination and payment of the claim to such other officer or employee electronically.

''(c) WAIVER AUTHORITY.—If the Secretary of Defense determines that the requirement for using electronic means for submitting claims under subsection (a), or for transmitting claims and supporting documentation under subsection (b), is unduly burdensome in any category of cases, the Secretary may exempt the cases in that category from the application of the requirement.

''(d) IMPLEMENTATION OF REQUIREMENTS.—In implementing subsections (a) and (b), the Secretary of Defense shall provide for the following:

''(1) Policies, requirements, and procedures for using electronic means for the submission of claims for payment to the Department of Defense and for the transmission, between Department of Defense officials, of claims for payment received in electronic form, together with supporting documentation (such as receiving reports, contracts and contract modifications, and required certifications).

''(2) The format in which information can be accepted by the corporate database of the Defense Finance and Accounting Service.

''(3) The requirements to be included in contracts regarding the electronic submission of claims for payment by contractors.

''(e) CLAIM FOR PAYMENT DEFINED.—In this section, the term 'claim for payment' means an invoice or any other demand or request for payment.''.

(2) The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2226, as added by section 1006(a)(2), the following new item:

''2227. Electronic submission and processing of claims for contract payments.''.

(b) IMPLEMENTATION PLAN.—Not later than March 30, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the implementation of the requirements imposed under section 2227 of title 10, United States Code (as added by subsection (a)). The plan shall provide for each of the matters specified in subsection (d) of that section.

(c) APPLICABILITY.—(1) Subject to paragraph (2), the Secretary of Defense shall apply section 2227 of title 10, United States Code (as added by subsection (a)), with respect to contracts for which solicitations of offers are issued after June 30, 2001.

(2)(A) The Secretary may delay the implementation of section 2227 to a date after June 30, 2001, upon a finding that it is impracticable to implement that section until that later date. In no event, however, may the implementation be delayed to a date after October 1, 2002.

(B) Upon determining to delay the implementation of such section 2227 to a later date under subparagraph (A), the Secretary shall promptly publish a notice of the delay in the Federal Register. The notice shall include a specification of the later date on which the implementation of that section is to begin. Not later than 30 days before the later implementation date, the Secretary shall publish in the Federal Register another notice that such section is being implemented beginning on that date.

SEC. 1009. ADMINISTRATIVE OFFSETS FOR OVERPAYMENT OF TRANSPORTATION COSTS.

(a) OFFSETS FOR OVERPAYMENTS OR LIQUIDATED DAMAGES.—(1) Section 2636 of title 10, United States Code, is amended to read as follows:

"§ 2636. Deductions from amounts due carriers

''(a) AMOUNTS FOR LOSS OR DAMAGE.—An amount deducted from an amount due a carrier shall be credited as follows:

''(1) If deducted because of loss of or damage to material in transit for a military department, the amount shall be credited to the proper appropriation, account, or fund from which the same or similar material may be replaced.

''(2) If deducted as an administrative offset for an overpayment previously made to the carrier under any Department of Defense contract for transportation services or as liquidated damages due under any such contract, the amount shall be credited to the appropriation or account from which payments for the transportation services were made.

''(b) SIMPLIFIED OFFSET FOR COLLECTION OF CLAIMS NOT IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD.—(1) In any case in which the total amount of a claim for the recovery of overpayments or liquidated damages under a contract described in subsection (a)(2) does not exceed the simplified acquisition threshold, the Secretary of Defense or the Secretary concerned, in exercising the authority to collect the claim by administrative offset under section 3716 of title 31, may apply paragraphs (2) and (3) of subsection (a) of that section with respect to that collection after (rather than before) the claim is so collected.

''(2) Regulations prescribed by the Secretary of Defense under subsection (b) of section 3716 of title 31—

''(A) shall include provisions to carry out paragraph (1); and

''(B) shall provide the carrier for a claim subject to paragraph (1) with an opportunity to offer an alternative method of repaying the claim (rather than by administrative offset) if the collection of the claim by administrative offset has not already been made.

''(3) In this subsection, the term 'simplified acquisition threshold' has the meaning given that term in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).''.

(2) The item relating to such section in the table of sections at the beginning of chapter 157 of such title is amended to read as follows:

''2636. Deductions from amounts due carriers.''.

(b) EFFECTIVE DATE.—Subsections (a)(2) and (b) of section 2636 of title 10, United States Code, as added by subsection (a)(1), shall apply with respect to contracts entered into after the date of the enactment of this Act.

SEC. 1010. INTEREST PENALTIES FOR LATE PAYMENT OF INTERIM PAYMENTS DUE UNDER GOVERNMENT SERVICE CONTRACTS.

(a) PROMPT PAYMENT REQUIREMENT FOR INTERIM PAYMENTS.—Under regulations prescribed under subsection (c), the head of an agency acquiring services from a business concern under a cost reimbursement contract requiring interim payments who does not pay the concern a required interim payment by the date that is 30 days after the date of the receipt of a proper invoice shall pay an interest penalty to the concern on the amount of the payment due. The interest shall be computed as provided in section 3902(a) of title 31, United States Code.

(b) REGULATIONS.—The Director of the Office of Management and Budget shall prescribe regulations to carry out this section. Such regulations shall be prescribed as part of the regulations prescribed under section 3903 of title 31, United States Code.

(c) INCORPORATION OF CERTAIN PROVISIONS OF LAW.—The provisions of chapter 39 of title 31, United States Code, shall apply to this section in the same manner as if this section were enacted as part of such chapter.

(d) EFFECTIVE DATE.—Subsection (a) shall take effect on December 15, 2000. No interest shall accrue by reason of that subsection for any period before that date.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. REVISIONS TO NATIONAL DEFENSE FEATURES PROGRAM.

Section 2218(k) of title 10, United States Code, is amended—

(1) by adding at the end of paragraph (1) the following new sentence: ''As consideration for a contract with the head of an agency under this subsection, the company entering into the contract shall agree with the Secretary of Defense to make any vessel covered by the contract available to the Secretary, fully crewed and ready for sea, at any time at any port determined by the Secretary, and for whatever duration the Secretary determines necessary.'';

(2) by adding at the end of paragraph (2) the following new subparagraph:

''(E) Payments of such sums as the Government would otherwise expend, if the vessel were placed in the Ready Reserve Fleet, for maintaining the vessel in the status designated as 'ROS–4 status' in the Ready Reserve Fleet for 25 years.''; and

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

''(6) The head of an agency may not enter into a contract under paragraph (1) that would provide for payments to the contractor as authorized in paragraph (2)(E) until notice of the proposed contract is submitted to the congressional defense committees and a period of 90 days has elapsed.''.

SEC. 1012. SENSE OF CONGRESS ON THE NAMING OF THE CVN–77 AIRCRAFT CARRIER.

(a) FINDINGS.—Congress makes the following findings:

(1) Over the last three decades Congress has authorized and appropriated funds for a total of 10 Nimitz class aircraft carriers.

(2) The last vessel in the Nimitz class of aircraft carriers, CVN–77, is currently under construction and will be delivered in 2008.

(3) The first nine vessels in this class bear the following proud names:

(A) U.S.S. Nimitz (CVN–68).

(B) U.S.S. Dwight D. Eisenhower (CVN–69).

(C) U.S.S. Carl Vinson (CVN–70).

(D) U.S.S. Theodore Roosevelt (CVN–71).

(E) U.S.S. Abraham Lincoln (CVN–72).

(F) U.S.S. George Washington (CVN–73).

(G) U.S.S. John C. Stennis (CVN–74).

(H) U.S.S. Harry S. Truman (CVN–75).

(I) U.S.S. Ronald Reagan (CVN–76).

(4) It is appropriate for Congress to recommend to the President, as Commander in Chief of the Armed Forces, an appropriate name for the final vessel in the Nimitz class of aircraft carriers.

(5) Over the last 25 years the vessels in the Nimitz class of aircraft carriers have served as one of the principal means of United States diplomacy and as one of the principal means for the defense of the United States and its allies around the world.

(6) The name bestowed upon the aircraft carrier CVN–77 should embody the American spirit and provide a lasting symbol of the American commitment to freedom.

(7) The name ''Lexington'' has been a symbol of freedom from the first battle of the American Revolution.

(8) The two aircraft carriers previously named U.S.S. Lexington (the CV–2 and the CV–16) served the Nation for 64 years, served in World War II, and earned a total of 13 battle stars.

(9) One of those honored vessels, the CV–2, was lost at the Battle of the Coral Sea on May 8, 1942.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the CVN–77 aircraft carrier should be named the ''U.S.S. Lexington''—

(1) in order to honor the men and women who served in the Armed Forces of the United States during World War II and the incalculable number of United States citizens on the home front during that war who mobilized in the name of freedom; and

(2) as a special tribute to the 16,000,000 veterans of the Armed Forces who served on land, sea, and air during World War II (of whom fewer than 6,000,000 remain alive today) and a lasting symbol of their commitment to freedom as they pass on having proudly taken their place in history.

SEC. 1013. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) TRANSFERS BY GRANT.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) as follows:

(1) BRAZIL.—To the Government of Brazil—

(A) the THOMASTON class dock landing ships ALAMO (LSD 33) and HERMITAGE (LSD 34); and

(B) the GARCIA class frigates BRADLEY (FF 1041), DAVIDSON (FF 1045), SAMPLE (FF 1048) and ALBERT DAVID (FF 1050).

(2) GREECE.—To the Government of Greece, the KNOX class frigates VREELAND (FF 1068) and TRIPPE (FF 1075).

(b) TRANSFERS ON A COMBINED LEASE-SALE BASIS.—(1) The President is authorized to transfer vessels to foreign countries on a combined lease-sale basis under sections 61 and 21 of the Arms Export Control Act (22 U.S.C. 2796 and 2761) and in accordance with subsection (c) as follows:

(A) CHILE.—To the Government of Chile, the OLIVER HAZARD PERRY class guided missile frigates WADSWORTH (FFG 9), and ESTOCIN (FFG 15).

(B) TURKEY.—To the Government of Turkey, the OLIVER HAZARD PERRY class guided missile frigates JOHN A. MOORE (FFG 19) and FLATLEY (FFG 21).

(2) The authority provided under paragraph (1)(B) is in addition to the authority provided under section 1018(a)(9) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 745) for the transfer of those vessels to the Government of Turkey on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) CONDITIONS RELATING TO COMBINED LEASE-SALE TRANSFERS.—A transfer of a vessel on a combined lease-sale basis authorized by subsection (b) shall be made in accordance with the following requirements:

(1) The President may initially transfer the vessel by lease, with lease payments suspended for the term of the lease, if the country entering into the lease for the vessel simultaneously enters into a foreign military sales agreement for the transfer of title to the vessel.

(2) The President may not deliver to the purchasing country title to the vessel until the purchase price of the vessel under such a foreign military sales agreement is paid in full.

(3) Upon payment of the purchase price in full under such a sales agreement and delivery of title to the recipient country, the President shall terminate the lease.

(4) If the purchasing country fails to make full payment of the purchase price in accordance with the sales agreement by the date required under the sales agreement—

(A) the sales agreement shall be immediately terminated;

(B) the suspension of lease payments under the lease shall be vacated; and

(C) the United States shall be entitled to retain all funds received on or before the date of the termination under the sales agreement, up to the amount of the lease payments due and payable under the lease and all other costs required by the lease to be paid to that date.

(5) If a sales agreement is terminated pursuant to paragraph (4), the United States shall not be required to pay any interest to the recipient country on any amount paid to the United States by the recipient country under the sales agreement and not retained by the United States under the lease.

(d) AUTHORIZATION OF APPROPRIATIONS FOR COSTS OF LEASE-SALE TRANSFERS.—There is hereby authorized to be appropriated into the Defense Vessels Transfer Program Account such sums as may be necessary for paying the costs (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of the lease-sale transfers authorized by subsection (b). Amounts so appropriated shall be available only for the purpose of paying those costs.

(e) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by subsection (a) shall not be counted for the purposes of subsection (g) of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(f) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient (notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1))) in the case of a transfer authorized to be made on a grant basis under subsection (a)).

(g) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(h) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

(i) COORDINATION OF PROVISIONS.—(1) If the Security Assistance Act of 2000 is enacted before this Act, the provisions of this section shall not take effect.

(2) If the Security Assistance Act of 2000 is enacted after this Act, this section shall cease to be in effect upon the enactment of that Act.

SEC. 1014. AUTHORITY TO CONSENT TO RETRANSFER OF ALTERNATIVE FORMER NAVAL VESSEL BY GOVERNMENT OF GREECE.

(a) AUTHORITY FOR RETRANSFER OF ALTERNATIVE VESSEL.—Section 1012 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 740) is amended—

(1) in subsection (a), by inserting after ''HS Rodos (ex-USS BOWMAN COUNTY (LST 391))'' the following: '', LST 325, or any other former United States LST previously transferred to the Government of Greece that is excess to the needs of that government''; and

(2) in subsection (b)(1), by inserting ''retransferred under subsection (a)'' after ''the vessel''.

(b) REPEAL.—Section 1305 of the Arms Control, Nonproliferation, and Security Assistance Act of 1999 (113 Stat. 1501A–511) is repealed.

Subtitle C—Counter-Drug Activities

SEC. 1021. EXTENSION OF AUTHORITY TO PROVIDE SUPPORT FOR COUNTER-DRUG ACTIVITIES OF COLOMBIA.

(a) EXTENSION OF AUTHORITY.—Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881) is amended—

(1) in subsection (a), by striking ''during fiscal years 1998 through 2002,''; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting before the period at the end the following: '', for fiscal years 1998 through 2002''; and

(B) in paragraph (2), by inserting before the period at the end the following: '', for fiscal years 1998 through 2006''.

(b) MAXIMUM ANNUAL AMOUNT OF SUPPORT.—Subsection (e)(2) of such section is amended by striking ''2002'' and inserting ''2006''.

SEC. 1022. REPORT ON DEPARTMENT OF DEFENSE EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

Not later than January 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report detailing the expenditure of funds by the Secretary during fiscal year 2000 in direct or indirect support of the counter-drug activities of foreign governments. The report shall include the following for each foreign government:

(1) The total amount of assistance provided to, or expended on behalf of, the foreign government.

(2) A description of the types of counter-drug activities conducted using the assistance.

(3) An explanation of the legal authority under which the assistance was provided.

SEC. 1023. RECOMMENDATIONS ON EXPANSION OF SUPPORT FOR COUNTER-DRUG ACTIVITIES.

(a) REQUIREMENT FOR SUBMITTAL OF RECOMMENDATIONS.—Not later than February 1, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives the recommendations of the Secretary regarding whether expanded support for counter-drug activities should be authorized under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881) for the region that includes the countries that are covered by that authority on the date of the enactment of this Act.

(b) CONTENT OF SUBMISSION.—The submission under subsection (a) shall include the following:

(1) What, if any, additional countries should be covered.

(2) What, if any, additional support should be provided to covered countries, together with the reasons for recommending the additional support.

(3) For each country recommended under paragraph (1), a plan for providing support, including the counter-drug activities proposed to be supported.

SEC. 1024. REVIEW OF RIVERINE COUNTER-DRUG PROGRAM.

(a) REQUIREMENT FOR REVIEW.—The Secretary of Defense shall review the riverine counter-drug program supported under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881).

(b) REPORT.—Not later than February 1, 2001, the Secretary shall submit a report on the riverine counter-drug program to the Committees on Armed Services of the Senate and the House of Representatives. The report shall include, for each country receiving support under the riverine counter-drug program, the following:

(1) The Assistant Secretary's assessment of the effectiveness of the program.

(2) A recommendation regarding which of the Armed Forces, units of the Armed Forces, or other organizations within the Department of Defense should be responsible for managing the program.

(c) DELEGATION OF AUTHORITY.—The Secretary shall require the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to carry out the responsibilities under this section.

SEC. 1025. REPORT ON TETHERED AEROSTAT RADAR SYSTEM.

(a) REPORT REQUIRED.—Not later than May 1, 2001, The Secretary of Defense shall submit to Congress a report on the status of the Tethered Aerostat Radar System used to conduct counter-drug detection and monitoring and border security and air sovereignty operations. The report shall include the following:

(1) The status and operational availability of each of the existing sites of the Tethered Aerostat Radar System.

(2) A discussion of any plans to close, during the next 5 years, currently operational sites, including a review of the justification for each proposed closure.

(3) A review of the requirements of other agencies, especially the United States Customs Service, for data derived from the Tethered Aerostat Radar System.

(4) A assessment of the value of the Tethered Aerostat Radar System in the conduct of counter-drug detection and monitoring and border security and air sovereignty operations compared to other surveillance systems available for such operations.

(5) The costs associated with the planned standardization of the Tethered Aerostat Radar System and the Secretary's analysis of that standardization.

(b) CONSULTATION.—The Secretary of Defense shall prepare the report in consultation with the Secretary of the Treasury.

SEC. 1026. SENSE OF CONGRESS REGARDING USE OF ARMED FORCES FOR COUNTER-DRUG AND COUNTER-TERRORISM ACTIVITIES.

It is the sense of Congress that the President should be able to use members of the Army, Navy, Air Force, and Marine Corps to assist law enforcement agencies, to the full extent consistent with section 1385 of title 18, United States Code (commonly known as the Posse Comitatus Act), section 375 of title 10, United States Code, and other applicable law, in preventing the entry into the United States of terrorists and drug traffickers, weapons of mass destruction, components of weapons of mass destruction, and prohibited narcotics and drugs.

Subtitle D—Counterterrorism and Domestic Preparedness

SEC. 1031. PREPAREDNESS OF MILITARY INSTALLATION FIRST RESPONDERS FOR INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REQUIREMENT FOR REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the program of the Department of Defense to ensure the preparedness of the first responders of the Department of Defense for incidents involving weapons of mass destruction on installations of the Department of Defense.

(b) CONTENT OF REPORT.—The report shall include the following:

(1) A detailed description of the overall preparedness program.

(2) A detailed description of the deficiencies in the preparedness of Department of Defense installations to respond to an incident involving a weapon of mass destruction, together with a discussion of the actions planned to be taken by the Department of Defense to correct the deficiencies.

(3) The schedule and costs associated with the implementation of the preparedness program.

(4) The Department's plan for coordinating the preparedness program with responders in the communities in the localities of the installations.

(5) The Department's plan for promoting the interoperability of the equipment used by the installation first responders referred to in subsection (a) with the equipment used by the first responders in those communities.

(c) FORM OF REPORT.—The report shall be submitted in an unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term ''first responder'' means an organization responsible for responding to an incident involving a weapon of mass destruction.

(2) The term ''weapon of mass destruction'' has the meaning given that term in section 1403(1) of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302(1)).

SEC. 1032. ADDITIONAL WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

During fiscal year 2001, the Secretary of Defense shall establish five additional teams designated as Weapons of Mass Destruction Civil Support Teams (for a total of 32 such teams).

SEC. 1033. AUTHORITY TO PROVIDE LOAN GUARANTEES TO IMPROVE DOMESTIC PREPAREDNESS TO COMBAT CYBERTERRORISM.

(a) ESTABLISHMENT OF PROGRAM.—(1) Chapter 148 of title 10, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER VII—CRITICAL INFRASTRUCTURE PROTECTION LOAN GUARANTEES

''Sec.
''2541. Establishment of loan guarantee program.
''2541a. Fees charged and collected.
''2541b. Administration.
''2541c. Transferability, additional limitations, and definition.
''2541d. Reports.

''§ 2541. Establishment of loan guarantee program

''(a) ESTABLISHMENT.—In order to meet the national security objectives in section 2501(a) of this title, the Secretary of Defense shall establish a program under which the Secretary may issue guarantees assuring lenders against losses of principal or interest, or both principal and interest, for loans made to qualified commercial firms to fund, in whole or in part, any of the following activities:

''(1) The improvement of the protection of the critical infrastructure of the commercial firms.

''(2) The refinancing of improvements previously made to the protection of the critical infrastructure of the commercial firms.

''(b) QUALIFIED COMMERCIAL FIRMS.—For purposes of this section, a qualified commercial firm is a company or other business entity (including a consortium of such companies or other business entities, as determined by the Secretary) that the Secretary determines—

''(1) conducts a significant level of its research, development, engineering, and manufacturing activities in the United States;

''(2) is a company or other business entity the majority ownership or control of which is by United States citizens or is a company or other business of a parent company that is incorporated in a country the government of which—

''(A) encourages the participation of firms so owned or controlled in research and development consortia to which the government of that country provides funding directly or provides funding indirectly through international organizations or agreements; and

''(B) affords adequate and effective protection for the intellectual property rights of companies incorporated in the United States;

''(3) provides technology products or services critical to the operations of the Department of Defense;

''(4) meets standards of prevention of cyberterrorism applicable to the Department of Defense; and

''(5) agrees to submit the report required under section 2541d of this title.

''(c) LOAN LIMITS.—The maximum amount of loan principal guaranteed during a fiscal year under this section may not exceed $10,000,000, with respect to all borrowers.

''(d) GOALS AND STANDARDS.—The Secretary shall prescribe regulations setting forth goals for the use of the loan guarantees provided under this section and standards for evaluating whether those goals are met by each entity receiving such loan guarantees.

''(e) AUTHORITY SUBJECT TO PROVISIONS OF APPROPRIATIONS.—The Secretary may guarantee a loan under this subchapter only to such extent or in such amounts as may be provided in advance in appropriations Acts.

''§ 2541a. Fees charged and collected

''(a) FEE REQUIRED.—The Secretary of Defense shall assess a fee for providing a loan guarantee under this subchapter.

''(b) AMOUNT OF FEE.—The amount of the fee shall be not less than 75 percent of the amount incurred by the Secretary to provide the loan guarantee.

''(c) SPECIAL ACCOUNT.—(1) Such fees shall be credited to a special account in the Treasury.

''(2) Amounts in the special account shall be available, to the extent and in amounts provided in appropriations Acts, for paying the costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under this subchapter.

''(3)(A) If for any fiscal year amounts in the special account established under paragraph (1) are not available (or are not anticipated to be available) in a sufficient amount for administrative expenses of the Department of Defense for that fiscal year that are directly attributable to the administration of the program under this subchapter, the Secretary may use amounts currently available for operations and maintenance for Defense-wide activities, not to exceed $500,000 in any fiscal year, for those expenses.

''(B) The Secretary shall, from funds in the special account established under paragraph (1), replenish operations and maintenance accounts for amounts expended under subparagraph (A).

''§ 2541b. Administration

''(a) AGREEMENTS REQUIRED.—The Secretary of Defense may enter into one or more agreements, each with an appropriate Federal or private entity, under which such entity may, under this subchapter—

''(1) process applications for loan guarantees;

''(2) administer repayment of loans; and

''(3) provide any other services to the Secretary to administer this subchapter.

''(b) TREATMENT OF COSTS.—The costs of such agreements shall be considered, for purposes of the special account established under section 2541a(c), to be costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under this subchapter.

"§ 2541c. Transferability, additional limitations, and definition

''The following provisions of subtitle VI of this chapter apply to guarantees issued under this subtitle:

''(1) Section 2540a, relating to transferability of guarantees.

''(2) Subsections (b) and (c) of section 2540b, providing limitations.

''(3) Section 2540d(2), providing a definition of the term 'cost'.

"§ 2541d. Reports

''(a) REPORT BY COMMERCIAL FIRMS TO SECRETARY OF DEFENSE.—The Secretary of Defense shall require each qualified commercial firm for which a loan is guaranteed under this subchapter to submit to the Secretary a report on the improvements financed or refinanced with the loan. The report shall include an assessment of the value of the improvements for the protection of the critical infrastructure of that commercial firm. The Secretary shall prescribe the time for submitting the report.

''(b) ANNUAL REPORT BY SECRETARY OF DEFENSE TO CONGRESS.—Not later than March 1 of each year in which guarantees are made under this subchapter, the Secretary of Defense shall submit to Congress a report on the loan guarantee program under this subchapter. The report shall include the following:

''(1) The amounts of the loans for which guarantees were issued during the year preceding the year of the report.

''(2) The success of the program in improving the protection of the critical infrastructure of the commercial firms covered by the guarantees.

''(3) The relationship of the loan guarantee program to the critical infrastructure protection program of the Department of Defense, together with an assessment of the extent to which the loan guarantee program supports the critical infrastructure protection program.

''(4) Any other information on the loan guarantee program that the Secretary considers appropriate to include in the report.''.

(2) The table of subchapters at the beginning of such chapter is amended by adding at the end the following new item:

''VII. Critical Infrastructure Protection Loan Guarantees ..... 2541''.

(b) REDESIGNATION OF DISPLACED SECTIONS.—(1) Sections 2541 through 2554 of chapter 152 of title 10, United States Code, are redesignated as sections 2551 through 2564, respectively.

(2) The items in the table of sections at the beginning of chapter 152 of such title are revised to reflect the redesignations made by paragraph (1).

(c) CONFORMING AMENDMENTS.—(1) Subsection (c)(3)(C) of section 2561 of such title, as redesignated by subsection (b), is amended by striking ''section 2547'' and inserting ''section 2557''.

(2) Subsection (b) of section 2562 of such title, as so redesignated, is amended by striking ''section 2547'' and inserting ''section 2557''.

(3) Section 7300 of such title is amended by striking ''section 2553'' and inserting ''section 2563''.

SEC. 1034. REPORT ON THE STATUS OF DOMESTIC PREPAREDNESS AGAINST THE THREAT OF BIOLOGICAL TERRORISM.

(a) REPORT REQUIRED.—Not later than March 31, 2001, the President shall submit to Congress a report on domestic preparedness against the threat of biological terrorism.

(b) REPORT ELEMENTS.—The report shall address the following:

(1) The current state of United States preparedness to defend against a biologic attack.

(2) The roles that various Federal agencies currently play, and should play, in preparing for, and defending against, such an attack.

(3) The roles that State and local agencies and public health facilities currently play, and should play, in preparing for, and defending against, such an attack.

(4) The advisability of establishing an intergovernmental task force to assist in preparations for such an attack.

(5) The potential role of advanced communications systems in aiding domestic preparedness against such an attack.

(6) The potential for additional research and development in biotechnology to aid domestic preparedness against such an attack.

(7) Other measures that should be taken to aid domestic preparedness against such an attack.

(8) The financial resources necessary to support efforts for domestic preparedness against such an attack.

(9) The deficiencies and vulnerabilities in the United States public health system for dealing with the consequences of a biological terrorist attack on the United States, and current plans to address those deficiencies and vulnerabilities.

(c) INTELLIGENCE ESTIMATE.—(1) Not later than March 1, 2001, the Secretary of Defense shall submit to Congress an intelligence estimate, prepared in consultation with the Director of Central Intelligence, containing—

(A) an assessment of the threat to the United States posed by a terrorist using a biological weapon; and

(B) an assessment of the relative consequences of an attack against the United States by a terrorist using a biological weapon compared with the consequences of an attack against the United States by a terrorist using a weapon that is a weapon of mass destruction other than a biological weapon or that is a conventional weapon.

(2) The intelligence estimate submitted under paragraph (1) shall include a comparison of—

(A) the likelihood of the threat of a terrorist attack against the United States through the use of a biological weapon, with

(B) the likelihood of the threat of a terrorist attack against the United States through the use of a weapon that is a weapon of mass destruction other than a biological weapon or that is a conventional weapon.

SEC. 1035. REPORT ON STRATEGY, POLICIES, AND PROGRAMS TO COMBAT DOMESTIC TERRORISM.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the strategy, policies, and programs of the United States for combating domestic terrorism, and in particular domestic terrorism involving weapons of mass destruction. The report shall document the progress and problems experienced by the Federal Government in organizing and preparing to respond to domestic terrorist incidents.

Subtitle E—Strategic Forces

SEC. 1041. REVISED NUCLEAR POSTURE REVIEW.

(a) REQUIREMENT FOR COMPREHENSIVE REVIEW.—In order to clarify United States nuclear deterrence policy and strategy for the near term, the Secretary of Defense shall conduct a comprehensive review of the nuclear posture of the United States for the next 5 to 10 years. The Secretary shall conduct the review in consultation with the Secretary of Energy.

(b) ELEMENTS OF REVIEW.—The nuclear posture review shall include the following elements:

(1) The role of nuclear forces in United States military strategy, planning, and programming.

(2) The policy requirements and objectives for the United States to maintain a safe, reliable, and credible nuclear deterrence posture.

(3) The relationship among United States nuclear deterrence policy, targeting strategy, and arms control objectives.

(4) The levels and composition of the nuclear delivery systems that will be required for implementing the United States national and military strategy, including any plans for replacing or modifying existing systems.

(5) The nuclear weapons complex that will be required for implementing the United States national and military strategy, including any plans to modernize or modify the complex.

(6) The active and inactive nuclear weapons stockpile that will be required for implementing the United States national and military strategy, including any plans for replacing or modifying warheads.

(c) REPORT TO CONGRESS.—The Secretary of Defense shall submit to Congress, in unclassified and classified forms as necessary, a report on the results of the nuclear posture review conducted under this section. The report shall be submitted concurrently with the Quadrennial Defense Review report due in December 2001.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the nuclear posture review conducted under this section should be used as the basis for establishing future United States arms control objectives and negotiating positions.

SEC. 1042. PLAN FOR THE LONG-TERM SUSTAINMENT AND MODERNIZATION OF UNITED STATES STRATEGIC NUCLEAR FORCES.

(a) REQUIREMENT FOR PLAN.—The Secretary of Defense, in consultation with the Secretary of Energy, shall develop a long-range plan for the sustainment and modernization of United States strategic nuclear forces to counter emerging threats and satisfy the evolving requirements of deterrence.

(b) ELEMENTS OF PLAN.—The plan specified under subsection (a) shall include the Secretary's plans, if any, for the sustainment and modernization of the following:

(1) Land-based and sea-based strategic ballistic missiles, including any plans for developing replacements for the Minuteman III intercontinental ballistic missile and the Trident II sea-launched ballistic missile and plans for common ballistic missile technology development.

(2) Strategic nuclear bombers, including any plans for a B–2 follow-on, a B–52 replacement, and any new air-launched weapon systems.

(3) Appropriate warheads to outfit the strategic nuclear delivery systems referred to in paragraphs (1) and (2) to satisfy evolving military requirements.

(c) SUBMITTAL OF PLAN.—The plan specified under subsection (a) shall be submitted to Congress not later than April 15, 2001. The plan shall be submitted in unclassified and classified forms, as necessary.

SEC. 1043. MODIFICATION OF SCOPE OF WAIVER AUTHORITY FOR LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

Section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1948), as amended by section 1501(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 806), is further amended by striking ''the application of the limitation in effect under paragraph (1)(B) or (3) of subsection (a), as the case may be,'' and inserting ''the application of the limitation in effect under subsection (a) to a strategic nuclear delivery system''.

SEC. 1044. REPORT ON THE DEFEAT OF HARDENED AND DEEPLY BURIED TARGETS.

(a) STUDY.—The Secretary of Defense shall, in conjunction with the Secretary of Energy, conduct a study relating to the defeat of hardened and deeply buried targets. Under the study, the Secretaries shall—

(1) review—

(A) the requirements of the United States to defeat hardened and deeply buried targets and stockpiles of chemical and biological agents and related capabilities; and

(B) current and future plans to meet those requirements;

(2) determine if those plans adequately address all such requirements;

(3) identify potential future hardened and deeply buried targets and other related targets;

(4) determine what resources and research and development efforts are needed to defeat the targets identified under paragraph (3) as well as

other requirements to defeat stockpiles of chemical and biological agents and related capabilities;

(5) assess both current and future options to defeat hardened and deeply buried targets as well as concepts to defeat stockpiles of chemical and biological agents and related capabilities; and

(6) determine the capability and cost of each option assessed under paragraph (5).

(b) CONDUCT OF ASSESSMENTS.—In conducting the study under subsection (a), the Secretaries may, in order to perform the assessments required by paragraph (5) of that subsection, conduct any limited research and development that may be necessary to perform those assessments.

(c) REPORT.—(1) Not later than July 1, 2001, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the study conducted under subsection (a). The report shall be prepared in conjunction with the Secretary of Energy.

(2) The report under paragraph (1) shall be submitted in unclassified form, together with a classified annex if necessary.

SEC. 1045. SENSE OF CONGRESS ON THE MAINTENANCE OF THE STRATEGIC NUCLEAR TRIAD.

It is the sense of Congress that, in light of the potential for further arms control agreements with the Russian Federation limiting strategic forces—

(1) it is in the national interest of the United States to maintain a robust and balanced triad of strategic nuclear delivery vehicles, including (A) long-range bombers, (B) land-based intercontinental ballistic missiles (ICBMs), and (C) ballistic missile submarines; and

(2) reductions to United States conventional bomber capability are not in the national interest of the United States.

Subtitle F—Miscellaneous Reporting Requirements

SEC. 1051. MANAGEMENT REVIEW OF WORKING-CAPITAL FUND ACTIVITIES.

(a) COMPTROLLER GENERAL REVIEW REQUIRED.—The Comptroller General shall conduct a review of the working-capital fund activities of the Department of Defense to identify any potential changes in current management processes or policies that, if made, would result in a more efficient and economical operation of those activities.

(b) REVIEW TO INCLUDE CARRYOVER POLICY.—The review shall include a review of practices under the Department of Defense policy that authorizes funds available for working-capital fund activities for one fiscal year to be obligated for work to be performed at such activities within the first 90 days of the next fiscal year (known as ''carryover''). On the basis of the review, the Comptroller General shall determine the following:

(1) The extent to which the working-capital fund activities of the Department of Defense have complied with the 90-day carryover policy.

(2) The reasons for the carryover authority under the policy to apply to as much as a 90-day quantity of work.

(3) Whether applying the carryover authority to not more than a 30-day quantity of work would be sufficient to ensure uninterrupted operations at the working-capital fund activities early in a fiscal year.

(4) What, if any, savings could be achieved by restricting the carryover authority so as to apply to a 30-day quantity of work.

SEC. 1052. REPORT ON SUBMARINE RESCUE SUPPORT VESSELS.

(a) REQUIREMENT.—The Secretary of the Navy shall submit to Congress, together with the submission of the budget of the President for fiscal year 2002 under section 1105 of title 31, United States Code, a report on the plan of the Navy for providing for submarine rescue support vessels through fiscal year 2007.

(b) CONTENT.—The report shall include a discussion of the following:

(1) The requirement for submarine rescue support vessels through fiscal year 2007, including experience in changing from the provision of such vessels from dedicated platforms to the provision of such vessels through vessel of opportunity services and charter vessels.

(2) The resources required, the risks to submariners, and the operational impacts of the following:

(A) Chartering submarine rescue support vessels for terms of up to five years, with options to extend the charters for two additional five-year periods.

(B) Providing submarine rescue support vessels using vessel of opportunity services.

(C) Providing submarine rescue support services through other means considered by the Navy.

SEC. 1053. REPORT ON FEDERAL GOVERNMENT PROGRESS IN DEVELOPING INFORMATION ASSURANCE STRATEGIES.

Not later than January 15, 2001, the President shall submit to Congress a comprehensive report detailing the specific steps taken by the Federal Government as of the date of the report to develop critical infrastructure assurance strategies as outlined by Presidential Decision Directive No. 63 (PDD–63). The report shall include the following:

(1) A detailed summary of the progress of each Federal agency in developing an internal information assurance plan.

(2) The progress of Federal agencies in establishing partnerships with relevant private sector industries to address critical infrastructure vulnerabilities.

SEC. 1054. DEPARTMENT OF DEFENSE PROCESS FOR DECISIONMAKING IN CASES OF FALSE CLAIMS.

Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report describing the policies and procedures for Department of Defense decisionmaking on issues arising under sections 3729 through 3733 of title 31, United States Code, in cases of claims submitted to the Department of Defense that are suspected or alleged to be false. The report shall include a discussion of any changes that have been made in the policies and procedures since January 1, 2000, and how such procedures are being implemented.

Subtitle G—Government Information Security Reform

SEC. 1061. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended by inserting at the end the following new subchapter:

''SUBCHAPTER II—INFORMATION SECURITY

''§ 3531. Purposes

''The purposes of this subchapter are the following:

''(1) To provide a comprehensive framework for establishing and ensuring the effectiveness of controls over information resources that support Federal operations and assets.

''(2)(A) To recognize the highly networked nature of the Federal computing environment including the need for Federal Government interoperability and, in the implementation of improved security management measures, assure that opportunities for interoperability are not adversely affected.

''(B) To provide effective Government-wide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities.

''(3) To provide for development and maintenance of minimum controls required to protect Federal information and information systems.

''(4) To provide a mechanism for improved oversight of Federal agency information security programs.

''§ 3532. Definitions

''(a) Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

''(b) In this subchapter:

''(1) The term 'information technology' has the meaning given that term in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

''(2) The term 'mission critical system' means any telecommunications or information system used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency, that—

''(A) is defined as a national security system under section 5142 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1452);

''(B) is protected at all times by procedures established for information which has been specifically authorized under criteria established by an Executive order or an Act of Congress to be classified in the interest of national defense or foreign policy; or

''(C) processes any information, the loss, misuse, disclosure, or unauthorized access to or modification of, would have a debilitating impact on the mission of an agency.

''§ 3533. Authority and functions of the Director

''(a)(1) The Director shall establish Government-wide policies for the management of programs that—

''(A) support the cost-effective security of Federal information systems by promoting security as an integral component of each agency's business operations; and

''(B) include information technology architectures as defined under section 5125 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1425).

''(2) Policies under this subsection shall—

''(A) be founded on a continuing risk management cycle that recognizes the need to—

''(i) identify, assess, and understand risk; and

''(ii) determine security needs commensurate with the level of risk;

''(B) implement controls that adequately address the risk;

''(C) promote continuing awareness of information security risk; and

''(D) continually monitor and evaluate policy and control effectiveness of information security practices.

''(b) The authority under subsection (a) includes the authority to—

''(1) oversee and develop policies, principles, standards, and guidelines for the handling of Federal information and information resources to improve the efficiency and effectiveness of governmental operations, including principles, policies, and guidelines for the implementation of agency responsibilities under applicable law for ensuring the privacy, confidentiality, and security of Federal information;

''(2) consistent with the standards and guidelines promulgated under section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441) and sections 5 and 6 of the Computer Security Act of 1987 (40 U.S.C. 1441 note; Public Law 100–235; 101 Stat. 1729), require Federal agencies to identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency;

''(3) direct the heads of agencies to—

''(A) identify, use, and share best security practices;

''(B) develop an agency-wide information security plan;

''(C) incorporate information security principles and practices throughout the life cycles of the agency's information systems; and

''(D) ensure that the agency's information security plan is practiced throughout all life cycles of the agency's information systems;

''(4) oversee the development and implementation of standards and guidelines relating to security controls for Federal computer systems by

the Secretary of Commerce through the National Institute of Standards and Technology under section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441) and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3);

''(5) oversee and coordinate compliance with this section in a manner consistent with—

''(A) sections 552 and 552a of title 5;

''(B) sections 20 and 21 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3 and 278g–4);

''(C) section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441);

''(D) sections 5 and 6 of the Computer Security Act of 1987 (40 U.S.C. 1441 note; Public Law 100–235; 101 Stat. 1729); and

''(E) related information management laws; and

''(6) take any authorized action under section 5113(b)(5) of the Clinger-Cohen Act of 1996 (40 U.S.C. 1413(b)(5)) that the Director considers appropriate, including any action involving the budgetary process or appropriations management process, to enforce accountability of the head of an agency for information resources management, including the requirements of this subchapter, and for the investments made by the agency in information technology, including—

''(A) recommending a reduction or an increase in any amount for information resources that the head of the agency proposes for the budget submitted to Congress under section 1105(a) of title 31;

''(B) reducing or otherwise adjusting apportionments and reapportionments of appropriations for information resources; and

''(C) using other authorized administrative controls over appropriations to restrict the availability of funds for information resources.

''(c) The authorities of the Director under this section (other than the authority described in subsection (b)(6))—

''(1) shall be delegated to the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President in the case of systems described under subparagraphs (A) and (B) of section 3532(b)(2);

''(2) shall be delegated to the Secretary of Defense in the case of systems described under subparagraph (C) of section 3532(b)(2) that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense; and

''(3) in the case of all other Federal information systems, may be delegated only to the Deputy Director for Management of the Office of Management and Budget.

''§ 3534. Federal agency responsibilities

''(a) The head of each agency shall—

''(1) be responsible for—

''(A) adequately ensuring the integrity, confidentiality, authenticity, availability, and nonrepudiation of information and information systems supporting agency operations and assets;

''(B) developing and implementing information security policies, procedures, and control techniques sufficient to afford security protections commensurate with the risk and magnitude of the harm resulting from unauthorized disclosure, disruption, modification, or destruction of information collected or maintained by or for the agency; and

''(C) ensuring that the agency's information security plan is practiced throughout the life cycle of each agency system;

''(2) ensure that appropriate senior agency officials are responsible for—

''(A) assessing the information security risks associated with the operations and assets for programs and systems over which such officials have control;

''(B) determining the levels of information security appropriate to protect such operations and assets; and

''(C) periodically testing and evaluating information security controls and techniques;

''(3) delegate to the agency Chief Information Officer established under section 3506, or a comparable official in an agency not covered by such section, the authority to administer all functions under this subchapter including—

''(A) designating a senior agency information security official who shall report to the Chief Information Officer or a comparable official;

''(B) developing and maintaining an agencywide information security program as required under subsection (b);

''(C) ensuring that the agency effectively implements and maintains information security policies, procedures, and control techniques;

''(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

''(E) assisting senior agency officials concerning responsibilities under paragraph (2);

''(4) ensure that the agency has trained personnel sufficient to assist the agency in complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines; and

''(5) ensure that the agency Chief Information Officer, in coordination with senior agency officials, periodically—

''(A)(i) evaluates the effectiveness of the agency information security program, including testing control techniques; and

''(ii) implements appropriate remedial actions based on that evaluation; and

''(B) reports to the agency head on—

''(i) the results of such tests and evaluations; and

''(ii) the progress of remedial actions.

''(b)(1) Each agency shall develop and implement an agencywide information security program to provide information security for the operations and assets of the agency, including operations and assets provided or managed by another agency.

''(2) Each program under this subsection shall include—

''(A) periodic risk assessments that consider internal and external threats to—

''(i) the integrity, confidentiality, and availability of systems; and

''(ii) data supporting critical operations and assets;

''(B) policies and procedures that—

''(i) are based on the risk assessments required under subparagraph (A) that cost-effectively reduce information security risks to an acceptable level; and

''(ii) ensure compliance with—

''(I) the requirements of this subchapter;

''(II) policies and procedures as may be prescribed by the Director; and

''(III) any other applicable requirements;

''(C) security awareness training to inform personnel of—

''(i) information security risks associated with the activities of personnel; and

''(ii) responsibilities of personnel in complying with agency policies and procedures designed to reduce such risks;

''(D) periodic management testing and evaluation of the effectiveness of information security policies and procedures;

''(E) a process for ensuring remedial action to address any significant deficiencies; and

''(F) procedures for detecting, reporting, and responding to security incidents, including—

''(i) mitigating risks associated with such incidents before substantial damage occurs;

''(ii) notifying and consulting with law enforcement officials and other offices and authorities;

''(iii) notifying and consulting with an office designated by the Administrator of General Services within the General Services Administration; and

''(iv) notifying and consulting with an office designated by the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President for incidents involving systems described under subparagraphs (A) and (B) of section 3532(b)(2).

''(3) Each program under this subsection is subject to the approval of the Director and is required to be reviewed at least annually by agency program officials in consultation with the Chief Information Officer. In the case of systems described under subparagraphs (A) and (B) of section 3532(b)(2), the Director shall delegate approval authority under this paragraph to the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President.

''(c)(1) Each agency shall examine the adequacy and effectiveness of information security policies, procedures, and practices in plans and reports relating to—

''(A) annual agency budgets;

''(B) information resources management under subchapter I of this chapter;

''(C) performance and results based management under the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.);

''(D) program performance under sections 1105 and 1115 through 1119 of title 31, and sections 2801 through 2805 of title 39; and

''(E) financial management under—

''(i) chapter 9 of title 31, United States Code, and the Chief Financial Officers Act of 1990 (31 U.S.C. 501 note; Public Law 101–576) (and the amendments made by that Act);

''(ii) the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note) (and the amendments made by that Act); and

''(iii) the internal controls conducted under section 3512 of title 31.

''(2) Any significant deficiency in a policy, procedure, or practice identified under paragraph (1) shall be reported as a material weakness in reporting required under the applicable provision of law under paragraph (1).

''(d)(1) In addition to the requirements of subsection (c), each agency, in consultation with the Chief Information Officer, shall include as part of the performance plan required under section 1115 of title 31 a description of—

''(A) the time periods, and

''(B) the resources, including budget, staffing, and training,

which are necessary to implement the program required under subsection (b)(1).

''(2) The description under paragraph (1) shall be based on the risk assessment required under subsection (b)(2)(A).

''§ 3535. Annual independent evaluation

''(a)(1) Each year each agency shall have performed an independent evaluation of the information security program and practices of that agency.

''(2) Each evaluation by an agency under this section shall include—

''(A) testing of the effectiveness of information security control techniques for an appropriate subset of the agency's information systems; and

''(B) an assessment (made on the basis of the results of the testing) of the compliance with—

''(i) the requirements of this subchapter; and

''(ii) related information security policies, procedures, standards, and guidelines.

''(3) The Inspector General or the independent evaluator performing an evaluation under this section may use an audit, evaluation, or report relating to programs or practices of the applicable agency.

''(b)(1)(A) Subject to subparagraph (B), for agencies with Inspectors General appointed under the Inspector General Act of 1978 (5 U.S.C. App.) or any other law, the annual evaluation required under this section or, in the case of systems described under subparagraphs (A) and (B) of section 3532(b)(2), an audit of the annual evaluation required under this section, shall be performed by the Inspector General or by an independent evaluator, as determined by the Inspector General of the agency.

''(B) For systems described under subparagraphs (A) and (B) of section 3532(b)(2), the evaluation required under this section shall be performed only by an entity designated by the

Secretary of Defense, the Director of Central Intelligence, or another agency head as designated by the President.

''(2) For any agency to which paragraph (1) does not apply, the head of the agency shall contract with an independent evaluator to perform the evaluation.

''(c) Each year, not later than the anniversary of the date of the enactment of this subchapter, the applicable agency head shall submit to the Director—

''(1) the results of each evaluation required under this section, other than an evaluation of a system described under subparagraph (A) or (B) of section 3532(b)(2); and

''(2) the results of each audit of an evaluation required under this section of a system described under subparagraph (A) or (B) of section 3532(b)(2).

''(d)(1) The Director shall submit to Congress each year a report summarizing the materials received from agencies pursuant to subsection (c) in that year.

''(2) Evaluations and audits of evaluations of systems under the authority and control of the Director of Central Intelligence and evaluations and audits of evaluation of National Foreign Intelligence Programs systems under the authority and control of the Secretary of Defense shall be made available only to the appropriate oversight committees of Congress, in accordance with applicable laws.

''(e) Agencies and evaluators shall take appropriate actions to ensure the protection of information, the disclosure of which may adversely affect information security. Such protections shall be commensurate with the risk and comply with all applicable laws.

''§ 3536. Expiration

''This subchapter shall not be in effect after the date that is two years after the date on which this subchapter takes effect.''.

SEC. 1062. RESPONSIBILITIES OF CERTAIN AGENCIES.

(a) DEPARTMENT OF COMMERCE.—Notwithstanding section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) and except as provided under subsection (b), the Secretary of Commerce, through the National Institute of Standards and Technology and with technical assistance from the National Security Agency, as required or when requested, shall—

(1) develop, issue, review, and update standards and guidance for the security of Federal information systems, including development of methods and techniques for security systems and validation programs;

(2) develop, issue, review, and update guidelines for training in computer security awareness and accepted computer security practices, with assistance from the Office of Personnel Management;

(3) provide agencies with guidance for security planning to assist in the development of applications and system security plans for such agencies;

(4) provide guidance and assistance to agencies concerning cost-effective controls when interconnecting with other systems; and

(5) evaluate information technologies to assess security vulnerabilities and alert Federal agencies of such vulnerabilities as soon as those vulnerabilities are known.

(b) DEPARTMENT OF DEFENSE AND THE INTELLIGENCE COMMUNITY.—

(1) IN GENERAL.—Notwithstanding any other provision of this subtitle (including any amendment made by this subtitle)—

(A) the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President, shall, consistent with their respective authorities—

(i) develop and issue information security policies, standards, and guidelines for systems described under subparagraphs (A) and (B) of section 3532(b)(2) of title 44, United States Code (as added by section 1061 of this Act), that provide more stringent protection, to the maximum extent practicable, than the policies, principles, standards, and guidelines required under section 353 of such title (as added by such section 1061); and

(ii) ensure the implementation of the information security policies, principles, standards, and guidelines described under clause (i); and

(B) the Secretary of Defense shall, consistent with his authority—

(i) develop and issue information security policies, standards, and guidelines for systems described under subparagraph (C) of section 3532(b)(2) of title 44, United States Code (as added by section 1061 of this Act), that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that provide more stringent protection, to the maximum extent practicable, than the policies, principles, standards, and guidelines required under section 3533 of such title (as added by such section 1061); and

(ii) ensure the implementation of the information security policies, principles, standards, and guidelines described under clause (i).

(2) MEASURES ADDRESSED.—The policies, principles, standards, and guidelines developed by the Secretary of Defense and the Director of Central Intelligence under paragraph (1) shall address the full range of information assurance measures needed to protect and defend Federal information and information systems by ensuring their integrity, confidentiality, authenticity, availability, and nonrepudiation.

(c) DEPARTMENT OF JUSTICE.—The Attorney General shall review and update guidance to agencies on—

(1) legal remedies regarding security incidents and ways to report to and work with law enforcement agencies concerning such incidents; and

(2) lawful uses of security techniques and technologies.

(d) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall—

(1) review and update General Services Administration guidance to agencies on addressing security considerations when acquiring information technology; and

(2) assist agencies in—

(A) fulfilling agency responsibilities under section 3534(b)(2)(F) of title 44, United States Code (as added by section 1061 of this Act); and

(B) the acquisition of cost-effective security products, services, and incident response capabilities.

(e) OFFICE OF PERSONNEL MANAGEMENT.—The Director of the Office of Personnel Management shall—

(1) review and update Office of Personnel Management regulations concerning computer security training for Federal civilian employees;

(2) assist the Department of Commerce in updating and maintaining guidelines for training in computer security awareness and computer security best practices; and

(3) work with the National Science Foundation and other agencies on personnel and training initiatives (including scholarships and fellowships, as authorized by law) as necessary to ensure that the Federal Government—

(A) has adequate sources of continuing information security education and training available for employees; and

(B) has an adequate supply of qualified information security professionals to meet agency needs.

(f) INFORMATION SECURITY POLICIES, PRINCIPLES, STANDARDS, AND GUIDELINES.—

(1) ADOPTION OF POLICIES, PRINCIPLES, STANDARDS, AND GUIDELINES OF OTHER AGENCIES.—The policies, principles, standards, and guidelines developed under subsection (b) by the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President may be adopted, to the extent that such policies are consistent with policies and guidance developed by the Director of the Office of Management and Budget and the Secretary of Commerce—

(A) by the Director of the Office of Management and Budget, as appropriate, for application to the mission critical systems of all agencies; or

(B) by an agency head, as appropriate, for application to the mission critical systems of that agency.

(2) DEVELOPMENT OF MORE STRINGENT POLICIES, PRINCIPLES, STANDARDS, AND GUIDELINES.—To the extent that such policies are consistent with policies and guidance developed by the Director of the Office of Management and Budget and the Secretary of Commerce, an agency may develop and implement information security policies, principles, standards, and guidelines that provide more stringent protection than those required under section 3533 of title 44, United States Code (as added by section 1061 of this Act), or subsection (a) of this section.

(g) ATOMIC ENERGY ACT OF 1954.—Nothing in this subtitle (including any amendment made by this subtitle) shall supersede any requirement made by, or under, the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Restricted Data or Formerly Restricted Data shall be handled, protected, classified, downgraded, and declassified in conformity with the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

SEC. 1063. RELATIONSHIP OF DEFENSE INFORMATION ASSURANCE PROGRAM TO GOVERNMENT-WIDE INFORMATION SECURITY PROGRAM.

(a) CONSISTENCY OF REQUIREMENTS.—Subsection (b) of section 2224 of title 10, United States Code, is amended—

(1) by striking ''(b) OBJECTIVES OF THE PROGRAM.—'' and inserting ''(b) OBJECTIVES AND MINIMUM REQUIREMENTS.—(1)''; and

(2) by adding at the end the following:

''(2) The program shall at a minimum meet the requirements of sections 3534 and 3535 of title 44.''.

(b) ADDITION TO ANNUAL REPORT.—Subsection (e) of such section is amended by adding at the end the following new paragraph:

''(7) A summary of the actions taken in the administration of sections 3534 and 3535 of title 44 within the Department of Defense.''.

SEC. 1064. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF SECTIONS.—Chapter 35 of title 44, United States Code, is amended—

(1) in the table of sections—

(A) by inserting after the chapter heading the following:

''SUBCHAPTER I—FEDERAL INFORMATION POLICY'';

and

(B) by inserting after the item relating to section 3520 the following:

''SUBCHAPTER II—INFORMATION SECURITY

''Sec.
''3531. Purposes.
''3532. Definitions.
''3533. Authority and functions of the Director.
''3534. Federal agency responsibilities.
''3535. Annual independent evaluation.
''3536. Expiration.'';

and

(2) by inserting before section 3501 the following:

''SUBCHAPTER I—FEDERAL INFORMATION POLICY''.

(b) REFERENCES TO CHAPTER 35.—Sections 3501 through 3520 of title 44, United States Code, are amended by striking ''chapter'' each place it appears and inserting ''subchapter'', except in section 3507(i)(1) of such title.

SEC. 1065. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect 30 days after the date of enactment of this Act.

Subtitle H—Security Matters

SEC. 1071. LIMITATION ON GRANTING OF SECURITY CLEARANCES.

(a) IN GENERAL.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 986. Security clearances: limitations

''(a) PROHIBITION.—After the date of the enactment of this section, the Department of Defense may not grant or renew a security clearance for a person to whom this section applies who is described in subsection (c).

''(b) COVERED PERSONS.—This section applies to the following persons:

''(1) An officer or employee of the Department of Defense.

''(2) A member of the Army, Navy, Air Force, or Marine Corps who is on active duty or is in an active status.

''(3) An officer or employee of a contractor of the Department of Defense.

''(c) PERSONS DISQUALIFIED FROM BEING GRANTED SECURITY CLEARANCES.—A person is described in this subsection if any of the following applies to that person:

''(1) The person has been convicted in any court of the United States of a crime and sentenced to imprisonment for a term exceeding one year.

''(2) The person is an unlawful user of, or is addicted to, a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(3) The person is mentally incompetent, as determined by a mental health professional approved by the Department of Defense.

''(4) The person has been discharged or dismissed from the Armed Forces under dishonorable conditions.

''(d) WAIVER AUTHORITY.—In a meritorious case, the Secretary of Defense or the Secretary of the military department concerned may authorize an exception to the prohibition in subsection (a) for a person described in paragraph (1) or (4) of subsection (c). The authority under the preceding sentence may not be delegated.

''(e) ANNUAL REPORT.—Not later than February 1 each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report identifying each waiver issued under subsection (d) during the preceding year with an explanation for each case of the disqualifying factor in subsection (c) that applied, and the reason for the waiver of the disqualification.''.

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

''986. Security clearances: limitations.''.

SEC. 1072. PROCESS FOR PRIORITIZING BACKGROUND INVESTIGATIONS FOR SECURITY CLEARANCES FOR DEPARTMENT OF DEFENSE PERSONNEL AND DEFENSE CONTRACTOR PERSONNEL.

(a) ESTABLISHMENT OF PROCESS.—Chapter 80 of title 10, United States Code, is amended by adding after section 1563, as added by section 542(a), the following new section:

"§ 1564. Security clearance investigations

''(a) EXPEDITED PROCESS.—The Secretary of Defense shall prescribe a process for expediting the completion of the background investigations necessary for granting security clearances for Department of Defense personnel and Department of Defense contractor personnel who are engaged in sensitive duties that are critical to the national security.

''(b) REQUIRED FEATURES.—The process developed under subsection (a) shall provide for the following:

''(1) Quantification of the requirements for background investigations necessary for grants of security clearances for Department of Defense personnel and Department of Defense contractor personnel.

''(2) Categorization of personnel on the basis of the degree of sensitivity of their duties and the extent to which those duties are critical to the national security.

''(3) Prioritization of the processing of background investigations on the basis of the categories of personnel determined under paragraph (2).

''(c) ANNUAL REVIEW.—The Secretary shall conduct an annual review of the process prescribed under subsection (a) and shall revise that process as determined necessary in relation to ongoing Department of Defense missions.

''(d) CONSULTATION REQUIREMENT.—The Secretary shall consult with the Secretaries of the military departments and the heads of Defense Agencies in carrying out this section.

''(e) SENSITIVE DUTIES.—For the purposes of this section, it is not necessary for the performance of duties to involve classified activities or classified matters in order for the duties to be considered sensitive and critical to the national security.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 1563, as added by section 542(b), the following new item:

''1564. Security clearance investigations.''.

(c) DEADLINE FOR PRESCRIBING PROCESS FOR PRIORITIZING BACKGROUND INVESTIGATIONS FOR SECURITY CLEARANCES.—The process required by section 1564(a) of title 10, United States Code, as added by subsection (a), for expediting the completion of the background investigations necessary for granting security clearances for certain persons shall be prescribed not later than January 1, 2001.

SEC. 1073. AUTHORITY TO WITHHOLD CERTAIN SENSITIVE INFORMATION FROM PUBLIC DISCLOSURE.

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

"§ 130c. Nondisclosure of information: certain sensitive information of foreign governments and international organizations

''(a) EXEMPTION FROM DISCLOSURE.—The national security official concerned (as defined in subsection (h)) may withhold from public disclosure otherwise required by law sensitive information of foreign governments in accordance with this section.

''(b) INFORMATION ELIGIBLE FOR EXEMPTION.—For the purposes of this section, information is sensitive information of a foreign government only if the national security official concerned makes each of the following determinations with respect to the information:

''(1) That the information was provided by, otherwise made available by, or produced in cooperation with, a foreign government or international organization.

''(2) That the foreign government or international organization is withholding the information from public disclosure (relying for that determination on the written representation of the foreign government or international organization to that effect).

''(3) That any of the following conditions are met:

''(A) The foreign government or international organization requests, in writing, that the information be withheld.

''(B) The information was provided or made available to the United States Government on the condition that it not be released to the public.

''(C) The information is an item of information, or is in a category of information, that the national security official concerned has specified in regulations prescribed under subsection (f) as being information the release of which would have an adverse effect on the ability of the United States Government to obtain the same or similar information in the future.

''(c) INFORMATION OF OTHER AGENCIES.—If the national security official concerned provides to the head of another agency sensitive information of a foreign government, as determined by that national security official under subsection (b), and informs the head of the other agency of that determination, then the head of the other agency shall withhold the information from any public disclosure unless that national security official specifically authorizes the disclosure.

''(d) LIMITATIONS.—(1) If a request for disclosure covers any sensitive information of a foreign government (as described in subsection (b)) that came into the possession or under the control of the United States Government before the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 and more than 25 years before the request is received by an agency, the information may be withheld only as set forth in paragraph (3).

''(2)(A) If a request for disclosure covers any sensitive information of a foreign government (as described in subsection (b)) that came into the possession or under the control of the United States Government on or after the date referred to in paragraph (1), the authority to withhold the information under this section is subject to the provisions of subparagraphs (B) and (C).

''(B) Information referred to in subparagraph (A) may not be withheld under this section after—

''(i) the date that is specified by a foreign government or international organization in a request or expression of a condition described in paragraph (1) or (2) of subsection (b) that is made by the foreign government or international organization concerning the information; or

''(ii) if there are more than one such foreign governments or international organizations, the latest date so specified by any of them.

''(C) If no date is applicable under subparagraph (B) to a request referred to in subparagraph (A) and the information referred to in that subparagraph came into possession or under the control of the United States more than 10 years before the date on which the request is received by an agency, the information may be withheld under this section only as set forth in paragraph (3).

''(3) Information referred to in paragraph (1) or (2)(C) may be withheld under this section in the case of a request for disclosure only if, upon the notification of each foreign government and international organization concerned in accordance with the regulations prescribed under subsection (g)(2), any such government or organization requests in writing that the information not be disclosed for an additional period stated in the request of that government or organization. After the national security official concerned considers the request of the foreign government or international organization, the official shall designate a later date as the date after which the information is not to be withheld under this section. The later date may be extended in accordance with a later request of any such foreign government or international organization under this paragraph.

''(e) INFORMATION PROTECTED UNDER OTHER AUTHORITY.—This section does not apply to information or matters that are specifically required in the interest of national defense or foreign policy to be protected against unauthorized disclosure under criteria established by an Executive order and are classified, properly, at the confidential, secret, or top secret level pursuant to such Executive order.

''(f) DISCLOSURES NOT AFFECTED.—Nothing in this section shall be construed to authorize any official to withhold, or to authorize the withholding of, information from the following:

''(1) Congress.

''(2) The Comptroller General, unless the information relates to activities that the President designates as foreign intelligence or counterintelligence activities.

''(g) REGULATIONS.—(1) The national security officials referred to in subsection (h)(1) shall

each prescribe regulations to carry out this section. The regulations shall include criteria for making the determinations required under subsection (b). The regulations may provide for controls on access to and use of, and special markings and specific safeguards for, a category or categories of information subject to this section.

''(2) The regulations shall include procedures for notifying and consulting with each foreign government or international organization concerned about requests for disclosure of information to which this section applies.

''(h) DEFINITIONS.—In this section:

''(1) The term 'national security official concerned' means the following:

''(A) The Secretary of Defense, with respect to information of concern to the Department of Defense, as determined by the Secretary.

''(B) The Secretary of Transportation, with respect to information of concern to the Coast Guard, as determined by the Secretary, but only while the Coast Guard is not operating as a service in the Navy.

''(C) The Secretary of Energy, with respect to information concerning the national security programs of the Department of Energy, as determined by the Secretary.

''(2) The term 'agency' has the meaning given that term in section 552(f) of title 5.

''(3) The term 'international organization' means the following:

''(A) A public international organization designated pursuant to section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288) as being entitled to enjoy the privileges, exemptions, and immunities provided in such Act.

''(B) A public international organization created pursuant to a treaty or other international agreement as an instrument through or by which two or more foreign governments engage in some aspect of their conduct of international affairs.

''(C) An official mission, except a United States mission, to a public international organization referred to in subparagraph (A) or (B).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130b the following new item:

''130c. Nondisclosure of information: certain sensitive information of foreign governments and international organizations.''.

SEC. 1074. EXPANSION OF AUTHORITY TO EXEMPT GEODETIC PRODUCTS OF THE DEPARTMENT OF DEFENSE FROM PUBLIC DISCLOSURE.

Section 455(b)(1)(C) of title 10, United States Code, is amended by striking ''or reveal military operational or contingency plans'' and inserting '', reveal military operational or contingency plans, or reveal, jeopardize, or compromise military or intelligence capabilities''.

SEC. 1075. EXPENDITURES FOR DECLASSIFICATION ACTIVITIES.

(a) IDENTIFICATION IN BUDGET MATERIALS OF AMOUNTS FOR DECLASSIFICATION ACTIVITIES.—Section 230 of title 10, United States Code, is amended—

(1) by striking '', as a budgetary line item,''; and

(2) by adding at the end the following new sentence: ''Identification of such amounts in such budget justification materials shall be in a single display that shows the total amount for the Department of Defense and the amount for each military department and Defense Agency.''.

(b) LIMITATION ON EXPENDITURES.—The total amount expended by the Department of Defense during fiscal year 2001 to carry out declassification activities under the provisions of sections 3.4, 3.5, and 3.6 of Executive Order 12958 (50 U.S.C. 435 note) and for special searches (including costs for document search, copying, and review and imagery analysis) may not exceed $30,000,000.

(c) COMPILATION AND ORGANIZATION OF RECORDS.—The Department of Defense may not be required, when conducting a special search, to compile or organize records that have already been declassified and placed into the public domain.

(d) SPECIAL SEARCHES.—For the purpose of this section, the term ''special search'' means the response of the Department of Defense to any of the following:

(1) A statutory requirement to conduct a declassification review on a specified set of agency records.

(2) An Executive order to conduct a declassification review on a specified set of agency records.

(3) An order from the President or an official with delegated authority from the President to conduct a declassification review on a specified set of agency records.

SEC. 1076. ENHANCED ACCESS TO CRIMINAL HISTORY RECORD INFORMATION FOR NATIONAL SECURITY AND OTHER PURPOSES

(a) COVERAGE OF DEPARTMENT OF TRANSPORTATION.—Section 9101 of title 5, United States Code, is amended—

(1) by adding at the end of subsection (a) the following new paragraph:

''(6) The term 'covered agency' means any of the following:

''(A) The Department of Defense.

''(B) The Department of State.

''(C) The Department of Transportation.

''(D) The Office of Personnel Management.

''(E) The Central Intelligence Agency.

''(F) The Federal Bureau of Investigation.'';

(2) in subsection (b)(1)—

(A) by striking ''by the Department of Defense'' and all that follows through ''Federal Bureau of Investigation'' and inserting ''by the head of a covered agency''; and

(B) by striking ''such department, office, agency, or bureau'' and inserting ''that covered agency''; and

(3) in subsection (c), by striking ''The Department of Defense'' and all that follows through ''Federal Bureau of Investigation'' and inserting ''A covered agency''.

(b) REPEAL OF EXPIRED PROVISION.—Subsection (b) of such section is amended by striking paragraph (3).

(c) EXPANDED PURPOSES FOR ACCESS TO CRIMINAL HISTORY INFORMATION.—Subsection (b) of such section is further amended—

(1) by redesignating paragraph (2) as paragraph (4);

(2) in the first sentence of paragraph (1)—

(A) by inserting ''any of the following:'' after ''eligibility for''; and

(B) by striking ''(A) access to classified information'' and all that follows through the end of the sentence and inserting the following:

''(A) Access to classified information.

''(B) Assignment to or retention in sensitive national security duties.

''(C) Acceptance or retention in the armed forces.

''(D) Appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the Government or performing a Government contract.'';

(3) by designating the second sentence of paragraph (1) as paragraph (2); and

(4) by designating the third sentence of paragraph (1) as paragraph (3) and in that sentence by striking '', nor shall'' and all that follows through the end of the sentence and inserting a period.

(d) USE OF AUTOMATED INFORMATION DELIVERY SYSTEMS.—Such section is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e)(1) Automated information delivery systems shall be used to provide criminal history record information to a covered agency under subsection (b) whenever available.

''(2) Fees, if any, charged for automated access through such systems may not exceed the reasonable cost of providing such access.

''(3) The criminal justice agency providing the criminal history record information through such systems may not limit disclosure on the basis that the repository is accessed from outside the State.

''(4) Information provided through such systems shall be the full and complete criminal history record.

''(5) Criminal justice agencies shall accept and respond to requests for criminal history record information through such systems with printed or photocopied records when requested.''.

(e) TECHNICAL AMENDMENTS.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking ''includes'' and all that follows through ''thereof which'' and inserting ''means (A) any Federal, State, or local court, and (B) any Federal, State, or local agency, or any subunit thereof, which''; and

(2) in paragraph (4)—

(A) by inserting ''the Commonwealth of'' before ''the Northern Mariana Islands''; and

(B) by striking ''the Trust Territory of the Pacific Islands,'.

(f) CONFORMING AMENDMENTS.—(1)(A) The heading for chapter 91 of title 5, United States Code, is amended to read as follows:

''CHAPTER 91—ACCESS TO CRIMINAL HISTORY RECORDS FOR NATIONAL SECURITY AND OTHER PURPOSES''.

(B) The item relating to chapter 91 in the table of chapters at the beginning of part III of such title is amended to read as follows:

''91. Access to Criminal History Records for National Security and Other Purposes ..... 9101''.

(2)(A) The heading of section 9101 of such title is amended to read as follows:

''§ 9101. Access to criminal history records for national security and other purposes''.

(B) The item relating to that section in the table of sections at the beginning of chapter 91 of such title is amended to read as follows:

''9101. Access to criminal history records for national security and other purposes.''.

(g) REPEAL OF SUPERSEDED PROVISION.—(1) Section 520a of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 520a.

SEC. 1077. TWO-YEAR EXTENSION OF AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended in the second sentence by striking ''December 31, 2000'' and inserting ''December 31, 2002''.

SEC. 1078. COORDINATION OF NUCLEAR WEAPONS SECRECY POLICIES AND CONSIDERATION OF HEALTH OF WORKERS AT FORMER DEPARTMENT OF DEFENSE NUCLEAR FACILITIES.

(a) REVIEW OF SECRECY POLICIES.—(1) The Secretary of Defense shall review classification and security policies of the Department of Defense in order to ensure that, within appropriate national security constraints, those policies do not prevent or discourage former defense nuclear weapons facility employees who may have been exposed to radioactive or other hazardous substances associated with nuclear weapons from discussing such exposures with appropriate health care providers and with other appropriate officials.

(2) The policies reviewed under paragraph (1) shall include the policy to neither confirm nor deny the presence of nuclear weapons as that

policy is applied to former defense nuclear weapons facilities.

(b) DEFINITIONS.—For purposes of this section:

(1) The term ''former defense nuclear weapons facility employees'' means employees and former employees of the Department of Defense who are or were employed at a site that, as of the date of the enactment of this Act, is a former defense nuclear weapons facility.

(2) The term ''former defense nuclear weapons facility'' means a current or former Department of Defense site in the United States which at one time was a defense nuclear weapons facility but which no longer contains nuclear weapons or materials and otherwise is no longer used for such purpose.

(3) The term ''defense nuclear weapons facility'' means a Department of Defense site in the United States at which nuclear weapons or materials are stored, assembled, disassembled, or maintained.

(c) NOTIFICATION OF AFFECTED EMPLOYEES.—(1) The Secretary of Defense shall seek to identify individuals—

(A) who are former defense nuclear weapons facility employees; and

(B) who, while employed at a defense nuclear weapons facility, may have been exposed to radioactive or hazardous substances associated with nuclear weapons.

(2) Upon identification of any individual under paragraph (1), the Secretary of Defense shall notify that individual, by mail or other individual means, of any such exposure to radioactive or hazardous substances associated with nuclear weapons that has been identified by the Secretary. The notification shall include an explanation of how (or the degree to which) that individual can discuss any such exposure with a health care provider who does not hold a security clearance without violating security or classification procedures and, if necessary, provide guidance to facilitate the ability of that individual to contact a health care provider with appropriate security clearances or otherwise to discuss such exposures with other officials who are determined by the Secretary of Defense to be appropriate.

(d) REPORT.—Not later than May 1, 2001, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth—

(1) the results of the review conducted under subsection (a), including any changes made or recommendations for legislation; and

(2) the status of the notifications required by subsection (b) and an anticipated date by which the identification and notification of individuals under that subsection will be completed.

(e) CONSULTATION WITH SECRETARY OF ENERGY.—The Secretary of Defense shall carry out the review under subsection (a) and the identification of individuals under subsection (b), and shall prepare the report under subsection (c), in consultation with the Secretary of Energy.

Subtitle I—Other Matters

SEC. 1081. FUNDS FOR ADMINISTRATIVE EXPENSES UNDER DEFENSE EXPORT LOAN GUARANTEE PROGRAM.

(a) AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS ON AN INTERIM BASIS.—Section 2540c(d) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''FEES.—''; and

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

''(2)(A) If for any fiscal year amounts in the special account established under paragraph (1) are not available (or are not anticipated to be available) in a sufficient amount for administrative expenses of the Department of Defense for that fiscal year that are directly attributable to the administration of the program under this subchapter, the Secretary may use amounts currently available for operations and maintenance for Defense-wide activities, not to exceed $500,000 in any fiscal year, for those expenses.

''(B) The Secretary shall, from funds in the special account established under paragraph (1), replenish operations and maintenance accounts for amounts expended under subparagraph (A) as soon as the Secretary determines practicable.''.

(b) EFFECTIVE DATE.—Paragraph (2) of section 2540c(d) of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2000.

(c) LIMITATION PENDING SUBMISSION OF REPORT.—The Secretary of Defense may not exercise the authority provided by paragraph (2) of section 2540c(d) of title 10, United States Code, as added by subsection (a), until the Secretary submits to Congress a report on the operation of the Defense Export Loan Guarantee Program under subchapter V of chapter 148 of title 10, United States Code. The report shall include the following:

(1) A discussion of the effectiveness of the loan guarantee program in furthering the sale of United States defense articles, defense services, and design and construction services to nations that are specified in section 2540(b) of such title, to include a comparison of the loan guarantee program with other United States Government programs that are intended to contribute to the sale of United States defense articles, defense services, and design and construction services and other comparisons the Secretary determines to be appropriate.

(2) A discussion of the requirements and resources (including personnel and funds) for continued administration of the loan guarantee program by the Defense Department, to include—

(A) an itemization of the requirements necessary and resources available (or that could be made available) to administer the loan guarantee program for each of the following entities: the Defense Security Cooperation Agency, the Department of Defense International Cooperation Office, and other Defense Department agencies, offices, or activities as the Secretary may specify; and

(B) for each such activity, agency, or office, a comparison of the use of Defense Department personnel exclusively to administer, manage, and oversee the program with the use of contracted commercial entities to administer and manage the program.

(3) Any legislative recommendations that the Secretary believes could improve the effectiveness of the program.

(4) A determination made by the Secretary of Defense indicating which Defense Department agency, office, or other activity should administer, manage, and oversee the loan guarantee program to increase sales of United States defense articles, defense services, and design and construction services, such determination to be made based on the information and analysis provided in the report.

SEC. 1082. TRANSIT PASS PROGRAM FOR DEPARTMENT OF DEFENSE PERSONNEL IN POOR AIR QUALITY AREAS.

(a) IN GENERAL.—(1) Chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

''§2259. Transit pass program: personnel in poor air quality areas

''(a) ESTABLISHMENT OF PROGRAM.—To encourage Department of Defense personnel assigned to duty, or employed, in poor air quality areas to use means other than single-occupancy motor vehicles to commute to or from the location of their duty assignments, the Secretary of Defense shall exercise the authority provided in section 7905 of title 5 to establish a program to provide a transit pass benefit under subsection (b)(2)(A) of that section for members of the Army, Navy, Air Force, and Marine Corps who are assigned to duty, and to Department of Defense civilian officers and employees who are employed, in a poor air quality area.

''(b) POOR AIR QUALITY AREAS.—In this section, the term 'poor air quality area' means an area—

''(1) that is subject to the national ambient air quality standards promulgated by the Administrator of the Environmental Protection Agency under section 109 of the Clean Air Act (42 U.S.C. 7409); and

''(2) that, as determined by the Administrator of the Environmental Protection Agency, is a nonattainment area with respect to any of those standards.''.

(2) The table of sections at the beginning of subchapter II of such chapter is amended by adding at the end the following new item:

''2259. Transit pass program: personnel in poor air quality areas.''.

(b) TIME FOR IMPLEMENTATION.—The Secretary of Defense shall prescribe the effective date for the transit pass program required under section 2259 of title 10, United States Code, as added by subsection (a). The effective date so prescribed may not be later than the first day of the first month that begins on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 1083. TRANSFER OF VIETNAM ERA TA–4 AIRCRAFT TO NONPROFIT FOUNDATION.

(a) AUTHORITY TO CONVEY.—The Secretary of the Navy may convey, without consideration, to the nonprofit Collings Foundation of Stow, Massachusetts (in this section referred to as the ''foundation''), all right, title, and interest of the United States in and to one surplus TA–4 aircraft that is flyable or that can be readily restored to flyable condition. The conveyance shall be made by means of a conditional deed of gift.

(b) CONDITION OF AIRCRAFT.—(1) The Secretary may not convey ownership of an aircraft under subsection (a) until the Secretary determines that the foundation has altered the aircraft in such manner as the Secretary determines necessary to ensure that the aircraft does not have any capability for use as a platform for launching or releasing munitions or any other combat capability that it was designed to have. The foundation shall complete any such alteration within one year after the date of the enactment of this Act.

(2) The Secretary is not required to repair or alter the condition of the aircraft before conveying ownership of the aircraft.

(c) REVERTER UPON BREACH OF CONDITIONS.—The Secretary shall include in the instrument of conveyance of the aircraft—

(1) a condition that the foundation not convey any ownership interest in, or transfer possession of, the aircraft to any other party without the prior approval of the Secretary;

(2) a condition that the foundation operate and maintain the aircraft in compliance with all applicable limitations and maintenance requirements imposed by the Administrator of the Federal Aviation Administration; and

(3) a condition that if the Secretary determines at any time that the foundation has conveyed an ownership interest in, or transferred possession of, the aircraft to any other party without the prior approval of the Secretary, or has failed to comply with the condition set forth in paragraph (2), all right, title, and interest in and to the aircraft, including any repair or alteration of the aircraft, shall revert to the United States, and the United States shall have the right of immediate possession of the aircraft.

(d) CONVEYANCE AT NO COST TO THE UNITED STATES.—The conveyance of the aircraft under subsection (a) shall be made at no cost to the United States. Any costs associated with the conveyance, costs of determining compliance with subsection (b), and costs of operation and maintenance of the aircraft conveyed shall be borne by the foundation.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance

under this section as the Secretary considers appropriate to protect the interests of the United States.

(f) CLARIFICATION OF LIABILITY.—Notwithstanding any other provision of law, upon the conveyance of ownership of a TA–4 aircraft to the foundation under subsection (a), the United States shall not be liable for any death, injury, loss, or damage that results from any use of that aircraft by any person other than the United States.

SEC. 1084. TRANSFER OF 19TH CENTURY CANNON TO MUSEUM.

(a) DONATION REQUIRED.—The Secretary of the Army shall convey, without consideration, to the Friends of the Cannonball House, Incorporated (in this section referred to as the ''recipient''), which is a nonprofit corporation that operates the Cannonball House Museum in Macon, Georgia, all right, title, and interest of the United States in and to a 12-pounder Napoleon cannon bearing the following markings:

(1) On the top ''CS''.

(2) On the face of the muzzle: ''Macon Arsenal, 1864/No.41/1164 ET''.

(3) On the right trunnion: ''Macon Arsenal GEO/1864/No.41/WT.1164/E.T.''.

(b) ADDITIONAL TERMS AND CONDITIONS ON CONVEYANCE.—The Secretary of the Army shall include in the instrument of conveyance of the cannon under subsection (a)—

(1) a condition that the recipient not convey any ownership interest in, or transfer possession of, the cannon to any other party without the prior approval of the Secretary; and

(2) a condition that if the Secretary determines at any time that the recipient has conveyed an ownership interest in, or transferred possession of, the cannon to any other party without the prior approval of the Secretary, all right, title, and interest in and to the cannon shall revert to the United States, and the United States shall have the right of immediate possession of the cannon.

(c) RELATIONSHIP TO OTHER LAW.—The conveyance required under this section may be carried out without regard to the Act entitled ''An Act for the preservation of American antiquities'', approved June 8, 1906 (16 U.S.C. 431 et seq.), popularly referred to as the ''Antiquities Act of 1906''.

(d) ACQUISITION OF REPLACEMENT MACON CANNON.—If the Secretary of the Army determines that the Army's inventory of Civil War era cannons should include an additional cannon documented as having been manufactured in Macon, Georgia, to replace the cannon conveyed under subsection (a), the Secretary may acquire such a cannon by donation or purchase with funds made available for this purpose.

SEC. 1085. FEES FOR PROVIDING HISTORICAL INFORMATION TO THE PUBLIC.

(a) ARMY.—(1) Chapter 437 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4595. Army Military History Institute: fee for providing historical information to the public

''(a) AUTHORITY.—Except as provided in subsection (b), the Secretary of the Army may charge a person a fee for providing the person with information from the United States Army Military History Institute that is requested by that person.

''(b) EXCEPTIONS.—A fee may not be charged under this section—

''(1) to a person for information that the person requests to carry out a duty as a member of the armed forces or an officer or employee of the United States; or

''(2) for a release of information under section 552 of title 5.

''(c) LIMITATION ON AMOUNT.—A fee charged for providing information under this section may not exceed the cost of providing the information.

''(d) RETENTION OF FEES.—Amounts received under subsection (a) for providing information in any fiscal year shall be credited to the appropriation or appropriations charged the costs of providing information to the public from the United States Army Military History Institute during that fiscal year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'United States Army Military History Institute' means the archive for historical records and materials of the Army that the Secretary of the Army designates as the primary archive for such records and materials.

''(2) The terms 'officer of the United States' and 'employee of the United States' have the meanings given the terms 'officer' and 'employee', respectively, in sections 2104 and 2105, respectively, of title 5.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4595. Army Military History Institute: fee for providing historical information to the public.''.

(b) NAVY.—(1) Chapter 649 of such title is amended by adding at the end the following new section:

''§ 7582. Naval and Marine Corps Historical Centers: fee for providing historical information to the public

''(a) AUTHORITY.—Except as provided in subsection (b), the Secretary of the Navy may charge a person a fee for providing the person with information from the United States Naval Historical Center or the Marine Corps Historical Center that is requested by that person.

''(b) EXCEPTIONS.—A fee may not be charged under this section—

''(1) to a person for information that the person requests to carry out a duty as a member of the armed forces or an officer or employee of the United States; or

''(2) for a release of information under section 552 of title 5.

''(c) LIMITATION ON AMOUNT.—A fee charged for providing information under this section may not exceed the cost of providing the information.

''(d) RETENTION OF FEES.—Amounts received under subsection (a) for providing information from the United States Naval Historical Center or the Marine Corps Historical Center in any fiscal year shall be credited to the appropriation or appropriations charged the costs of providing information to the public from that historical center during that fiscal year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'United States Naval Historical Center' means the archive for historical records and materials of the Navy that the Secretary of the Navy designates as the primary archive for such records and materials.

''(2) The term 'Marine Corps Historical Center' means the archive for historical records and materials of the Marine Corps that the Secretary of the Navy designates as the primary archive for such records and materials.

''(3) The terms 'officer of the United States' and 'employee of the United States' have the meanings given the terms 'officer' and 'employee', respectively, in sections 2104 and 2105, respectively, of title 5.''.

*(2) The heading of such chapter is amended by striking ''**RELATED**''.*

(3)(A) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7582. Naval and Marine Corps Historical Centers: fee for providing historical information to the public.''.

(B) The item relating to such chapter in the tables of chapters at the beginning of subtitle C of such title and the beginning of part IV of such subtitle is amended by striking out ''Related''.

(c) AIR FORCE.—(1) Chapter 937 of such title is amended by adding at the end the following new section:

''§ 9594. Air Force Military History Institute: fee for providing historical information to the public

''(a) AUTHORITY.—Except as provided in subsection (b), the Secretary of the Air Force may charge a person a fee for providing the person with information from the United States Air Force Military History Institute that is requested by that person.

''(b) EXCEPTIONS.—A fee may not be charged under this section—

''(1) to a person for information that the person requests to carry out a duty as a member of the armed forces or an officer or employee of the United States; or

''(2) for a release of information under section 552 of title 5.

''(c) LIMITATION ON AMOUNT.—A fee charged for providing information under this section may not exceed the cost of providing the information.

''(d) RETENTION OF FEES.—Amounts received under subsection (a) for providing information in any fiscal year shall be credited to the appropriation or appropriations charged the costs of providing information to the public from the United States Air Force Military History Institute during that fiscal year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'United States Air Force Military History Institute' means the archive for historical records and materials of the Air Force that the Secretary of the Air Force designates as the primary archive for such records and materials.

''(2) The terms 'officer of the United States' and 'employee of the United States' have the meanings given the terms 'officer' and 'employee', respectively, in sections 2104 and 2105, respectively, of title 5.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''9594. Air Force Military History Institute: fee for providing historical information to the public.''.

SEC. 1086. GRANTS TO AMERICAN RED CROSS FOR ARMED FORCES EMERGENCY SERVICES.

(a) GRANTS AUTHORIZED.—Subject to subsection (b), the Secretary of Defense may make a grant to the American Red Cross in an amount not to exceed $9,400,000 in each of fiscal years 2001, 2002, and 2003 for the support of the Armed Forces Emergency Services program of the American Red Cross.

(b) MATCHING REQUIREMENT.—The grant under subsection (a) for a fiscal year may not be made until after the American Red Cross Incorporated, certifies to the Secretary of Defense that the American Red Cross will expend for the Armed Forces Emergency Services program for that fiscal year funds, derived from non-Federal sources, in a total amount that equals or exceeds the amount of the grant.

SEC. 1087. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 180(d) is amended by striking ''section 5376'' and inserting ''section 5315''.

(2) Section 628(c)(2) is amended by striking ''section'' in the second sentence after ''rather than the provisions of'' and inserting ''sections''.

(3) Section 702(b)(2) is amended by striking ''section 230(c)'' and inserting ''section 203(c)''.

(4) Section 706(c) is amended—

(A) by striking ''(1)'' after ''(c)''; and

(B) by striking paragraph (2).

(5) Section 1074g is amended—

(A) in subsection (a)(6), by striking ''as part of the regulations established'' and inserting ''in the regulations prescribed'';

(B) in subsection (a)(7), by striking ''not included on the uniform formulary, but,'' and inserting ''that are not included on the uniform formulary but that are'';

(C) in subsection (b)(1), by striking ''required by'' in the last sentence and inserting ''prescribed under'';

(D) in subsection (d)(2), by striking ''Not later than'' and all that follows through ''utilize'' and inserting ''Effective not later than April 5, 2000, the Secretary shall use'';

(E) in subsection (e)—

(i) by striking ''Not later than April 1, 2000, the'' and inserting ''The''; and

(ii) by inserting ''in'' before ''the TRICARE'' and before ''the national'';

(F) in subsection (f)—

(i) by striking ''As used in this section—'' and inserting ''In this section:'';

(ii) by striking ''the'' at the beginning of paragraphs (1) and (2) and inserting ''The''; and

(iii) by striking ''; and'' at the end of paragraph (1) and inserting a period; and

(G) in subsection (g), by striking ''promulgate'' and inserting ''prescribe''.

(6) Section 1076c(b)(5)(C) is amended by striking ''pursuant to subsection (i)(2) of such section''.

(7) Section 1095d(b) is amended by striking ''subparagraphs'' and inserting ''subparagraph''.

(8) Section 1109(b) is amended by striking ''(1)'' before ''The Secretaries''.

(9) Section 1142(b)(4) is amended by striking ''sections 1151, 1152, and 1153 of this title'' and inserting ''sections 1152 and 1153 of this title and the Troops-to-Teachers Program Act of 1999 (20 U.S.C. 9301 et seq.)''.

(10) Section 1448(b)(3)(E)(ii) is amended by striking the second comma after ''October 16, 1998''.

(11) Section 1598 is amended—

(A) in subsection (d)(2), by inserting ''as in effect on October 4, 1999,'' after ''of this title,'' both places it appears; and

(B) in subsection (f), by inserting '', as in effect on October 4, 1999,'' after ''of this title''.

(12) Section 2113(f) is amended—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by designating the penultimate sentence and the last sentence of paragraph (1) as paragraphs (2) and (3), respectively.

(13) Section 2401(b)(1)(B) is amended by striking ''Committees on Appropriations'' and inserting ''Committee on Appropriations''.

(14) Section 2410j is amended—

(A) in subsection (f)(2), by inserting ''as in effect on October 4, 1999,'' after ''of this title,'' both places it appears; and

(B) in subsection (h), by inserting '', as in effect on October 4, 1999,'' after ''of this title''.

(15) Section 2688 is amended by redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

(16) Section 2814(k) is amended by inserting ''and'' after ''Balanced Budget''.

(17) Sections 4357(e)(5), 6975(e)(5), and 9356(e)(5) are amended by inserting a close parenthesis after ''80b–2)''.

(18) Section 5143(c)(2) is amended by striking ''has a grade'' and inserting ''has the grade of''.

(19) Section 5144(c)(2) is amended by striking ''has a grade'' and inserting ''has the grade of''.

(20) Section 10218 is amended—

(A) in subsections (a)(1), (b)(1), (b)(2)(A), and (b)(2)(B)(ii), by striking ''the date of the enactment of this section'' each place it appears and inserting ''October 5, 1999,'';

(B) in subsections (a)(3)(B)(i) and (b)(2)(B)(i), by striking ''the end of the one-year period beginning on the date of the enactment of this subsection'' and inserting ''October 5, 2000'';

(C) in subsection (b)(1), by striking ''six months after the date of the enactment of this section'' and inserting ''April 5, 2000''; and

(D) in subsection (b)(3), by striking ''within six months of the date of the enactment of this section'' and inserting ''during the period beginning on October 5, 1999, and ending on April 5, 2000,''.

(21) Section 12552 is amended by inserting a period at the end.

(22) Section 18233a(b) is amended—

(A) in paragraph (1), by striking ''section 2805(c)(1)'' and inserting ''section 2805(c)(1)(A)''; and

(B) in paragraph (2), by striking ''section 2805(c)(2)'' and inserting ''section 2805(c)(1)(B)''.

(b) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended as follows:

(1) Section 301b(j)(2) is amended by striking ''section 301a(a)(6)(A)'' and inserting ''section 301a(a)(6)(B)''.

(2) Section 403(f)(3) is amended by striking ''regulation'' and inserting ''regulations''.

(3) Section 404(b)(2) is amended by striking ''section 402(e)'' and inserting ''section 403(f)(3)''.

(4) The section 435 added by section 586(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 638) is redesignated as section 436, and the item relating to that section in the table of sections at the beginning of chapter 7 is revised to conform to such redesignation.

(5) Section 1012 is amended by striking ''section 402(b)(3)'' and inserting ''section 402(e)''.

(c) PUBLIC LAW 106–65.—(1) Effective as of October 5, 1999, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 512 et seq) is amended as follows:

(A) Section 578 is amended—

(i) in subsection (j) (113 Stat. 630), by striking ''Chapter 4'' and inserting ''Chapter 7''; and

(ii) in subsection (k)(4) (113 Stat. 631), by striking ''chapter 4'' and inserting ''chapter 7''.

(B) Section 586(c)(2) (113 Stat. 639) is amended by striking ''relating to section 434'' and inserting ''added by section 578(k)(4)''.

(C) Section 601(c) (113 Stat. 645; 37 U.S.C. 1009 note) is amended—

(i) in the first table, relating to commissioned officers, by striking ''$12,441.00'' in footnote 2 and inserting ''$12,488.70''; and

(ii) in the fourth table, relating to enlisted members, by striking ''$4,701.00'' in footnote 2 and inserting ''$4,719.00''.

(D) Section 657(a)(1)(A) (113 Stat. 668; 10 U.S.C. 1450 note) is amended by striking ''August 21, 1983'' and inserting ''August 19, 1983''.

(2) In the case of any former spouse to whom paragraph (3) of section 1450(f) of title 10, United States Code, applies by reason of the amendment made by paragraph (1)(D), the provisions of subsection (b) of section 657 of the National Defense Authorization Act for Fiscal Year 2000 shall be applied by using the date of the enactment of this Act, rather than the date of the enactment of that Act.

(d) PUBLIC LAW 105–261.—Effective as of October 17, 1998, and as if included therein as enacted, the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1920 et seq.) is amended as follows:

(1) Section 142 (112 Stat. 1943; 50 U.S.C. 1521 note) is amended—

(A) in subsection (e), by striking ''1521(f))'' and inserting ''1521 note)''; and

(B) by redesignating the second subsection (f) as subsection (g).

(2) Section 503(b)(1) (112 Stat. 2003) is amended by inserting ''its'' after ''record of'' in the first quoted matter therein.

(3) Section 645(b) (112 Stat. 2050) is amended by striking ''a member'' and inserting ''member'' in the quoted matter therein.

(4) Section 701 (112 Stat. 2056) is amended—

(A) in subsection (a), by inserting ''(1)'' before ''Section 1076a(b)(2)''; and

(B) in subsection (b), by inserting ''of such title'' after ''1076a''.

(5) Section 802(b) (112 Stat. 2081) is amended by striking ''Administrative'' in the first quoted matter therein and inserting ''Administration''.

(6) Section 1101(e)(2)(C) (112 Stat. 2140; 5 U.S.C. 3104 note) is amended by striking ''subsection (c)(1)'' and inserting ''subsection (c)(2)''.

(7) Section 1405(k)(2) (112 Stat. 2170; 50 U.S.C. 2301 note) is amended by striking ''subchapter'' and inserting ''chapter''.

(e) PUBLIC LAW 105–85.—The National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) is amended as follows:

(1) Section 602(d)(1)(A) (111 Stat. 1773; 37 U.S.C. 402 note) is amended by striking ''of'' the first place it appears in the matter preceding clause (i).

(2) Section 1221(a)(3) (22 U.S.C. 1928 note), as amended by section 1233(a)(2)(A) of Public Law 105–261 (112 Stat. 2156), is amended by striking the second close parenthesis after ''relief efforts''.

(f) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended as follows:

(1) Section 3329 is amended—

(A) in subsection (a), by striking ''such term'' and inserting ''the term 'military technician (dual status)''''; and

(B) in subsection (b), by striking ''section 1332 of title 10'' and inserting ''section 12732 of title 10''.

(2) Section 5531 is amended by striking ''sections 5532 and'' in the matter preceding paragraph (1) and inserting ''section''.

(3) Section 8116(a)(4) is amended by striking '', subject to'' and all that follows through ''United States Code''.

(4) Section 8339(g) is amended by striking ''the application of the limitation in section 5532 of this title, or'' in the third sentence.

(5) Section 8344(h)(1) is amended by inserting ''(as in effect before the repeal of that section by section 651(a) of Public Law 106–65)'' after ''section 5532(f)(2) of this title''.

(g) OTHER LAWS.—

(1) Section 834(e) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note) is amended by striking the second period after ''2005''.

(2) Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by transferring subparagraph (G) so as to appear immediately before subparagraph (H), as added by section 2821(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 853).

(3) Section 686(b) of title 14, United States Code, is amended—

(A) in paragraph (1), by striking ''section 403(b)'' and inserting ''section 403(e)''; and

(B) in paragraph (2), by striking ''a basic allowance for quarters under section 403 of title 37, and, if in a high housing cost area, a variable housing allowance under section 403a of that title'' and inserting ''a basic allowance for housing under section 403 of title 37''.

(4) Chapter 701 of title 36, United States Code, relating to the Federal charter of the Fleet Reserve Association, is amended in sections 70102(a) and 70108(a) by striking ''Delaware'' and inserting ''Pennsylvania''.

(5) Section 7426 of title 38, United States Code, is amended by striking subsection (c).

(6) The item relating to chapter 112 in the table of chapters at the beginning of subtitle II of title 46, United States Code, is amended by revising the second and third words so that the initial letter of each of those words is lower case.

(7) Section 405(f)(6)(B) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1999 (as contained in section 101(f) of division A of Public Law 105–277; 112 Stat. 2681–430), is amended by striking ''Act of title'' in the first quoted matter therein and inserting ''Act or title''.

(8) Section 1403(c)(6) of the Defense Dependents' Education Act of 1978 (20 U.S.C. 922(c)(6)) is amended by striking ''the'' before ''Assistant Secretary of Defense''.

(9) Effective as of October 5, 1999, section 224 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2274(b)) is amended by striking ''$500,000'' and inserting ''$50,000''.

(h) COORDINATION WITH OTHER AMENDMENTS.—For purposes of applying amendments made by provisions of this Act other than provisions of this section, this section shall be treated as having been enacted immediately before the other provisions of this Act.

SEC. 1088. MAXIMUM SIZE OF PARCEL POST PACKAGES TRANSPORTED OVERSEAS FOR ARMED FORCES POST OFFICES.

Section 3401(b) of title 39, United States Code, is amended by striking ''100 inches in length and girth combined'' in paragraphs (2) and (3) and inserting ''the maximum size allowed by the Postal Service for fourth class parcel post (known as 'Standard Mail (B)')''.

SEC. 1089. SENSE OF CONGRESS REGARDING TAX TREATMENT OF MEMBERS RECEIVING SPECIAL PAY FOR DUTY SUBJECT TO HOSTILE FIRE OR IMMINENT DANGER.

It is the sense of Congress that members of the Armed Forces who receive special pay under section 310 of title 37, United States Code, for duty subject to hostile fire or imminent danger should receive the same treatment under Federal income tax laws as members serving in combat zones.

SEC. 1090. ORGANIZATION AND MANAGEMENT OF CIVIL AIR PATROL.

(a) IN GENERAL.—Chapter 909 of title 10, United States Code, is amended to read as follows:

''CHAPTER 909—CIVIL AIR PATROL

''Sec.
''9441. Status as federally chartered corporation; purposes.
''9442. Status as volunteer civilian auxiliary of the Air Force.
''9443. Activities performed as federally chartered nonprofit corporation.
''9444. Activities performed as auxiliary of the Air Force.
''9445. Funds appropriated for the Civil Air Patrol.
''9446. Miscellaneous personnel authorities.
''9447. Board of Governors.
''9448. Regulations.

''§ 9441. Status as federally chartered corporation; purposes

''(a) STATUS.—(1) The Civil Air Patrol is a nonprofit corporation that is federally chartered under section 40301 of title 36.

''(2) Except as provided in section 9442(b)(2) of this title, the Civil Air Patrol is not an instrumentality of the Federal Government for any purpose.

''(b) PURPOSES.—The purposes of the Civil Air Patrol are set forth in section 40302 of title 36.

''§ 9442. Status as volunteer civilian auxiliary of the Air Force

''(a) VOLUNTEER CIVILIAN AUXILIARY.—The Civil Air Patrol is a volunteer civilian auxiliary of the Air Force when the services of the Civil Air Patrol are used by any department or agency in any branch of the Federal Government.

''(b) USE BY AIR FORCE.—(1) The Secretary of the Air Force may use the services of the Civil Air Patrol to fulfill the noncombat programs and missions of the Department of the Air Force.

''(2) The Civil Air Patrol shall be deemed to be an instrumentality of the United States with respect to any act or omission of the Civil Air Patrol, including any member of the Civil Air Patrol, in carrying out a mission assigned by the Secretary of the Air Force.

''§ 9443. Activities performed as federally chartered nonprofit corporation

''(a) USE OF FEDERALLY PROVIDED RESOURCES.—In its status as a federally chartered nonprofit corporation, the Civil Air Patrol may use equipment, supplies, and other resources, including aircraft, motor vehicles, computers, and communications equipment, provided to the Civil Air Patrol by a department or agency of the Federal Government or acquired by or for the Civil Air Patrol with appropriated funds (or with funds of the Civil Air Patrol, but reimbursed from appropriated funds)—

''(1) to provide assistance requested by State or local governmental authorities to perform disaster relief missions and activities, other emergency missions and activities, and nonemergency missions and activities; and

''(2) to fulfill its other purposes set forth in section 40302 of title 36.

''(b) USE SUBJECT TO APPLICABLE LAWS.—The use of equipment, supplies, or other resources under subsection (a) is subject to the laws and regulations that govern the use by nonprofit corporations of federally provided assets or of assets purchased with appropriated funds, as the case may be.

''(c) AUTHORITY NOT CONTINGENT ON REIMBURSEMENT.—The authority for the Civil Air Patrol to provide assistance under subsection (a)(1) is not contingent on the Civil Air Patrol being reimbursed for the cost of providing the assistance. If the Civil Air Patrol elects to require reimbursement for the provision of assistance under such subsection, the Civil Air Patrol may establish the reimbursement rate at a rate less than the rates charged by private sector sources for equivalent services.

''(d) LIABILITY INSURANCE.—The Secretary of the Air Force may provide the Civil Air Patrol with funds for paying the cost of liability insurance to cover missions and activities carried out under this section.

''§ 9444. Activities performed as auxiliary of the Air Force

''(a) AIR FORCE SUPPORT FOR ACTIVITIES.—The Secretary of the Air Force may furnish to the Civil Air Patrol in accordance with this section any equipment, supplies, and other resources that the Secretary determines necessary to enable the Civil Air Patrol to fulfill the missions assigned by the Secretary to the Civil Air Patrol as an auxiliary of the Air Force.

''(b) FORMS OF AIR FORCE SUPPORT.—The Secretary of the Air Force may, under subsection (a)—

''(1) give, lend, or sell to the Civil Air Patrol without regard to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)—

''(A) major items of equipment (including aircraft, motor vehicles, computers, and communications equipment) that are excess to the military departments; and

''(B) necessary related supplies and training aids that are excess to the military departments;

''(2) permit the use, with or without charge, of services and facilities of the Air Force;

''(3) furnish supplies (including fuel, lubricants, and other items required for vehicle and aircraft operations) or provide funds for the acquisition of supplies;

''(4) establish, maintain, and supply liaison officers of the Air Force at the national, regional, State, and territorial headquarters of the Civil Air Patrol;

''(5) detail or assign any member of the Air Force or any officer, employee, or contractor of the Department of the Air Force to any liaison office at the national, regional, State, or territorial headquarters of the Civil Air Patrol;

''(6) detail any member of the Air Force or any officer, employee, or contractor of the Department of the Air Force to any unit or installation of the Civil Air Patrol to assist in the training programs of the Civil Air Patrol;

''(7) authorize the payment of travel expenses and allowances, at rates not to exceed those paid to employees of the United States under subchapter I of chapter 57 of title 5, to members of the Civil Air Patrol while the members are carrying out programs or missions specifically assigned by the Air Force;

''(8) provide funds for the national headquarters of the Civil Air Patrol, including—

''(A) funds for the payment of staff compensation and benefits, administrative expenses, travel, per diem and allowances, rent, utilities, other operational expenses of the national headquarters; and

''(B) to the extent considered necessary by the Secretary of the Air Force to fulfill Air Force requirements, funds for the payment of compensation and benefits for key staff at regional, State, or territorial headquarters;

''(9) authorize the payment of expenses of placing into serviceable condition, improving, and maintaining equipment (including aircraft, motor vehicles, computers, and communications equipment) owned or leased by the Civil Air Patrol;

''(10) provide funds for the lease or purchase of items of equipment that the Secretary determines necessary for the Civil Air Patrol;

''(11) support the Civil Air Patrol cadet program by furnishing—

''(A) articles of the Air Force uniform to cadets without cost; and

''(B) any other support that the Secretary of the Air Force determines is consistent with Air Force missions and objectives; and

''(12) provide support, including appropriated funds, for the Civil Air Patrol aerospace education program to the extent that the Secretary of the Air Force determines appropriate for furthering the fulfillment of Air Force missions and objectives.

''(c) ASSISTANCE BY OTHER AGENCIES.—(1) The Secretary of the Air Force may arrange for the use by the Civil Air Patrol of such facilities and services under the jurisdiction of the Secretary of the Army, the Secretary of the Navy, or the head of any other department or agency of the United States as the Secretary of the Air Force considers to be needed by the Civil Air Patrol to carry out its mission.

''(2) An arrangement for use of facilities or services of a military department or other department or agency under this subsection shall be subject to the agreement of the Secretary of the military department or head of the other department or agency, as the case may be.

''(3) Each arrangement under this subsection shall be made in accordance with regulations prescribed under section 9448 of this title.

''§ 9445. Funds appropriated for the Civil Air Patrol

''Funds appropriated for the Civil Air Patrol shall be available only for the exclusive use of the Civil Air Patrol.

''§ 9446. Miscellaneous personnel authorities

''(a) USE OF RETIRED AIR FORCE PERSONNEL.—(1) Upon the request of a person retired from service in the Air Force, the Secretary of the Air Force may enter into a personal services contract with that person providing for the person to serve as an administrator or liaison officer for the Civil Air Patrol. The qualifications of a person to provide the services shall be determined and approved in accordance with regulations prescribed under section 9448 of this title.

''(2) To the extent provided in a contract under paragraph (1), a person providing services under the contract may accept services on behalf of the Air Force.

''(3) A person, while providing services under a contract authorized under paragraph (1), may not be considered to be on active duty or inactive-duty training for any purpose.

''(b) USE OF CIVIL AIR PATROL CHAPLAINS.—The Secretary of the Air Force may use the services of Civil Air Patrol chaplains in support of the Air Force active duty and reserve component forces to the extent and under conditions that the Secretary determines appropriate.

''§ 9447. Board of Governors

''(a) GOVERNING BODY.—The Board of Governors of the Civil Air Patrol is the governing body of the Civil Air Patrol.

''(b) COMPOSITION.—The Board of Governors is composed of 11 members as follows:

''(1) Four members appointed by the Secretary of the Air Force, who may be active or retired

officers of the Air Force (including reserve components of the Air Force), employees of the United States, or private citizens.

''(2) Four members of the Civil Air Patrol, selected in accordance with the constitution and bylaws of the Civil Air Patrol.

''(3) Three members appointed or selected as provided in subsection (c) from among personnel of any Federal Government agencies, public corporations, nonprofit associations, and other organizations that have an interest and expertise in civil aviation and the Civil Air Patrol mission.

''(c) APPOINTMENTS FROM INTERESTED ORGANIZATIONS.—(1) Subject to paragraph (2), the members of the Board of Governors referred to in subsection (b)(3) shall be appointed jointly by the Secretary of the Air Force and the National Commander of the Civil Air Patrol.

''(2) Any vacancy in the position of a member referred to in paragraph (1) that is not filled under that paragraph within 90 days shall be filled by majority vote of the other members of the Board.

''(d) CHAIRMAN.—The Chairman of the Board of Governors shall be chosen by the members of the Board of Governors from among the members of the Board referred to in paragraphs (1) and (2) of subsection (b) and shall serve for a term of two years. The position of Chairman shall be held on a rotating basis between members of the Board appointed by the Secretary of the Air Force under paragraph (1) of subsection (b) and members of the Board selected under paragraph (2) of that subsection.

''(e) POWERS.—(1) The Board of Governors shall, subject to paragraphs (2) and (3), exercise the powers granted to the Civil Air Patrol under section 40304 of title 36.

''(2) Any exercise by the Board of the power to amend the constitution or bylaws of the Civil Air Patrol or to adopt a new constitution or bylaws shall be subject to approval by a majority of the members of the Board.

''(3) Neither the Board of Governors nor any other component of the Civil Air Patrol may modify or terminate any requirement or authority set forth in this section.

''(f) PERSONAL LIABILITY FOR BREACH OF A FIDUCIARY DUTY.—(1) Subject to paragraph (2), the Board of Governors may take such action as is necessary to limit the personal liability of a member of the Board of Governors to the Civil Air Patrol, or to any of its members, for monetary damages for a breach of fiduciary duty while serving as a member of the Board.

''(2) The Board may not limit the liability of a member of the Board of Governors to the Civil Air Patrol, or to any of its members, for monetary damages for any of the following:

''(A) A breach of the member's duty of loyalty to the Civil Air Patrol or its members.

''(B) Any act or omission that is not in good faith or that involves intentional misconduct or a knowing violation of law.

''(C) Participation in any transaction from which the member directly or indirectly derives an improper personal benefit.

''(3) Nothing in this subsection shall be construed as rendering section 207 or 208 of title 18 inapplicable in any respect to a member of the Board of Governors who is a member of the Air Force on active duty, an officer on a retired list of the Air Force, or an employee of the United States.

''(g) PERSONAL LIABILITY FOR BREACH OF A FIDUCIARY DUTY.—(1) Except as provided in paragraph (2), no member of the Board of Governors or officer of the Civil Air Patrol shall be personally liable for damages for any injury or death or loss or damage of property resulting from a tortious act or omission of an employee or member of the Civil Air Patrol.

''(2) Paragraph (1) does not apply to a member of the Board of Governors or officer of the Civil Air Patrol for a tortious act or omission in which the member or officer, as the case may be, was personally involved, whether in breach of a civil duty or in commission of a criminal offense.

''(3) Nothing in this subsection shall be construed to restrict the applicability of common law protections and rights that a member of the Board of Governors or officer of the Civil Air Patrol may have.

''(4) The protections provided under this subsection are in addition to the protections provided under subsection (f).

''§ 9448. Regulations

''(a) AUTHORITY.—The Secretary of the Air Force shall prescribe regulations for the administration of this chapter.

''(b) REQUIRED REGULATIONS.—The regulations shall include the following:

''(1) Regulations governing the conduct of the activities of the Civil Air Patrol when it is performing its duties as a volunteer civilian auxiliary of the Air Force under section 9442 of this title.

''(2) Regulations for providing support by the Air Force and for arranging assistance by other agencies under section 9444 of this title.

''(3) Regulations governing the qualifications of retired Air Force personnel to serve as an administrator or liaison officer for the Civil Air Patrol under a personal services contract entered into under section 9446(a) of this title.

''(c) APPROVAL BY SECRETARY OF DEFENSE.—The regulations required by subsection (b)(2) shall be subject to the approval of the Secretary of Defense.''.

(b) CONFORMING AMENDMENTS.—(1) Section 40302 of title 36, United States Code, is amended—

(A) by striking ''to—'' in the matter preceding paragraph (1) and inserting ''as follows:'';

(B) by inserting ''To'' after the paragraph designation in each of paragraphs (1), (2), (3), and (4);

(C) by striking the semicolon at the end of paragraphs (1)(B) and (2) and inserting a period;

(D) by striking ''; and'' at the end of paragraph (3) and inserting a period; and

(E) by adding at the end the following:

''(5) To assist the Department of the Air Force in fulfilling its noncombat programs and missions.''.

(2)(A) Section 40303 of such title is amended—

(i) by inserting ''(a) MEMBERSHIP.—'' before ''Eligibility''; and

(ii) by adding at the end the following:

''(b) GOVERNING BODY.—The Civil Air Patrol has a Board of Governors. The composition and responsibilities of the Board of Governors are set forth in section 9447 of title 10.''.

(B) The heading for such section is amended to read as follows:

''§ 40303. Membership and governing body''.

(C) The item relating to such section in the table of sections at the beginning of chapter 403 of title 36, United States Code, is amended to read as follows:

''40303. Membership and governing body.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 120 days after the date of the enactment of this Act.

SEC. 1091. ADDITIONAL DUTIES FOR COMMISSION TO ASSESS UNITED STATES NATIONAL SECURITY SPACE MANAGEMENT AND ORGANIZATION.

Section 1622(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 814; 10 U.S.C. 111 note) is amended by adding at the end the following new paragraph:

''(6) The advisability of—

''(A) various actions to eliminate the de facto requirement that specified officers in the United States Space Command be flight rated that results from the dual assignment of officers to that command and to one or more other commands in positions in which such officers are expressly required to be flight rated;

''(B) the establishment of a requirement that, as a condition of the assignment of a general or flag officer to the United States Space Command, the officer have experience in space, missile, or information operations that was gained through either acquisition or operational experience; and

''(C) rotating the command of the United States Space Command among the Armed Forces.''.

SEC. 1092. COMMISSION ON THE FUTURE OF THE UNITED STATES AEROSPACE INDUSTRY.

(a) ESTABLISHMENT.—There is established a commission to be known as the ''Commission on the Future of the United States Aerospace Industry'' (in this section referred to as the ''Commission'').

(b) MEMBERSHIP.—(1) The Commission shall be composed of 12 members appointed, not later than March 1, 2001, as follows:

(A) Up to six members shall be appointed by the President.

(B) Two members shall be appointed by the Speaker of the House of Representatives.

(C) Two members shall be appointed by the majority leader of the Senate.

(D) One member shall be appointed by the minority leader of the Senate.

(E) One member shall be appointed by the minority leader of the House of Representatives.

(2) The members of the Commission shall be appointed from among persons with extensive experience and national reputations in aerospace manufacturing, economics, finance, national security, international trade, or foreign policy and persons who are representative of labor organizations associated with the aerospace industry.

(3) Members shall be appointed for the life of the Commission. A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) The President shall designate one member of the Commission to serve as the chairman of the Commission.

(5) The Commission shall meet at the call of the chairman. A majority of the members shall constitute a quorum, but a lesser number may hold hearings.

(c) DUTIES.—(1) The Commission shall—

(A) study the issues associated with the future of the United States aerospace industry in the global economy, particularly in relationship to United States national security; and

(B) assess the future importance of the domestic aerospace industry for the economic and national security of the United States.

(2) In order to fulfill its responsibilities, the Commission shall study the following:

(A) The budget process of the United States Government, particularly with a view to assessing the adequacy of projected budgets of the federal departments and agencies for aerospace research and development and procurement.

(B) The acquisition process of the Government, particularly with a view to assessing—

(i) the adequacy of the current acquisition process of federal departments and agencies; and

(ii) the procedures for developing and fielding aerospace systems incorporating new technologies in a timely fashion.

(C) The policies, procedures, and methods for the financing and payment of government contracts.

(D) Statutes and regulations governing international trade and the export of technology, particularly with a view to assessing—

(i) the extent to which the current system for controlling the export of aerospace goods, services, and technologies reflects an adequate balance between the need to protect national security and the need to ensure unhindered access to the global marketplace; and

(ii) the adequacy of United States and multilateral trade laws and policies for maintaining the international competitiveness of the United States aerospace industry.

(E) Policies governing taxation, particularly with a view to assessing the impact of current

tax laws and practices on the international competitiveness of the aerospace industry.

(F) Programs for the maintenance of the national space launch infrastructure, particularly with a view to assessing the adequacy of current and projected programs for maintaining the national space launch infrastructure.

(G) Programs for the support of science and engineering education, including current programs for supporting aerospace science and engineering efforts at institutions of higher learning, with a view to determining the adequacy of those programs.

(d) REPORT.—(1) Not later than March 1, 2002, the Commission shall submit a report on its activities to the President and Congress.

(2) The report shall include the following:

(A) The Commission's findings and conclusions.

(B) The Commission's recommendations for actions by federal departments and agencies to support the maintenance of a robust aerospace industry in the United States in the 21st century and any recommendations for statutory and regulatory changes to support the implementation of the Commission's findings.

(C) A discussion of the appropriate means for implementing the Commission's recommendations.

(e) ADMINISTRATIVE REQUIREMENTS AND AUTHORITIES.—(1) The Director of the Office of Management and Budget shall ensure that the Commission is provided such administrative services, facilities, staff, and other support services as may be necessary. Any expenses of the Commission shall be paid from funds available to the Director.

(2) The Commission may hold hearings, sit and act at times and places, take testimony, and receive evidence that the Commission considers advisable to carry out the purposes of this section.

(3) The Commission may request directly from any department or agency of the United States any information that the Commission considers necessary to carry out the provisions of this section. To the extent consistent with applicable requirements of law and regulations, the head of such department or agency shall furnish such information to the Commission.

(4) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(f) COMMISSION PERSONNEL MATTERS.—(1) Members of the Commission shall serve without additional compensation for their service on the Commission, except that members appointed from among private citizens may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in government service under subchapter I of chapter 57 of title 5, United States Code, while away from their homes and places of business in the performance of services for the Commission.

(2) The chairman of the Commission may appoint staff of the Commission, request the detail of Federal employees, and accept temporary and intermittent services in accordance with section 3161 of title 5, United States Code (as added by section 1101 of this Act).

(g) TERMINATION.—The Commission shall terminate 30 days after the date of the submission of its report under subsection (d).

SEC. 1093. DRUG ADDICTION TREATMENT.

(a) IN GENERAL.—Section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) is amended—

(1) in paragraph (2), by striking ''(A) security'' and inserting ''(i) security'', and by striking ''(B) the maintenance'' and inserting ''(ii) the maintenance'';

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by inserting ''(1)'' after ''(g)'';

(4) by striking ''Practitioners who dispense'' and inserting ''Except as provided in paragraph (2), practitioners who dispense''; and

(5) by adding at the end the following paragraph:

''(2)(A) Subject to subparagraphs (D) and (J), the requirements of paragraph (1) are waived in the case of the dispensing (including the prescribing), by a practitioner, of narcotic drugs in schedule III, IV, or V or combinations of such drugs if the practitioner meets the conditions specified in subparagraph (B) and the narcotic drugs or combinations of such drugs meet the conditions specified in subparagraph (C).

''(B) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to a practitioner are that, before the initial dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, the practitioner submit to the Secretary a notification of the intent of the practitioner to begin dispensing the drugs or combinations for such purpose, and that the notification contain the following certifications by the practitioner:

''(i) The practitioner is a qualifying physician (as defined in subparagraph (G)).

''(ii) With respect to patients to whom the practitioner will provide such drugs or combinations of drugs, the practitioner has the capacity to refer the patients for appropriate counseling and other appropriate ancillary services.

''(iii) In any case in which the practitioner is not in a group practice, the total number of such patients of the practitioner at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number.

''(iv) In any case in which the practitioner is in a group practice, the total number of such patients of the group practice at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number, and the Secretary for such purposes may by regulation establish different categories on the basis of the number of practitioners in a group practice and establish for the various categories different numerical limitations on the number of such patients that the group practice may have.

''(C) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to narcotic drugs in schedule III, IV, or V or combinations of such drugs are as follows:

''(i) The drugs or combinations of drugs have, under the Federal Food, Drug, and Cosmetic Act or section 351 of the Public Health Service Act, been approved for use in maintenance or detoxification treatment.

''(ii) The drugs or combinations of drugs have not been the subject of an adverse determination. For purposes of this clause, an adverse determination is a determination published in the Federal Register and made by the Secretary, after consultation with the Attorney General, that the use of the drugs or combinations of drugs for maintenance or detoxification treatment requires additional standards respecting the qualifications of practitioners to provide such treatment, or requires standards respecting the quantities of the drugs that may be provided for unsupervised use.

''(D)(i) A waiver under subparagraph (A) with respect to a practitioner is not in effect unless (in addition to conditions under subparagraphs (B) and (C)) the following conditions are met:

''(I) The notification under subparagraph (B) is in writing and states the name of the practitioner.

''(II) The notification identifies the registration issued for the practitioner pursuant to subsection (f).

''(III) If the practitioner is a member of a group practice, the notification states the names of the other practitioners in the practice and identifies the registrations issued for the other practitioners pursuant to subsection (f).

''(ii) Upon receiving a notification under subparagraph (B), the Attorney General shall assign the practitioner involved an identification number under this paragraph for inclusion with the registration issued for the practitioner pursuant to subsection (f). The identification number so assigned shall be appropriate to preserve the confidentiality of patients for whom the practitioner has dispensed narcotic drugs under a waiver under subparagraph (A).

''(iii) Not later than 45 days after the date on which the Secretary receives a notification under subparagraph (B), the Secretary shall make a determination of whether the practitioner involved meets all requirements for a waiver under subparagraph (B). If the Secretary fails to make such determination by the end of the such 45-day period, the Attorney General shall assign the physician an identification number described in clause (ii) at the end of such period.

''(E)(i) If a practitioner is not registered under paragraph (1) and, in violation of the conditions specified in subparagraphs (B) through (D), dispenses narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, the Attorney General may, for purposes of section 304(a)(4), consider the practitioner to have committed an act that renders the registration of the practitioner pursuant to subsection (f) to be inconsistent with the public interest.

''(ii)(I) Upon the expiration of 45 days from the date on which the Secretary receives a notification under subparagraph (B), a practitioner who in good faith submits a notification under subparagraph (B) and reasonably believes that the conditions specified in subparagraphs (B) through (D) have been met shall, in dispensing narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, be considered to have a waiver under subparagraph (A) until notified otherwise by the Secretary, except that such a practitioner may commence to prescribe or dispense such narcotic drugs for such purposes prior to the expiration of such 45-day period if it facilitates the treatment of an individual patient and both the Secretary and the Attorney General are notified by the practitioner of the intent to commence prescribing or dispensing such narcotic drugs.

''(II) For purposes of subclause (I), the publication in the Federal Register of an adverse determination by the Secretary pursuant to subparagraph (C)(ii) shall (with respect to the narcotic drug or combination involved) be considered to be a notification provided by the Secretary to practitioners, effective upon the expiration of the 30-day period beginning on the date on which the adverse determination is so published.

''(F)(i) With respect to the dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, a practitioner may, in his or her discretion, dispense such drugs or combinations for such treatment under a registration under paragraph (1) or a waiver under subparagraph (A) (subject to meeting the applicable conditions).

''(ii) This paragraph may not be construed as having any legal effect on the conditions for obtaining a registration under paragraph (1), including with respect to the number of patients who may be served under such a registration.

''(G) For purposes of this paragraph:

''(i) The term 'group practice' has the meaning given such term in section 1877(h)(4) of the Social Security Act.

''(ii) The term 'qualifying physician' means a physician who is licensed under State law and who meets one or more of the following conditions:

''(I) The physician holds a subspecialty board certification in addiction psychiatry from the American Board of Medical Specialties.

''(II) The physician holds an addiction certification from the American Society of Addiction Medicine.

''(III) The physician holds a subspecialty board certification in addiction medicine from the American Osteopathic Association.

''(IV) The physician has, with respect to the treatment and management of opiate-dependent patients, completed not less than eight hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause.

''(V) The physician has participated as an investigator in one or more clinical trials leading to the approval of a narcotic drug in schedule III, IV, or V for maintenance or detoxification treatment, as demonstrated by a statement submitted to the Secretary by the sponsor of such approved drug.

''(VI) The physician has such other training or experience as the State medical licensing board (of the State in which the physician will provide maintenance or detoxification treatment) considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients.

''(VII) The physician has such other training or experience as the Secretary considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients. Any criteria of the Secretary under this subclause shall be established by regulation. Any such criteria are effective only for 3 years after the date on which the criteria are promulgated, but may be extended for such additional discrete 3-year periods as the Secretary considers appropriate for purposes of this subclause. Such an extension of criteria may only be effectuated through a statement published in the Federal Register by the Secretary during the 30-day period preceding the end of the 3-year period involved.

''(H)(i) In consultation with the Administrator of the Drug Enforcement Administration, the Administrator of the Substance Abuse and Mental Health Services Administration, the Director of the National Institute on Drug Abuse, and the Commissioner of Food and Drugs, the Secretary shall issue regulations (through notice and comment rulemaking) or issue practice guidelines to address the following:

''(I) Approval of additional credentialing bodies and the responsibilities of additional credentialing bodies.

''(II) Additional exemptions from the requirements of this paragraph and any regulations under this paragraph.

Nothing in such regulations or practice guidelines may authorize any Federal official or employee to exercise supervision or control over the practice of medicine or the manner in which medical services are provided.

''(ii) Not later than 120 days after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, the Secretary shall issue a treatment improvement protocol containing best practice guidelines for the treatment and maintenance of opiate-dependent patients. The Secretary shall develop the protocol in consultation with the Director of the National Institute on Drug Abuse, the Administrator of the Drug Enforcement Administration, the Commissioner of Food and Drugs, the Administrator of the Substance Abuse and Mental Health Services Administration, and other substance abuse disorder professionals. The protocol shall be guided by science.

''(I) During the 3-year period beginning on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, a State may not preclude a practitioner from dispensing or prescribing drugs in schedule III, IV, or V, or combinations of such drugs, to patients for maintenance or detoxification treatment in accordance with this paragraph unless, before the expiration of that 3-year period, the State enacts a law prohibiting a practitioner from dispensing such drugs or combinations of drug.

''(J)(i) This paragraph takes effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and remains in effect thereafter except as provided in clause (iii) (relating to a decision by the Secretary or the Attorney General that this paragraph should not remain in effect).

''(ii) For purposes relating to clause (iii), the Secretary and the Attorney General may, during the 3-year period beginning on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, make determinations in accordance with the following:

''(I) The Secretary may make a determination of whether treatments provided under waivers under subparagraph (A) have been effective forms of maintenance treatment and detoxification treatment in clinical settings; may make a determination of whether such waivers have significantly increased (relative to the beginning of such period) the availability of maintenance treatment and detoxification treatment; and may make a determination of whether such waivers have adverse consequences for the public health.

''(II) The Attorney General may make a determination of the extent to which there have been violations of the numerical limitations established under subparagraph (B) for the number of individuals to whom a practitioner may provide treatment; may make a determination of whether waivers under subparagraph (A) have increased (relative to the beginning of such period) the extent to which narcotic drugs in schedule III, IV, or V or combinations of such drugs are being dispensed or possessed in violation of this Act; and may make a determination of whether such waivers have adverse consequences for the public health.

''(iii) If, before the expiration of the period specified in clause (ii), the Secretary or the Attorney General publishes in the Federal Register a decision, made on the basis of determinations under such clause, that this paragraph should not remain in effect, this paragraph ceases to be in effect 60 days after the date on which the decision is so published. The Secretary shall in making any such decision consult with the Attorney General, and shall in publishing the decision in the Federal Register include any comments received from the Attorney General for inclusion in the publication. The Attorney General shall in making any such decision consult with the Secretary, and shall in publishing the decision in the Federal Register include any comments received from the Secretary for inclusion in the publication.''.

(b) CONFORMING AMENDMENTS.—Section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended—

(1) in subsection (a), in the matter after and below paragraph (5), by striking ''section 303(g)'' each place such term appears and inserting ''section 303(g)(1)''; and

(2) in subsection (d), by striking ''section 303(g)'' and inserting ''section 303(g)(1)''.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—For the purpose of assisting the Secretary of Health and Human Services with the additional duties established for the Secretary pursuant to the amendments made by this section, there are authorized to be appropriated, in addition to other authorizations of appropriations that are available for such purpose, such sums as may be necessary for each of fiscal years 2001 through 2003.

(d) COORDINATION OF PROVISIONS.—(1) If the Drug Addiction Treatment Act of 2000 is enacted before this Act, the provisions of this section shall not take effect.

(2) If the Drug Addiction Treatment Act of 2000 is enacted after this Act, the amendments made by this section shall be deemed for all purposes to have been made by section 3502 of that Act and this section shall cease to be in effect as of that enactment.

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

Subtitle A—Civilian Personnel Management Generally

Sec. 1101. Employment and compensation of employees for temporary organizations established by law or Executive order.
Sec. 1102. Assistive technology accommodations program.
Sec. 1103. Extension of authority for voluntary separations in reductions in force.
Sec. 1104. Electronic maintenance of performance appraisal systems.
Sec. 1105. Study on civilian personnel services.

Subtitle B—Demonstration and Pilot Programs

Sec. 1111. Pilot program for reengineering the equal employment opportunity complaint process.
Sec. 1112. Work safety demonstration program.
Sec. 1113. Extension, expansion, and revision of authority for experimental personnel program for scientific and technical personnel.
Sec. 1114. Clarification of personnel management authority under personnel demonstration project.

Subtitle C—Educational Assistance

Sec. 1121. Restructuring the restriction on degree training.
Sec. 1122. Student loan repayment programs.
Sec. 1123. Extension of authority for tuition reimbursement and training for civilian employees in the defense acquisition workforce.

Subtitle D—Other Benefits

Sec. 1131. Additional special pay for foreign language proficiency beneficial for United States national security interests.
Sec. 1132. Approval authority for cash awards in excess of $10,000.
Sec. 1133. Leave for crews of certain vessels.
Sec. 1134. Life insurance for emergency essential Department of Defense employees.

Subtitle E—Intelligence Civilian Personnel

Sec. 1141. Expansion of defense civilian intelligence personnel system positions.
Sec. 1142. Increase in number of positions authorized for the Defense Intelligence Senior Executive Service.

Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

Sec. 1151. Extension, revision, and expansion of authorities for use of voluntary separation incentive pay and voluntary early retirement.
Sec. 1152. Department of Defense employee voluntary early retirement authority.
Sec. 1153. Limitations.

Subtitle A—Civilian Personnel Management Generally

SEC. 1101. EMPLOYMENT AND COMPENSATION OF EMPLOYEES FOR TEMPORARY ORGANIZATIONS ESTABLISHED BY LAW OR EXECUTIVE ORDER.

(a) IN GENERAL.—Chapter 31 of title 5, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—TEMPORARY ORGANIZATIONS ESTABLISHED BY LAW OR EXECUTIVE ORDER

''§ 3161. Employment and compensation of employees

''(a) DEFINITION OF TEMPORARY ORGANIZATION.—For the purposes of this subchapter, the term 'temporary organization' means a commission, committee, board, or other organization that—

''(1) is established by law or Executive order for a specific period not in excess of three years for the purpose of performing a specific study or other project; and

''(2) is terminated upon the completion of the study or project or upon the occurrence of a condition related to the completion of the study or project.

''(b) EMPLOYMENT AUTHORITY.—(1) Notwithstanding the provisions of chapter 51 of this title, the head of a temporary organization may appoint persons to positions of employment in a temporary organization in such numbers and with such skills as are necessary for the performance of the functions required of a temporary organization.

''(2) The period of an appointment under paragraph (1) may not exceed three years, except that under regulations prescribed by the Office of Personnel Management the period of appointment may be extended for up to an additional two years.

''(3) The positions of employment in a temporary organization are in the excepted service of the civil service.

''(c) DETAIL AUTHORITY.—Upon the request of the head of a temporary organization, the head of any department or agency of the Government may detail, on a nonreimbursable basis, any personnel of the department or agency to that organization to assist in carrying out its duties.

''(d) COMPENSATION.—(1) The rate of basic pay for an employee appointed under subsection (b) shall be established under regulations prescribed by the Office of Personnel Management without regard to the provisions of chapter 51 and subchapter III of chapter 53 of this title.

''(2) The rate of basic pay for the chairman, a member, an executive director, a staff director, or another executive level position of a temporary organization may not exceed the maximum rate of basic pay established for the Senior Executive Service under section 5382 of this title.

''(3) Except as provided in paragraph (4), the rate of basic pay for other positions in a temporary organization may not exceed the maximum rate of basic pay for grade GS–15 of the General Schedule under section 5332 of this title.

''(4) The rate of basic pay for a senior staff position of a temporary organization may, in a case determined by the head of the temporary organization as exceptional, exceed the maximum rate of basic pay authorized under paragraph (3), but may not exceed the maximum rate of basic pay authorized for an executive level position under paragraph (2).

''(5) In this subsection, the term 'basic pay' includes locality pay provided for under section 5304 of this title.

''(e) TRAVEL EXPENSES.—An employee of a temporary organization, whether employed on a full-time or part-time basis, may be allowed travel and transportation expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of this title, while traveling away from the employee's regular place of business in the performance of services for the temporary organization.

''(f) BENEFITS.—An employee appointed under subsection (b) shall be afforded the same benefits and entitlements as are provided temporary employees under this title.

''(g) RETURN RIGHTS.—An employee serving under a career or career conditional appointment or the equivalent in an agency who transfers to or converts to an appointment in a temporary organization with the consent of the head of the agency is entitled to be returned to the employee's former position or a position of like seniority, status, and pay without grade or pay retention in the agency if the employee—

''(1) is being separated from the temporary organization for reasons other than misconduct, neglect of duty, or malfeasance; and

''(2) applies for return not later than 30 days before the earlier of—

''(A) the date of the termination of the employment in the temporary organization; or

''(B) the date of the termination of the temporary organization.

''(h) TEMPORARY AND INTERMITTENT SERVICES.—The head of a temporary organization may procure for the organization temporary and intermittent services under section 3109(b) of this title.

''(i) ACCEPTANCE OF VOLUNTEER SERVICES.—(1) The head of a temporary organization may accept volunteer services appropriate to the duties of the organization without regard to section 1342 of title 31.

''(2) Donors of voluntary services accepted for a temporary organization under this subsection may include the following:

''(A) Advisors.

''(B) Experts.

''(C) Members of the commission, committee, board, or other temporary organization, as the case may be.

''(D) A person performing services in any other capacity determined appropriate by the head of the temporary organization.

''(3) The head of the temporary organization—

''(A) shall ensure that each person performing voluntary services accepted under this subsection is notified of the scope of the voluntary services accepted;

''(B) shall supervise the volunteer to the same extent as employees receiving compensation for similar services; and

''(C) shall ensure that the volunteer has appropriate credentials or is otherwise qualified to perform in each capacity for which the volunteer's services are accepted.

''(4) A person providing volunteer services accepted under this subsection shall be considered an employee of the Federal Government in the performance of those services for the purposes of the following provisions of law:

''(A) Chapter 81 of this title, relating to compensation for work-related injuries.

''(B) Chapter 171 of title 28, relating to tort claims.

''(C) Chapter 11 of title 18, relating to conflicts of interest.''.

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

''SUBCHAPTER IV—TEMPORARY ORGANIZATIONS ESTABLISHED BY LAW OR EXECUTIVE ORDER

''Sec.

''3161. Employment and compensation of employees.''.

SEC. 1102. ASSISTIVE TECHNOLOGY ACCOMMODATIONS PROGRAM.

(a) AUTHORITY TO PROVIDE TECHNOLOGY, DEVICES, AND SERVICES.—Chapter 81 of title 10, United States Code, is amended by inserting after section 1581 the following new section:

''§ 1582. Assistive technology, assistive technology devices, and assistive technology services

''(a) AUTHORITY.—The Secretary of Defense may provide assistive technology, assistive technology devices, and assistive technology services to the following:

''(1) Department of Defense employees with disabilities.

''(2) Organizations within the Department that have requirements to make programs or facilities accessible to, and usable by, persons with disabilities.

''(3) Any other department or agency of the Federal Government, upon the request of the head of that department or agency, for its employees with disabilities or for satisfying a requirement to make its programs or facilities accessible to, and usable by, persons with disabilities.

''(b) DEFINITIONS.—In this section, the terms 'assistive technology', 'assistive technology device', 'assistive technology service', and 'disability' have the meanings given those terms in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1581 the following new item:

''1582. Assistive technology, assistive technology devices, and assistive technology services.''.

SEC. 1103. EXTENSION OF AUTHORITY FOR VOLUNTARY SEPARATIONS IN REDUCTIONS IN FORCE.

Section 3502(f)(5) of title 5, United States Code, is amended by striking ''September 30, 2001'' and inserting ''September 30, 2005''.

SEC. 1104. ELECTRONIC MAINTENANCE OF PERFORMANCE APPRAISAL SYSTEMS.

Section 4302 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(c) In accordance with regulations which the Office shall prescribe, the head of an agency may administer and maintain a performance appraisal system electronically.''.

SEC. 1105. STUDY ON CIVILIAN PERSONNEL SERVICES.

(a) STUDY REQUIRED.—The Secretary of Defense shall assess the manner in which personnel services are provided for civilian personnel in the Department of Defense and determine whether—

(1) administration of such services should continue to be centralized in individual military services and Defense Agencies or whether such services should be centralized within designated geographical areas to provide services to all Department of Defense elements;

(2) offices that perform such services should be established to perform specific functions rather than cover an established geographical area;

(3) processes and functions of civilian personnel offices should be reengineered to provide greater efficiency and better service to management and employees of the Department of Defense; and

(4) efficiencies could be gained by public-private competition of the delivery of any of the personnel services for civilian personnel of the Department of Defense.

(b) REPORT.—Not later than January 1, 2002, the Secretary of Defense shall submit a report on the study, including recommendations, to the Committees on Armed Services of the Senate and the House of Representatives. The report shall include the Secretary's assessment of the items described in subsection (a), and, if appropriate, a proposal for a demonstration program to test the concepts developed under the study. The Secretary may also include any recommendations for legislation or other actions that the Secretary considers appropriate to increase the effectiveness and efficiency of the delivery of personnel services with respect to civilian personnel of the Department of Defense.

Subtitle B—Demonstration and Pilot Programs

SEC. 1111. PILOT PROGRAM FOR REENGINEERING THE EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCESS.

(a) PILOT PROGRAM.—(1) The Secretary of Defense shall carry out a pilot program to improve processes for the resolution of equal employment opportunity complaints by civilian employees of the Department of Defense. Complaints processed under the pilot program shall be subject to the procedural requirements established for the

pilot program and shall not be subject to the procedural requirements of part 1614 of title 29 of the Code of Federal Regulations or other regulations, directives, or regulatory restrictions prescribed by the Equal Employment Opportunity Commission.

(2) The pilot program shall include procedures to reduce processing time and eliminate redundancy with respect to processes for the resolution of equal employment opportunity complaints, reinforce local management and chain-of-command accountability, and provide the parties involved with early opportunity for resolution.

(3) The Secretary may carry out the pilot program for a period of three years, beginning on January 1, 2001.

(4)(A) Participation in the pilot program shall be voluntary on the part of the complainant. Complainants who participate in the pilot program shall retain the right to appeal a final agency decision to the Equal Employment Opportunity Commission and to file suit in district court. The Equal Employment Opportunity Commission shall not reverse a final agency decision on the grounds that the agency did not comply with the regulatory requirements promulgated by the Commission.

(B) Subparagraph (A) shall apply to all cases—

(i) pending as of January 1, 2001, before the Equal Employment Opportunity Commission involving a civilian employee who filed a complaint under the pilot program of the Department of the Navy to improve processes for the resolution of equal employment opportunity complaints; and

(ii) hereinafter filed with the Commission under the pilot program established by this section.

(5) The pilot program shall be carried out in at least one military department and two Defense Agencies.

(b) REPORT.—Not later than 90 days following the end of the first and last full or partial fiscal years during which the pilot program is implemented, the Comptroller General shall submit to Congress a report on the pilot program. Such report shall contain the following:

(1) A description of the processes tested by the pilot program.

(2) The results of such testing.

(3) Recommendations for changes to the processes for the resolution of equal employment opportunity complaints as a result of such pilot program.

(4) A comparison of the processes used, and results obtained, under the pilot program to traditional and alternative dispute resolution processes used in the government or private industry.

SEC. 1112. WORK SAFETY DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense shall carry out a defense employees work safety demonstration program.

(b) PRIVATE SECTOR WORK SAFETY MODELS.—Under the demonstration program, the Secretary shall—

(1) adopt for use in the workplace of civilian employees of the Department of Defense such work safety models used by employers in the private sector that the Secretary considers as being representative of the best work safety practices in use by private sector employers; and

(2) determine whether the use of those practices in the Department of Defense improves the work safety record of Department of Defense employees.

(c) SITES.—(1) The Secretary shall carry out the demonstration program—

(A) at not fewer than two installations of each of the Armed Forces (other than the Coast Guard), for employees of the military department concerned; and

(B) in at least two Defense Agencies (as defined in section 101(a)(11) of title 10, United States Code).

(2) The Secretary shall select the installations and Defense Agencies from among the installations and Defense Agencies listed in the Federal Worker 2000 Presidential Initiative.

(d) PERIOD FOR PROGRAM.—The demonstration program shall begin not later than 180 days after the date of the enactment of this Act and shall terminate on September 30, 2002.

(e) REPORTS.—(1) The Secretary of Defense shall submit an interim report on the demonstration program to the Committees on Armed Services of the Senate and the House of Representatives not later than December 1, 2001. The interim report shall contain, at a minimum, for each site of the demonstration program the following:

(A) A baseline assessment of the lost workday injury rate.

(B) A comparison of the lost workday injury rate for fiscal year 2000 with the lost workday injury rate for fiscal year 1999.

(C) The direct and indirect costs associated with all lost workday injuries.

(2) The Secretary of Defense shall submit a final report on the demonstration program to the Committees on Armed Services of the Senate and the House of Representatives not later than December 1, 2002. The final report shall contain, at a minimum, for each site of the demonstration program the following:

(A) The Secretary's determination on the issue described in subsection (b)(2).

(B) A comparison of the lost workday injury rate under the program with the baseline assessment of the lost workday injury rate.

(C) The lost workday injury rate for fiscal year 2002.

(D) A comparison of the direct and indirect costs associated with all lost workday injuries for fiscal year 2002 with the direct and indirect costs associated with all lost workday injuries for fiscal year 2001.

(f) FUNDING.—Of the amount authorized to be appropriated under section 301(5), $5,000,000 shall be available for the demonstration program under this section.

SEC. 1113. EXTENSION, EXPANSION, AND REVISION OF AUTHORITY FOR EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.

(a) EXTENSION OF PROGRAM.—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2139; 5 U.S.C. 3104 note) is amended—

(1) in subsection (a), by striking ''the 5-year period beginning on the date of the enactment of this Act'' and inserting ''the program period specified in subsection (e)(1)'';

(2) in subsection (e), by striking paragraph (1) and inserting the following:

''(1) The period for carrying out the program authorized under this section begins on October 17, 1998, and ends on October 16, 2005.''; and

(3) in subsection (f), by striking ''on the day before the termination of the program'' and inserting ''on the last day of the program period specified in subsection (e)(1)''.

(b) EXPANSION OF SCOPE.—Subsection (a) of such section, as amended by subsection (a)(1) of this section, is further amended by inserting before the period at the end the following: ''and research and development projects administered by laboratories designated for the program by the Secretary from among the laboratories of each of the military departments''.

(c) LIMITATION ON NUMBER OF APPOINTMENTS.—Subsection (b)(1) of such section is amended to read as follows:

''(1) without regard to any provision of title 5, United States Code, governing the appointment of employees in the civil service, appoint scientists and engineers from outside the civil service and uniformed services (as such terms are defined in section 2101 of such title) to—

''(A) not more than 40 scientific and engineering positions in the Defense Advanced Research Projects Agency;

''(B) not more than 40 scientific and engineering positions in the designated laboratories of each of the military services; and

''(C) not more than a total of 10 scientific and engineering positions in the National Imagery and Mapping Agency and the National Security Agency;''.

(d) RATES OF PAY FOR APPOINTEES.—Subsection (b)(2) of such section is amended by inserting after ''United States Code,'' the following: ''as increased by locality-based comparability payments under section 5304 of such title,''.

(e) COMMENSURATE EXTENSION OF REQUIREMENT FOR ANNUAL REPORT.—Subsection (g) of such section is amended by striking ''2004'' and inserting ''2006''.

(f) AMENDMENT OF SECTION HEADING.—The heading for such section is amended to read as follows:

''SEC. 1101. EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.''.

SEC. 1114. CLARIFICATION OF PERSONNEL MANAGEMENT AUTHORITY UNDER PERSONNEL DEMONSTRATION PROJECT.

(a) ELIMINATION OF REQUIREMENT FOR OPM REVIEW AND APPROVAL.—Section 342 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721) is amended—

(1) in subsection (b)(1), by striking '', with the approval of the Director of the Office of Personnel Management,''; and

(2) in subsection (b)(3)—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking ''section 4703.'' and inserting ''section 4703; and'' at the end of subparagraph (B); and

(C) by inserting at the end the following new subparagraph (C):

''(C) the Secretary shall exercise the authorities granted to the Office of Personnel Management under such section 4703.''.

(b) INCREASE IN LEVEL OF AUTHORIZED PAY.—Section 342(b) of such Act is further amended by adding at the end the following new paragraph:

''(5) The limitations in section 5373 of title 5, United States Code, do not apply to the authority of the Secretary under this section to prescribe salary schedules and other related benefits.''.

Subtitle C—Educational Assistance

SEC. 1121. RESTRUCTURING THE RESTRICTION ON DEGREE TRAINING.

Section 4107 of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) in subsection (b)(1), by striking ''subsection (a)'' and inserting ''subsection (a) or (c)''; and

(3) by adding at the end the following new subsection:

''(c) With respect to an employee of the Department of Defense—

''(1) this chapter does not authorize, except as provided in subsection (b) of this section, the selection and assignment of the employee for training, or the payment or reimbursement of the costs of training, for—

''(A) the purpose of providing an opportunity to the employee to obtain an academic degree in order to qualify for appointment to a particular position for which the academic degree is a basic requirement; or

''(B) the sole purpose of providing an opportunity to the employee to obtain one or more academic degrees, unless such opportunity is part of a planned, systematic, and coordinated program of professional development endorsed by the Department of Defense; and

''(2) any course of post-secondary education delivered through classroom, electronic, or other means shall be administered or conducted by an institution recognized under standards implemented by a national or regional accrediting

body, except in a case in which such standards do not exist or the use of such standards would not be appropriate.''.

SEC. 1122. STUDENT LOAN REPAYMENT PROGRAMS.

(a) COVERED STUDENT LOANS.—Section 5379(a)(1)(B) of title 5, United States Code, is amended—

(1) in clause (i), by inserting ''(20 U.S.C. 1071 et seq.)'' before the semicolon;

(2) in clause (ii), by striking ''part E of title IV of the Higher Education Act of 1965'' and inserting ''part D or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq., 1087aa et seq.)''; and

(3) in clause (iii), by striking ''part C of title VII of Public Health Service Act or under part B of title VIII of such Act'' and inserting ''part A of title VII of the Public Health Service Act (42 U.S.C. 292 et seq.) or under part E of title VIII of such Act (42 U.S.C. 297a et seq.)''.

(b) PERSONNEL COVERED.—(1) Section 5379(a)(2) of title 5, United States Code, is amended to read as follows:

''(2) An employee shall be ineligible for benefits under this section if the employee occupies a position that is excepted from the competitive service because of its confidential, policy-determining, policy-making, or policy-advocating character.''.

(2) Section 5379(b)(1) of title 5, United States Code, is amended by striking ''professional, technical, or administrative''.

(c) REGULATIONS.—(1) Not later than 60 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue proposed regulations under section 5379(g) of title 5, United States Code. The Director shall provide for a period of not less than 60 days for public comment on the regulations.

(2) Not later than 240 days after the date of enactment of this Act, the Director shall issue final regulations.

(d) ANNUAL REPORTS.—Section 5379 of title 5, United States Code, is amended by adding at the end the following:

''(h)(1) Each head of an agency shall maintain, and annually submit to the Director of the Office of Personnel Management, information with respect to the agency on—

''(A) the number of Federal employees selected to receive benefits under this section;

''(B) the job classifications for the recipients; and

''(C) the cost to the Federal Government of providing the benefits.

''(2) The Director of the Office of Personnel Management shall prepare, and annually submit to Congress, a report containing the information submitted under paragraph (1), and information identifying the agencies that have provided benefits under this section.''.

SEC. 1123. EXTENSION OF AUTHORITY FOR TUITION REIMBURSEMENT AND TRAINING FOR CIVILIAN EMPLOYEES IN THE DEFENSE ACQUISITION WORKFORCE.

Section 1745(a)(2) of title 10, United States Code, is amended by striking ''September 30, 2001'' and inserting ''September 30, 2010''.

Subtitle D—Other Benefits

SEC. 1131. ADDITIONAL SPECIAL PAY FOR FOREIGN LANGUAGE PROFICIENCY BENEFICIAL FOR UNITED STATES NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by inserting after section 1596 the following new section:

''§ 1596a. Foreign language proficiency: special pay for proficiency beneficial for other national security interests

''(a) AUTHORITY.—The Secretary of Defense may pay special pay under this section to an employee of the Department of Defense who—

''(1) has been certified by the Secretary to be proficient in a foreign language identified by the Secretary as being a language in which proficiency by civilian personnel of the Department is necessary because of national security interests;

''(2) is assigned duties requiring proficiency in that foreign language during a contingency operation supported by the armed forces; and

''(3) is not receiving special pay under section 1596 of this title.

''(b) RATE.—The rate of special pay for an employee under this section shall be prescribed by the Secretary, but may not exceed five percent of the employee's rate of basic pay.

''(c) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Special pay under this section is in addition to any other pay or allowances to which the employee is entitled.

''(d) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.''.

(b) AMENDMENT TO DISTINGUISH OTHER FOREIGN LANGUAGE PROFICIENCY SPECIAL PAY.—The heading for section 1596 of title 10, United States Code, is amended to read as follows:

''§ 1596. Foreign language proficiency: special pay for proficiency beneficial for intelligence interests''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by striking the item relating to section 1596 and inserting the following new items:

''1596. Foreign language proficiency: special pay for proficiency beneficial for intelligence interests.

''1596a. Foreign language proficiency: special pay for proficiency beneficial for other national security interests.''.

SEC. 1132. APPROVAL AUTHORITY FOR CASH AWARDS IN EXCESS OF $10,000.

Section 4502 of title 5, United States Code, is amended by adding at the end the following:

''(f) The Secretary of Defense may grant a cash award under subsection (b) of this section without regard to the requirements for certification and approval provided in that subsection.''.

SEC. 1133. LEAVE FOR CREWS OF CERTAIN VESSELS.

Section 6305(c)(2) of title 5, United States Code, is amended to read as follows:

''(2) may not be made the basis for a lump-sum payment, except that civil service mariners of the Military Sealift Command on temporary promotion aboard ship may be paid the difference between their temporary and permanent rates of pay for leave accrued under this section and section 6303 and not otherwise used during the temporary promotion upon the expiration or termination of the temporary promotion; and''.

SEC. 1134. LIFE INSURANCE FOR EMERGENCY ESSENTIAL DEPARTMENT OF DEFENSE EMPLOYEES.

(a) IN GENERAL.—Section 8702 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(c) Notwithstanding a notice previously given under subsection (b), an employee of the Department of Defense who is designated as an emergency essential employee under section 1580 of title 10 shall be insured if the employee, within 60 days after the date of the designation, elects to be insured under a policy of insurance under this chapter. An election under the preceding sentence shall be effective when provided to the Office in writing, in the form prescribed by the Office, within such 60-day period.''.

(b) APPLICABILITY.—For purposes of section 8702(c) of title 5, United States Code (as added by subsection (a)), an employee of the Department of Defense who is designated as an emergency essential employee under section 1580 of title 10, United States Code, before the date of the enactment of this Act shall be deemed to be so designated on the date of the enactment of this Act.

Subtitle E—Intelligence Civilian Personnel

SEC. 1141. EXPANSION OF DEFENSE CIVILIAN INTELLIGENCE PERSONNEL SYSTEM POSITIONS.

(a) AUTHORITY FOR SENIOR DOD INTELLIGENCE POSITIONS THROUGHOUT DEPARTMENT OF DEFENSE.—Section 1601(a)(1) of title 10, United States Code, is amended—

(1) by striking ''in the intelligence components of the Department of Defense and the military departments'' and inserting ''in the Department of Defense''; and

(2) by striking ''of those components and departments'' and inserting ''of the Department''.

(b) CONFORMING AMENDMENT FOR PERSONS ELIGIBLE FOR POSTEMPLOYMENT ASSISTANCE.—Section 1611 of such title is amended—

(1) in subsection (a)(1), by striking ''an intelligence component of the Department of Defense'' and inserting ''a defense intelligence position'';

(2) in subsection (b)—

(A) by striking ''sensitive position in an intelligence component of the Department of Defense'' in the matter preceding paragraph (1) and inserting ''sensitive defense intelligence position''; and

(B) by striking ''with the intelligence component'' in paragraphs (1) and (2) and inserting ''in a defense intelligence position'';

(3) in subsection (d), by striking ''an intelligence component of the Department of Defense'' and inserting ''in a defense intelligence position''; and

(4) by striking subsection (f).

(c) CONFORMING AMENDMENT FOR DEFINITION OF DEFENSE INTELLIGENCE POSITION.—Section 1614(1) of such title is amended by striking ''of an intelligence component of the Department of Defense or of a military department'' and inserting ''of the Department of Defense''.

SEC. 1142. INCREASE IN NUMBER OF POSITIONS AUTHORIZED FOR THE DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE.

Section 1606(a) of title 10, United States Code, is amended by striking ''492'' and inserting ''517''.

Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

SEC. 1151. EXTENSION, REVISION, AND EXPANSION OF AUTHORITIES FOR USE OF VOLUNTARY SEPARATION INCENTIVE PAY AND VOLUNTARY EARLY RETIREMENT.

(a) REVISION AND ADDITION OF PURPOSES FOR DEPARTMENT OF DEFENSE VSIP.—Subsection (b) of section 5597 of title 5, United States Code, is amended by inserting after ''transfer of function,'' the following: ''workforce restructuring (to meet mission needs, achieve one or more strength reductions, correct skill imbalances, or reduce the number of high-grade, managerial, or supervisory positions),''.

(b) ELIGIBILITY.—Subsection (c) of such section is amended—

(1) in paragraph (2), by inserting ''objective and nonpersonal'' after ''similar''; and

(2) by adding at the end the following:

''A determination of which employees are within the scope of an offer of separation pay shall be made only on the basis of consistent and well-documented application of the relevant criteria.''.

(c) INSTALLMENT PAYMENTS.—Subsection (d) of such section is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) shall be paid in a lump-sum or in installments;'';

(2) by striking ''and'' at the end of paragraph (3);

(3) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(4) by adding at the end the following:

''(5) if paid in installments, shall cease to be paid upon the recipient's acceptance of employment by the Federal Government, or commencement of work under a personal services contract, as described in subsection (g)(1).''.

(d) APPLICABILITY OF REPAYMENT REQUIREMENT TO REEMPLOYMENT UNDER PERSONAL SERVICES CONTRACTS.—Subsection (g)(1) of such section is amended by inserting after ''employment with the Government of the United States'' the following: '', or who commences work for an agency of the United States through a personal services contract with the United States,''.

SEC. 1152. DEPARTMENT OF DEFENSE EMPLOYEE VOLUNTARY EARLY RETIREMENT AUTHORITY.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8336 of title 5, United States Code, is amended—

(1) in subsection (d)(2), by inserting ''except in the case of an employee who is separated from the service under a program carried out under subsection (o),'' after ''(2)''; and

(2) by adding at the end the following:

''(o)(1) The Secretary of Defense may, during fiscal years 2002 and 2003, carry out a program under which an employee of the Department of Defense may be separated from the service entitled to an immediate annuity under this subchapter if the employee—

''(A) has—

''(i) completed 25 years of service; or

''(ii) become 50 years of age and completed 20 years of service; and

''(B) is eligible for the annuity under paragraph (2) or (3).

''(2)(A) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee—

''(i) is separated from the service involuntarily other than for cause; and

''(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

''(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

''(3) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

''(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment.

''(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

''(C) The employee is serving under an appointment that is not limited by time.

''(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

''(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

''(i) One or more organizational units.

''(ii) One or more occupational groups, series, or levels.

''(iii) One or more geographical locations.

''(iv) Any other similar objective and nonpersonal criteria that the Office of Personnel Management determines appropriate.

''(4) Under regulations prescribed by the Office of Personnel Management, the determinations of whether an employee meets—

''(A) the requirements of subparagraph (A) of paragraph (3) shall be made by the Office, upon the request of the Secretary of Defense; and

''(B) the requirements of subparagraph (E) of such paragraph shall be made by the Secretary of Defense.

''(5) A determination of which employees are within the scope of an offer of early retirement shall be made only on the basis of consistent and well-documented application of the relevant criteria.

''(6) In this subsection, the term 'major organizational adjustment' means any of the following:

''(A) A major reorganization.

''(B) A major reduction in force.

''(C) A major transfer of function.

''(D) A workforce restructuring—

''(i) to meet mission needs;

''(ii) to achieve one or more reductions in strength;

''(iii) to correct skill imbalances; or

''(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions.''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8414 of such title is amended—

(1) in subsection (b)(1)(B), by inserting ''except in the case of an employee who is separated from the service under a program carried out under subsection (d),'' after ''(B)''; and

(2) by adding at the end the following:

''(d)(1) The Secretary of Defense may, during fiscal years 2002 and 2003, carry out a program under which an employee of the Department of Defense may be separated from the service entitled to an immediate annuity under this subchapter if the employee—

''(A) has—

''(i) completed 25 years of service; or

''(ii) become 50 years of age and completed 20 years of service; and

''(B) is eligible for the annuity under paragraph (2) or (3).

''(2)(A) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee—

''(i) is separated from the service involuntarily other than for cause; and

''(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

''(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

''(3) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

''(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment.

''(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

''(C) The employee is serving under an appointment that is not limited by time.

''(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

''(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

''(i) One or more organizational units.

''(ii) One or more occupational groups, series, or levels.

''(iii) One or more geographical locations.

''(iv) Any other similar objective and nonpersonal criteria that the Office of Personnel Management determines appropriate.

''(4) Under regulations prescribed by the Office of Personnel Management, the determinations of whether an employee meets—

''(A) the requirements of subparagraph (A) of paragraph (3) shall be made by the Office upon the request of the Secretary of Defense; and

''(B) the requirements of subparagraph (E) of such paragraph shall be made by the Secretary of Defense.

''(5) A determination of which employees are within the scope of an offer of early retirement shall be made only on the basis of consistent and well-documented application of the relevant criteria.

''(6) In this subsection, the term 'major organizational adjustment' means any of the following:

''(A) A major reorganization.

''(B) A major reduction in force.

''(C) A major transfer of function.

''(D) A workforce restructuring—

''(i) to meet mission needs;

''(ii) to achieve one or more reductions in strength;

''(iii) to correct skill imbalances; or

''(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions.''.

(c) CONFORMING AMENDMENTS.—(1) Section 8339(h) of such title is amended by striking out ''or (j)'' in the first sentence and inserting ''(j), or (o)''.

(2) Section 8464(a)(1)(A)(i) of such title is amended by striking out ''or (b)(1)(B)'' and '', (b)(1)(B), or (d)''.

SEC. 1153. LIMITATIONS.

(a) FISCAL YEAR 2001 LIMITATIONS ON VSIP.—Section 5597 of title 5, United States Code, as amended by section 1151, is further amended by adding at the end the following new subsection:

''(i)(1) Notwithstanding any other provision of this section, during fiscal year 2001, separation pay may be offered under the program carried out under this section with respect to workforce restructuring only to persons who, upon separation, are entitled to an immediate annuity under section 8336, 8412, or 8414 of this title and are otherwise eligible for the separation pay under this section.

''(2) In the administration of the program under this section during fiscal year 2001, the Secretary shall ensure that not more than 1,000 employees are, as a result of workforce restructuring, separated from service in that fiscal year entitled to separation pay under this section.

''(3) Separation pay may not be offered as a result of workforce restructuring under the program carried out under this section after fiscal year 2003.''.

(b) LIMITATIONS FOR FISCAL YEARS 2002 AND 2003 ON VSIP AND VERA.—(1) Subject to paragraph (2), the Secretary of Defense shall ensure that, in each of fiscal years 2002 and 2003, not more than 4,000 employees of the Department of Defense are, as a result of workforce restructuring, separated from service entitled to one or more of the following benefits:

(A) Voluntary separation incentive pay under section 5597 of title 5, United States Code.

(B) Immediate annuity under section 8336(o) or 8414(d) of such title.

(2) Notwithstanding sections 5597(e), 8336(o), and 8414(d) of title 5, United States Code, the Secretary of Defense may carry out the programs authorized in those sections during fiscal years 2002 and 2003 with respect to workforce restructuring only to the extent provided in a law enacted by the One Hundred Seventh Congress.

TITLE XII—MATTERS RELATING TO OTHER NATIONS

Subtitle A—Matters Related to Arms Control

Sec. 1201. Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities.

Sec. 1202. Support of consultations on Arab and Israeli arms control and regional security issues.

Sec. 1203. Furnishing of nuclear test monitoring equipment to foreign governments.
Sec. 1204. Additional matters for annual report on transfers of militarily sensitive technology to countries and entities of concern.

Subtitle B—Matters Relating to the Balkans

Sec. 1211. Annual report assessing effect of continued operations in the Balkans region on readiness to execute the national military strategy.
Sec. 1212. Situation in the Balkans.
Sec. 1213. Semiannual report on Kosovo peacekeeping.

Subtitle C—North Atlantic Treaty Organization and United States Forces in Europe

Sec. 1221. NATO fair burdensharing.
Sec. 1222. Repeal of restriction preventing cooperative airlift support through acquisition and cross-servicing agreements.
Sec. 1223. GAO study on the benefits and costs of United States military engagement in Europe.

Subtitle D—Other Matters

Sec. 1231. Joint data exchange center with Russian Federation on early warning systems and notification of ballistic missile launches.
Sec. 1232. Report on sharing and exchange of ballistic missile launch early warning data.
Sec. 1233. Annual report of Communist Chinese military companies operating in the United States.
Sec. 1234. Adjustment of composite theoretical performance levels of high performance computers.
Sec. 1235. Increased authority to provide health care services as humanitarian and civic assistance.
Sec. 1236. Sense of Congress regarding the use of children as soldiers.
Sec. 1237. Sense of Congress regarding undersea rescue and recovery.
Sec. 1238. United States-China Security Review Commission.

Subtitle A—Matters Related to Arms Control

SEC. 1201. SUPPORT OF UNITED NATIONS-SPONSORED EFFORTS TO INSPECT AND MONITOR IRAQI WEAPONS ACTIVITIES.

(a) LIMITATION ON AMOUNT OF ASSISTANCE IN FISCAL YEAR 2001—The total amount of the assistance for fiscal year 2001 that is provided by the Secretary of Defense under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) as activities of the Department of Defense in support of activities under that Act may not exceed $15,000,000.

(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking ''2000'' and inserting ''2001''.

SEC. 1202. SUPPORT OF CONSULTATIONS ON ARAB AND ISRAELI ARMS CONTROL AND REGIONAL SECURITY ISSUES.

Of the amount authorized to be appropriated by section 301(5), up to $1,000,000 is available for the support of programs to promote formal and informal region-wide consultations among Arab, Israeli, and United States officials and experts on arms control and security issues concerning the Middle East region.

SEC. 1203. FURNISHING OF NUCLEAR TEST MONITORING EQUIPMENT TO FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Chapter 152 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2555. Nuclear test monitoring equipment: furnishing to foreign governments

''(a) AUTHORITY TO CONVEY OR PROVIDE NUCLEAR TEST MONITORING EQUIPMENT.—Subject to subsection (b), the Secretary of Defense may—

''(1) convey or otherwise provide to a foreign government (A) equipment for the monitoring of nuclear test explosions, and (B) associated equipment; and

''(2) as part of any such conveyance or provision of equipment, install such equipment on foreign territory or in international waters.

''(b) AGREEMENT REQUIRED.—Nuclear test explosion monitoring equipment may be conveyed or otherwise provided under subsection (a) only pursuant to the terms of an agreement between the United States and the foreign government receiving the equipment in which the recipient foreign government agrees—

''(1) to provide the United States with timely access to the data produced, collected, or generated by the equipment;

''(2) to permit the Secretary of Defense to take such measures as the Secretary considers necessary to inspect, test, maintain, repair, or replace that equipment, including access for purposes of such measures; and

''(3) to return such equipment to the United States (or allow the United States to recover such equipment) if either party determines that the agreement no longer serves its interests.

''(c) REPORT.—Promptly after entering into any agreement under subsection (b), the Secretary of Defense shall submit to Congress a report on the agreement. The report shall identify the country with which the agreement was made, the anticipated costs to the United States to be incurred under the agreement, and the national interest of the United States that is furthered by the agreement.

''(d) LIMITATION ON DELEGATION.—The Secretary of Defense may delegate the authority of the Secretary to carry out this section only to the Secretary of the Air Force. Such a delegation may be redelegated.''.

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

''2555. Nuclear test monitoring equipment: furnishing to foreign governments.''.

SEC. 1204. ADDITIONAL MATTERS FOR ANNUAL REPORT ON TRANSFERS OF MILITARILY SENSITIVE TECHNOLOGY TO COUNTRIES AND ENTITIES OF CONCERN.

Section 1402(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 798) is amended by adding at the end the following new paragraph:

''(4) The status of the implementation or other disposition of recommendations included in reports of audits by Inspectors General that have been set forth in a previous annual report under this section pursuant to paragraph (3).''.

Subtitle B—Matters Relating to the Balkans

SEC. 1211. ANNUAL REPORT ASSESSING EFFECT OF CONTINUED OPERATIONS IN THE BALKANS REGION ON READINESS TO EXECUTE THE NATIONAL MILITARY STRATEGY.

Section 1035 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 753) is amended—

(1) in subsection (a), by striking ''Not later than 180 days after the date of the enactment of this Act,'' and inserting ''Not later than April 1 each year (but subject to subsection (e)),'';

(2) in subsection (b), by striking ''The report'' in the matter preceding paragraph (1) and inserting ''Each report'';

(3) in subsection (d), by striking ''the report'' and inserting ''a report''; and

(4) by adding at the end the following new subsection:

''(e) TERMINATION WHEN UNITED STATES MILITARY OPERATIONS END.—(1) No report is required under this section after United States military operations in the Balkans region have ended.

''(2) After the requirement for an annual report under this section is terminated by operation of paragraph (1), but not later than the latest date on which the next annual report under this section would, except for paragraph (1), otherwise be due, the Secretary of Defense shall transmit to Congress a notification of the termination of the reporting requirement.''.

SEC. 1212. SITUATION IN THE BALKANS.

(a) ESTABLISHMENT OF NATO BENCHMARKS FOR WITHDRAWAL OF FORCES FROM KOSOVO.—The President shall develop, not later than May 31, 2001, militarily significant benchmarks for conditions that would achieve a sustainable peace in Kosovo and ultimately allow for the withdrawal of the United States military presence in Kosovo. Congress urges the President to seek concurrence among member nations of the North Atlantic Treaty Organization in the development of those benchmarks.

(b) COMPREHENSIVE POLITICAL-MILITARY STRATEGY.—(1) The President—

(A) shall develop a comprehensive political-military strategy for addressing the political, economic, humanitarian, and military issues in the Balkans; and

(B) shall establish near-term, mid-term, and long-term objectives in the region.

(2) In developing that strategy and those objectives, the President shall take into consideration—

(A) the benchmarks relating to Kosovo developed as described in subsection (a); and

(B) the benchmarks relating to Bosnia that were detailed in the report accompanying the certification by the President to Congress on March 3, 1998 (printed as House Document 105–223), with respect to the continued presence of United States Armed Forces, after June 30, 1998, in Bosnia and Herzegovina, submitted to Congress pursuant to section 7 of title I of the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174; 112 Stat. 63).

(3) That strategy and those objectives shall be developed in consultation with appropriate regional and international entities.

(c) SEMIANNUAL REPORT ON BENCHMARKS.—Not later than June 30, 2001, and every six months thereafter, the President shall submit to Congress a report on the progress made in achieving the benchmarks developed pursuant to subsection (a). The President may submit a single report covering these benchmarks and the benchmarks relating to Bosnia referred to in subsection (b)(2)(B).

(d) SEMIANNUAL REPORT ON COMPREHENSIVE STRATEGY.—Not later than June 30, 2001, and every six months thereafter so long as United States forces are in the Balkans, the President shall submit to Congress a report on the progress being made in developing and implementing a comprehensive political-military strategy as described in subsection (b)(1)(A).

SEC. 1213. SEMIANNUAL REPORT ON KOSOVO PEACEKEEPING.

(a) REQUIREMENT FOR PERIODIC REPORT.—The President shall submit to the specified congressional committees a semiannual report on the contributions of European nations and organizations to the peacekeeping operations in Kosovo. The first such report shall be submitted not later than December 1, 2000.

(b) CONTENT OF REPORT.—Each report shall contain detailed information on the following:

(1) The commitments and pledges made by the European Commission, the member nations of the European Union, and the European member nations of the North Atlantic Treaty Organization for—

(A) reconstruction assistance in Kosovo;

(B) humanitarian assistance in Kosovo;

(C) the Kosovo Consolidated Budget;

(D) police (including special police) for the United Nations international police force for Kosovo; and

(E) military personnel for peacekeeping operations in Kosovo.

(2) The amount of the assistance that has been provided in each category, and the number

of police and military personnel that have been deployed to Kosovo, by each organization or nation referred to in paragraph (1).

(3) The full range of commitments and responsibilities that have been undertaken for Kosovo by the United Nations, the European Union, and the Organization for Security and Cooperation in Europe (OSCE), the progress made by those organizations in fulfilling those commitments and responsibilities, an assessment of the tasks that remain to be accomplished, and an anticipated schedule for completing those tasks.

(d) SPECIFIED CONGRESSIONAL COMMITTEES.—In the section, the term ''specified congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.

Subtitle C—North Atlantic Treaty Organization and United States Forces in Europe

SEC. 1221. NATO FAIR BURDENSHARING.

(a) REPORT ON COSTS OF OPERATION ALLIED FORCE.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the costs to the United States of the 78-day air campaign known as Operation Allied Force conducted against the Federal Republic of Yugoslavia during the period from March 24 through June 9, 1999. The report shall include the following:

(1) The costs of ordnance expended, fuel consumed, and personnel.

(2) The estimated cost of the reduced service life of United States aircraft and other systems participating in the operation.

(b) REPORT ON BURDENSHARING OF FUTURE NATO OPERATIONS.—Whenever the North Atlantic Treaty Organization undertakes a military operation, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing—

(1) the contributions to that operation made by each of the member nations of the North Atlantic Treaty Organization during that operation; and

(2) the contributions that each of the member nations of the North Atlantic Treaty Organization are making or have pledged to make during any follow-on operation.

(c) TIME FOR SUBMISSION OF REPORT.—A report under subsection (b) shall be submitted not later than 90 days after the completion of the military operation.

(d) APPLICABILITY.—Subsection (b) shall apply only with respect to military operations begun after the date of the enactment of this Act.

SEC. 1222. REPEAL OF RESTRICTION PREVENTING COOPERATIVE AIRLIFT SUPPORT THROUGH ACQUISITION AND CROSS-SERVICING AGREEMENTS.

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

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1223. GAO STUDY ON THE BENEFITS AND COSTS OF UNITED STATES MILITARY ENGAGEMENT IN EUROPE.

(a) COMPTROLLER GENERAL STUDY.—The Comptroller General shall conduct a study assessing the benefits and costs to the United States and United States national security interests of the engagement of United States forces in Europe and of United States military strategies used to shape the international security environment in Europe.

(b) MATTERS TO BE INCLUDED.—The study shall include an assessment of the following matters:

(1) The benefits and costs to the United States of having forces stationed in Europe and assigned to areas of regional conflict such as Bosnia and Kosovo.

(2) The benefits and costs associated with stationing United States forces in Europe and with assigning those forces to areas of regional conflict, including an analysis of the benefits and costs of deploying United States forces with the forces of European allies.

(3) The amount and type of the following kinds of contributions to European security made by European allies in 1999 and 2000:

(A) Financial contributions.

(B) Contributions of military personnel and units.

(C) Contributions of nonmilitary personnel, such as medical personnel, police officers, judicial officers, and other civic officials.

(D) Contributions, including contributions in kind, for humanitarian and reconstruction assistance and infrastructure building or activities that contribute to regional stability, whether in lieu of or in addition to military-related contributions.

(4) The extent to which a forward United States military presence compensates for existing shortfalls of air and sea lift capability in the event of regional conflict in Europe or the Middle East.

(c) REPORT.—The Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the results of the study not later than December 1, 2001.

Subtitle D—Other Matters

SEC. 1231. JOINT DATA EXCHANGE CENTER WITH RUSSIAN FEDERATION ON EARLY WARNING SYSTEMS AND NOTIFICATION OF BALLISTIC MISSILE LAUNCHES.

(a) AUTHORITY.—The Secretary of Defense is authorized to establish, in conjunction with the Government of the Russian Federation, a United States-Russian Federation joint center for the exchange of data from systems to provide early warning of launches of ballistic missiles and for notification of launches of such missiles.

(b) SPECIFIC ACTIONS.—The actions that the Secretary undertakes for the establishment of the center may include—

(1) subject to subsection (d), participating in the renovation of a mutually agreed upon facility to be made available by the Russian Federation; and

(2) the furnishing of such equipment and supplies as may be necessary to begin the operation of the center.

(c) REPORT REQUIRED.—(1) Not later than 30 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on plans for the joint data exchange center.

(2) The report shall include the following:

(A) A detailed explanation as to why the particular facility intended to house the center was chosen.

(B) An estimate of the total cost of renovating that facility for use by the center.

(C) A description of the manner by which the United States proposes to meet its share of the costs of such renovation.

(d) LIMITATION.—(1) The Secretary of Defense may participate under subsection (b) in the renovation of the facility identified in the report under subsection (c) only if the United States and the Russian Federation enter into a cost-sharing arrangement that provides for an equal sharing between the two nations of the cost of establishing the center, including the costs of renovating and operating the facility.

(2) Not more than $4,000,000 of funds appropriated for fiscal year 2001 may be obligated or expended after the date of the enactment of this Act by the Secretary of Defense for the renovation of such facility until 30 days after the date on which the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of a written agreement between the United States and the Russian Federation that provides details of the cost-sharing arrangement specified in paragraph (1), in accordance with the Memorandum of Agreement between the two nations signed in Moscow in June 2000.

SEC. 1232. REPORT ON SHARING AND EXCHANGE OF BALLISTIC MISSILE LAUNCH EARLY WARNING DATA.

Not later than March 15, 2001, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on current and planned activities of the Department of Defense with respect to the sharing and exchange with other countries of early warning data concerning ballistic missile launches. The report shall include the Secretary's assessment of the benefits and risks of sharing such data with other countries on a bilateral or multilateral basis.

SEC. 1233. ANNUAL REPORT OF COMMUNIST CHINESE MILITARY COMPANIES OPERATING IN THE UNITED STATES.

Section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note) is amended—

(1) by striking ''PUBLICATION'' in the subsection heading and inserting ''REPORTING''; and

(2) by striking paragraphs (1) and (2) and inserting the following:

''(1) INITIAL DETERMINATION AND REPORTING.—Not later than March 1, 2001, the Secretary of Defense shall make a determination of those persons operating directly or indirectly in the United States or any of its territories and possessions that are Communist Chinese military companies and shall submit a list of those persons in classified and unclassified form to the following:

''(A) The Committee on Armed Services of the House of Representatives.

''(B) The Committee on Armed Services of the Senate.

''(C) The Secretary of State.

''(D) The Secretary of the Treasury.

''(E) The Attorney General.

''(F) The Secretary of Commerce.

''(G) The Secretary of Energy.

''(H) The Director of Central Intelligence.

''(2) ANNUAL REVISIONS TO THE LIST.—The Secretary of Defense shall make additions or deletions to the list submitted under paragraph (1) on an annual basis based on the latest information available and shall submit the updated list not later than February 1, each year to the committees and officers specified in paragraph (1).''.

SEC. 1234. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS.

(a) LAYOVER PERIOD FOR NEW PERFORMANCE LEVELS.—Section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence of subsection (d), by striking ''180'' and inserting ''60''; and

(2) by adding at the end the following new subsection:

''(h) CALCULATION OF 60-DAY PERIOD.—The 60-day period referred to in subsection (d) shall be calculated by excluding the days on which either House of Congress is not in session because of an adjournment of the Congress sine die.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any new composite theoretical performance level established for purposes of section 1211(a) of the National Defense Authorization Act for Fiscal Year 1998 that is submitted by the President pursuant to section 1211(d) of that Act on or after the date of the enactment of this Act.

SEC. 1235. INCREASED AUTHORITY TO PROVIDE HEALTH CARE SERVICES AS HUMANITARIAN AND CIVIC ASSISTANCE.

Section 401(e)(1) of title 10, United States Code, is amended by striking ''rural areas of a country'' and inserting ''areas of a country that are rural or are underserved by medical, dental, and veterinary professionals, respectively''.

SEC. 1236. SENSE OF CONGRESS REGARDING THE USE OF CHILDREN AS SOLDIERS.

(a) FINDINGS.—Congress makes the following findings:

(1) In the year 2000, approximately 300,000 individuals under the age of 18 are participating in armed conflict in more than 30 countries worldwide.

(2) Many children participating in armed conflict in various countries around the world are forcibly conscripted through kidnapping or coercion, while others join military units due to economic necessity, to avenge the loss of a family member, or for their own personal safety.

(3) Many military commanders frequently force child soldiers to commit gruesome acts of ritual killings or torture against their enemies, including against other children.

(4) Many military commanders separate children from their families in order to foster dependence on military units and leaders, leaving children vulnerable to manipulation, deep traumatization, and in need of psychological counseling and rehabilitation.

(5) Child soldiers are exposed to hazardous conditions and risk physical injuries, sexually transmitted diseases, malnutrition, deformed backs and shoulders from carrying overweight loads, and respiratory and skin infections.

(6) Many young female soldiers face the additional psychological and physical horrors of rape and sexual abuse, being enslaved for sexual purposes by militia commanders, and forced to endure severe social stigma should they return home.

(7) Children in northern Uganda continue to be kidnapped by the Lords Resistance Army (LRA), which is supported and funded by the Government of Sudan and which has committed and continues to commit gross human rights violations in Uganda.

(8) Children in Sri Lanka have been forcibly recruited by the opposition Tamil Tigers movement and forced to kill or be killed in the armed conflict in that country.

(9) An estimated 7,000 child soldiers have been involved in the conflict in Sierra Leone, some as young as age 10, with many being forced to commit extrajudicial executions, torture, rape, and amputations for the rebel Revolutionary United Front.

(10) On January 21, 2000, in Geneva, a United Nations Working Group, including representatives from more than 80 governments including the United States, reached consensus on an international agreement, referred to in this case as an ''optional protocol'', on the use of child soldiers.

(11) This optional protocol, upon entry into force, will—

(A) raise the international minimum age for conscription and will require governments to take all feasible measures to ensure that members of their armed forces under age 18 do not participate directly in combat;

(B) prohibit the recruitment and use in armed conflict of persons under the age of 18 by nongovernmental armed forces;

(C) encourage governments to raise the minimum legal age for voluntary recruits above the current standard of 15, and

(D) commit governments to support the demobilization and rehabilitation of child soldiers and, when possible, to allocate resources to this purpose.

(12) On October 29, 1998, United Nations Secretary General Kofi Annan set minimum age requirements for United Nations peacekeeping personnel that are made available by member nations of the United Nations.

(13) The United Nations Under-Secretary General for Peace-keeping, Bernard Miyet, announced in the Fourth Committee of the General Assembly that contributing governments of member nations were asked not to send civilian police and military observers under the age of 25 and that troops in national contingents should preferably be at least 21 years of age but in no case should they be younger than 18 years of age.

(14) On August 25, 1999, the United Nations Security Council unanimously passed Resolution 1261 (1999) condemning the use of children in armed conflicts.

(15) In addressing the Security Council on August 26, 1999, the Special Representative of the Secretary General for Children and Armed Conflict, Olara Otunnu, urged the adoption of a global three-pronged approach to combatting the use of children in armed conflict that would—

(A) first, raise the age limit for recruitment and participation in armed conflict from the present age of 15 to the age of 18;

(B) second, increase international pressure on armed groups which currently abuse children; and

(C) third, address the political, social, and economic factors that create an environment in which children are induced by appeal of ideology or by socio-economic collapse to become child soldiers.

(16) The United States delegation to the United Nations working group relating to child soldiers, which included representatives from the Department of Defense, supported the Geneva agreement on the optional protocol.

(17) On May 25, 2000, the United Nations General Assembly unanimously adopted the optional protocol on the use of child soldiers.

(18) The optional protocol was opened for signature on June 5, 2000.

(19) The President signed the optional protocol on behalf of the United States on July 5, 2000.

(b) CONGRESSIONAL STATEMENTS ON CHILD SOLDIERS.—Congress joins the international community in—

(1) condemning the use of children as soldiers by governmental and nongovernmental armed forces worldwide; and

(2) welcoming the optional protocol on the use of child soldiers adopted by the United Nations General Assembly on May 25, 2000, as a critical first step in ending the use of children as soldiers.

(c) SENSE OF CONGRESS ON FURTHER ACTIONS.—It is the sense of Congress that—

(1) it is essential that the President consult closely with the Senate with the objective of building support for ratification by the United States of the optional protocol and that the Senate move forward as expeditiously as possible;

(2) the United States should provide assistance, through a new fund to be established by law, for the rehabilitation and reintegration into their respective civilian societies of child soldiers of other nations; and

(3) the President, acting through the Secretaries of State and Defense and other appropriate officials, should undertake all possible efforts to persuade and encourage other governments to ratify and endorse the optional protocol on the use of child soldiers.

SEC. 1237. SENSE OF CONGRESS REGARDING UNDERSEA RESCUE AND RECOVERY.

(a) FINDINGS.—Congress makes the following findings:

(1) The tragic loss in August 2000 of the Russian submarine Kursk resulted in the death of all 118 members of the submarine's crew.

(2) The Kursk is the third vessel of the submarine fleet of the Russian Federation and its predecessor, the Union of Soviet Socialist Republics, to be lost in an accident at sea with considerable loss of life of the officers and crews of those submarines.

(3) The United States submarines USS Thresher and USS Scorpion, with their officers and crews, were also lost at sea in tragic accidents, in 1963 and 1968, respectively.

(4) The United States, the Russian Federation, and other maritime nations possess extensive capabilities consisting of naval and research vessels and other assets that could be used to respond to accidents or incidents involving submarines or other undersea vessels.

(5) The United States Navy has rescue agreements with the navies of 14 countries from Europe, the Western Pacific, and the Americas, but not including the Russian Federation, and exercises regularly to train crews and practice submarine rescue procedures with the navies of participating nations.

(b) EXPRESSION OF SYMPATHY.—Congress expresses its sympathy and the sympathy of the American people to the people of the Russian Federation and joins the Russian people in mourning the death of the crewmen of the submarine Kursk.

(c) SENSE OF CONGRESS CONCERNING INTERNATIONAL COOPERATION.—It is the sense of Congress that when undersea accidents or incidents involving submarines or other undersea vessels occur, it is in the best interests of all nations to work together to respond promptly to the accident or incident, rescue and recover the crew of the vessel, minimize the loss of life, and prevent damage to the oceans.

(d) ESTABLISHMENT OF PLAN FOR RESPONDING TO UNDERSEA ACCIDENTS OR INCIDENTS.—Congress urges the President of the United States and the President of the Russian Federation, in coordination with the leaders of other maritime nations that possess undersea naval and research vessels and undersea rescue capabilities, to cooperate in establishing a plan for—

(1) responding to accidents or incidents involving submarines or other undersea vessels; and

(2) rescue and recovery of the crew of the vessels involved in such accidents or incidents.

SEC. 1238. UNITED STATES-CHINA SECURITY REVIEW COMMISSION.

(a) PURPOSES.—The purposes of this section are as follows:

(1) To establish the United States-China Security Review Commission to review the national security implications of trade and economic ties between the United States and the People's Republic of China.

(2) To facilitate the assumption by the United States-China Security Review Commission of its duties regarding the review referred to in paragraph (1) by providing for the transfer to that Commission of staff, materials, and infrastructure (including leased premises) of the Trade Deficit Review Commission that are appropriate for the review upon the submittal of the final report of the Trade Deficit Review Commission.

(b) ESTABLISHMENT OF UNITED STATES-CHINA SECURITY REVIEW COMMISSION.—

(1) IN GENERAL.—There is hereby established a commission to be known as the United States-China Security Review Commission (in this section referred to as the ''Commission'').

(2) PURPOSE.—The purpose of the Commission is to monitor, investigate, and report to Congress on the national security implications of the bilateral trade and economic relationship between the United States and the People's Republic of China.

(3) MEMBERSHIP.—The United States-China Security Review Commission shall be composed of 12 members, who shall be appointed in the same manner provided for the appointment of members of the Trade Deficit Review Commission under section 127(c)(3) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note), except that—

(A) appointment of members by the Speaker of the House of Representatives shall be made after consultation with the chairman of the Committee on Armed Services of the House of Representatives, in addition to consultation with the chairman of the Committee on Ways and Means of the House of Representatives provided

for under clause (iii) of subparagraph (A) of that section;

(B) appointment of members by the President pro tempore of the Senate upon the recommendation of the majority leader of the Senate shall be made after consultation with the chairman of the Committee on Armed Services of the Senate, in addition to consultation with the chairman of the Committee on Finance of the Senate provided for under clause (i) of that subparagraph;

(C) appointment of members by the President pro tempore of the Senate upon the recommendation of the minority leader of the Senate shall be made after consultation with the ranking minority member of the Committee on Armed Services of the Senate, in addition to consultation with the ranking minority member of the Committee on Finance of the Senate provided for under clause (ii) of that subparagraph;

(D) appointment of members by the minority leader of the House of Representatives shall be made after consultation with the ranking minority member of the Committee on Armed Services of the House of Representatives, in addition to consultation with the ranking minority member of the Committee on Ways and Means of the House of Representatives provided for under clause (iv) of that subparagraph;

(E) persons appointed to the Commission shall have expertise in national security matters and United States-China relations, in addition to the expertise provided for under subparagraph (B)(i)(I) of that section;

(F) members shall be appointed to the Commission not later than 30 days after the date on which each new Congress convenes;

(G) members of the Commission may be reappointed for additional terms of service as members of the Commission; and

(H) members of the Trade Deficit Review Commission as of the date of the enactment of this Act shall serve as members of the United States-China Security Review Commission until such time as members are first appointed to the United States-China Security Review Commission under this paragraph.

(4) RETENTION OF SUPPORT.—The United States-China Security Review Commission shall retain and make use of such staff, materials, and infrastructure (including leased premises) of the Trade Deficit Review Commission as the United States-China Security Review Commission determines, in the judgment of the members of the United States-China Security Review Commission, are required to facilitate the ready commencement of activities of the United States-China Security Review Commission under subsection (c) or to carry out such activities after the commencement of such activities.

(5) CHAIRMAN AND VICE CHAIRMAN.—The members of the Commission shall select a Chairman and Vice Chairman of the Commission from among the members of the Commission.

(6) MEETINGS.—

(A) MEETINGS.—The Commission shall meet at the call of the Chairman of the Commission.

(B) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business of the Commission.

(7) VOTING.—Each member of the Commission shall be entitled to one vote, which shall be equal to the vote of every other member of the Commission.

(c) DUTIES.—

(1) ANNUAL REPORT.—Not later than March 1 each year (beginning in 2002), the Commission shall submit to Congress a report, in both unclassified and classified form, regarding the national security implications and impact of the bilateral trade and economic relationship between the United States and the People's Republic of China. The report shall include a full analysis, along with conclusions and recommendations for legislative and administrative actions, if any, of the national security implications for the United States of the trade and current balances with the People's Republic of China in goods and services, financial transactions, and technology transfers. The Commission shall also take into account patterns of trade and transfers through third countries to the extent practicable.

(2) CONTENTS OF REPORT.—Each report under paragraph (1) shall include, at a minimum, a full discussion of the following:

(A) The portion of trade in goods and services with the United States that the People's Republic of China dedicates to military systems or systems of a dual nature that could be used for military purposes.

(B) The acquisition by the People's Republic of China of advanced military or dual-use technologies from the United States by trade (including procurement) and other technology transfers, especially those transfers, if any, that contribute to the proliferation of weapons of mass destruction or their delivery systems, or that undermine international agreements or United States laws with respect to nonproliferation.

(C) Any transfers, other than those identified under subparagraph (B), to the military systems of the People's Republic of China made by United States firms and United States-based multinational corporations.

(D) An analysis of the statements and writing of the People's Republic of China officials and officially-sanctioned writings that bear on the intentions, if any, of the Government of the People's Republic of China regarding the pursuit of military competition with, and leverage over, or cooperation with, the United States and the Asian allies of the United States.

(E) The military actions taken by the Government of the People's Republic of China during the preceding year that bear on the national security of the United States and the regional stability of the Asian allies of the United States.

(F) The effects, if any, on the national security interests of the United States of the use by the People's Republic of China of financial transactions and capital flow and currency manipulations.

(G) Any action taken by the Government of the People's Republic of China in the context of the World Trade Organization that is adverse or favorable to the United States national security interests.

(H) Patterns of trade and investment between the People's Republic of China and its major trading partners, other than the United States, that appear to be substantively different from trade and investment patterns with the United States and whether the differences have any national security implications for the United States.

(I) The extent to which the trade surplus of the People's Republic of China with the United States enhances the military budget of the People's Republic of China.

(J) An overall assessment of the state of the security challenges presented by the People's Republic of China to the United States and whether the security challenges are increasing or decreasing from previous years.

(3) RECOMMENDATIONS OF REPORT.—Each report under paragraph (1) shall also include recommendations for action by Congress or the President, or both, including specific recommendations for the United States to invoke Article XXI (relating to security exceptions) of the General Agreement on Tariffs and Trade 1994 with respect to the People's Republic of China, as a result of any adverse impact on the national security interests of the United States.

(d) HEARINGS.—

(1) IN GENERAL.—The Commission or, at its direction, any panel or member of the Commission, may for the purpose of carrying out the provisions of this section, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(2) INFORMATION.—The Commission may secure directly from the Department of Defense, the Central Intelligence Agency, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its duties under this section, except the provision of intelligence information to the Commission shall be made with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, under procedures approved by the Director of Central Intelligence.

(3) SECURITY.—The Office of Senate Security shall—

(A) provide classified storage and meeting and hearing spaces, when necessary, for the Commission; and

(B) assist members and staff of the Commission in obtaining security clearances.

(4) SECURITY CLEARANCES.—All members of the Commission and appropriate staff shall be sworn and hold appropriate security clearances.

(e) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Members of the United States-China Security Review Commission shall be compensated in the same manner provided for the compensation of members of the Trade Deficit Review Commission under section 127(g)(1) and section 127(g)(6) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note).

(2) TRAVEL EXPENSES.—Travel expenses of the United States-China Security Review Commission shall be allowed in the same manner provided for the allowance of the travel expenses of the Trade Deficit Review Commission under section 127(g)(2) of the Trade Deficit Review Commission Act.

(3) STAFF.—An executive director and other additional personnel for the United States-China Security Review Commission shall be appointed, compensated, and terminated in the same manner provided for the appointment, compensation, and termination of the executive director and other personnel of the Trade Deficit Review Commission under section 127(g)(3) and section 127(g)(6) of the Trade Deficit Review Commission Act.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Federal Government employees may be detailed to the United States-China Security Review Commission in the same manner provided for the detail of Federal Government employees to the Trade Deficit Review Commission under section 127(g)(4) of the Trade Deficit Review Commission Act.

(5) FOREIGN TRAVEL FOR OFFICIAL PURPOSES.—Foreign travel for official purposes by members and staff of the Commission may be authorized by either the Chairman or the Vice Chairman of the Commission.

(6) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the United States-China Security Review Commission may procure temporary and intermittent services for the United States-China Security Review Commission in the same manner provided for the procurement of temporary and intermittent services for the Trade Deficit Review Commission under section 127(g)(5) of the Trade Deficit Review Commission Act.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Commission for fiscal year 2001, and for each fiscal year thereafter, such sums as may be necessary to enable the Commission to carry out its functions under this section.

(2) AVAILABILITY.—Amounts appropriated to the Commission shall remain available until expended.

(g) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) EFFECTIVE DATE.—This section shall take effect on the first day of the 107th Congress.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Prohibition on use of funds for elimination of conventional weapons.
Sec. 1304. Limitations on use of funds for fissile material storage facility.
Sec. 1305. Limitation on use of funds to support warhead dismantlement processing.
Sec. 1306. Agreement on nuclear weapons storage sites.
Sec. 1307. Limitation on use of funds for construction of fossil fuel energy plants; report.
Sec. 1308. Reports on activities and assistance under Cooperative Threat Reduction programs.
Sec. 1309. Russian chemical weapons elimination.
Sec. 1310. Limitation on use of funds for elimination of weapons grade plutonium program.
Sec. 1311. Report on audits of Cooperative Threat Reduction programs.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF CTR PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note).

(b) FISCAL YEAR 2001 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2001 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs shall be available for obligation for three fiscal years.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $443,400,000 authorized to be appropriated to the Department of Defense for fiscal year 2001 in section 301(23) for Cooperative Threat Reduction programs, not more than the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination in Russia, $177,800,000.

(2) For strategic nuclear arms elimination in Ukraine, $29,100,000.

(3) For activities to support warhead dismantlement processing in Russia, $9,300,000.

(4) For weapons transportation security in Russia, $14,000,000.

(5) For planning, design, and construction of a storage facility for Russian fissile material, $57,400,000.

(6) For weapons storage security in Russia, $89,700,000.

(7) For development of a cooperative program with the Government of Russia to eliminate the production of weapons grade plutonium at Russian reactors, $32,100,000.

(8) For biological weapons proliferation prevention activities in the former Soviet Union, $12,000,000.

(9) For activities designated as Other Assessments/Administrative Support, $13,000,000.

(10) For defense and military contacts, $9,000,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2001 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (10) of subsection (a) until 30 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2001 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—(1) Subject to paragraphs (2) and (3), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2001 for a purpose listed in any of the paragraphs in subsection (a) in excess of the amount specifically authorized for such purpose.

(2) An obligation of funds for a purpose stated in any of the paragraphs in subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

(3) The Secretary may not, under the authority provided in paragraph (1), obligate amounts for the purposes stated in any of paragraphs (4), (5), (7), (9), or (10) of subsection (a) in excess of 115 percent of the amount specifically authorized for such purposes.

SEC. 1303. PROHIBITION ON USE OF FUNDS FOR ELIMINATION OF CONVENTIONAL WEAPONS.

No fiscal year 2001 Cooperative Threat Reduction funds, and no funds appropriated for Cooperative Threat Reduction programs for any other fiscal year, may be obligated or expended for elimination of conventional weapons or the delivery vehicles primarily intended to deliver such weapons.

SEC. 1304. LIMITATIONS ON USE OF FUNDS FOR FISSILE MATERIAL STORAGE FACILITY.

(a) LIMITATIONS.—No fiscal year 2001 Cooperative Threat Reduction funds may be used—

(1) for construction of a second wing for the storage facility for Russian fissile material referred to in section 1302(a)(5); or

(2) for design or planning with respect to such facility until 15 days after the date that the Secretary of Defense submits to Congress notification that Russia and the United States have signed a written transparency agreement that provides for verification that material stored at the facility is of weapons origin.

(b) ESTABLISHMENT OF FUNDING CAP FOR FIRST WING OF STORAGE FACILITY.—Out of funds authorized to be appropriated for Cooperative Threat Reduction programs for fiscal year 2001 or any other fiscal year, not more than $412,600,000 may be used for planning, design, or construction of the first wing for the storage facility for Russian fissile material referred to in section 1302(a)(5).

SEC. 1305. LIMITATION ON USE OF FUNDS TO SUPPORT WARHEAD DISMANTLEMENT PROCESSING.

No fiscal year 2001 Cooperative Threat Reduction funds may be used for activities to support warhead dismantlement processing in Russia until 15 days after the date that the Secretary of Defense submits to Congress notification that the United States has reached an agreement with Russia, which shall provide for appropriate transparency measures, regarding assistance by the United States with respect to such processing.

SEC. 1306. AGREEMENT ON NUCLEAR WEAPONS STORAGE SITES.

The Secretary of Defense shall seek to enter into an agreement with Russia regarding procedures to allow the United States appropriate access to nuclear weapons storage sites for which assistance under Cooperative Threat Reduction programs is provided.

SEC. 1307. LIMITATION ON USE OF FUNDS FOR CONSTRUCTION OF FOSSIL FUEL ENERGY PLANTS; REPORT.

(a) IN GENERAL.—No fiscal year 2001 Cooperative Threat Reduction funds may be used for the construction of a fossil fuel energy plant intended to provide power to local communities that already receive power from nuclear energy plants that produce plutonium.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to Congress a report detailing options for assisting Russia in the development of alternative energy sources to the three plutonium production reactors remaining in operation in Russia. The report shall include—

(1) an assessment of the costs of building fossil fuel plants in Russia to replace the existing plutonium production reactors; and

(2) an identification of funding sources, other than Cooperative Threat Reduction funds, that could possibly be used for the construction of such plants in the event that the option to use fossil fuel energy is chosen as part of a plan to shut down Russia's nuclear plutonium production reactors at Seversk and Zelenogorsk.

SEC. 1308. REPORTS ON ACTIVITIES AND ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

(a) ANNUAL REPORT.—In any year in which the budget of the President under section 1105 of title 31, United States Code, for the fiscal year beginning in such year requests funds for the Department of Defense for assistance or activities under Cooperative Threat Reduction programs with the states of the former Soviet Union, the Secretary of Defense shall submit to Congress a report on activities and assistance during the preceding fiscal year under Cooperative Threat Reduction programs setting forth the matters in subsection (c).

(b) DEADLINE FOR REPORT.—The report under subsection (a) shall be submitted not later than the first Monday in February of a year.

(c) MATTERS TO BE INCLUDED.—The report under subsection (a) in a year shall set forth the following:

(1) An estimate of the total amount that will be required to be expended by the United States in order to achieve the objectives of the Cooperative Threat Reduction programs.

(2) A five-year plan setting forth the amount of funds and other resources proposed to be provided by the United States for Cooperative Threat Reduction programs over the term of the plan, including the purpose for which such funds and resources will be used, and to provide guidance for the preparation of annual budget submissions with respect to Cooperative Threat Reduction programs.

(3) A description of the Cooperative Threat Reduction activities carried out during the fiscal year ending in the year preceding the year of the report, including—

(A) the amounts notified, obligated, and expended for such activities and the purposes for which such amounts were notified, obligated, and expended for such fiscal year and cumulatively for Cooperative Threat Reduction programs;

(B) a description of the participation, if any, of each department and agency of the United States Government in such activities;

(C) a description of such activities, including the forms of assistance provided;

(D) a description of the United States private sector participation in the portion of such activities that were supported by the obligation and expenditure of funds for Cooperative Threat Reduction programs; and

(E) such other information as the Secretary of Defense considers appropriate to inform Congress fully of the operation of Cooperative

Threat Reduction programs and activities, including with respect to proposed demilitarization or conversion projects, information on the progress toward demilitarization of facilities and the conversion of the demilitarized facilities to civilian activities.

(4) A description of the audits, examinations, and other efforts, such as on-site inspections, conducted by the United States during the fiscal year ending in the year preceding the year of the report to ensure that assistance provided under Cooperative Threat Reduction programs is fully accounted for and that such assistance is being used for its intended purpose, including—

(A) if such assistance consisted of equipment, a description of the current location of such equipment and the current condition of such equipment;

(B) if such assistance consisted of contracts or other services, a description of the status of such contracts or services and the methods used to ensure that such contracts and services are being used for their intended purpose;

(C) a determination whether the assistance described in subparagraphs (A) and (B) has been used for its intended purpose; and

(D) a description of the audits, examinations, and other efforts planned to be carried out during the fiscal year beginning in the year of the report to ensure that Cooperative Threat Reduction assistance provided during such fiscal year is fully accounted for and is used for its intended purpose.

(5) A current description of the tactical nuclear weapons arsenal of Russia, including—

(A) an estimate of the current types, numbers, yields, viability, locations, and deployment status of the nuclear warheads in that arsenal;

(B) an assessment of the strategic relevance of such warheads;

(C) an assessment of the current and projected threat of theft, sale, or unauthorized use of such warheads; and

(D) a summary of past, current, and planned United States efforts to work cooperatively with Russia to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile materials.

(d) INPUT OF DCI.—The Director of Central Intelligence shall submit to the Secretary of Defense the views of the Director on any matters covered by subsection (c)(5) in a report under subsection (a). Such views shall be included in such report as a classified annex to such report.

(e) COMPTROLLER GENERAL ASSESSMENT.—Not later than 90 days after the date on which a report is submitted to Congress under subsection (a), the Comptroller General shall submit to Congress a report setting forth the Comptroller General's assessment of the information described in paragraphs (2) and (4) of subsection (c).

(f) FIRST REPORT.—The first report submitted under subsection (a) shall be submitted in 2001.

(g) REPEAL OF SUPERSEDED REPORTING REQUIREMENTS.—(1) The following provisions of law are repealed:

(A) Section 1207 of the Cooperative Threat Reduction Act of 1994 (title XII of Public Law 103–160; 107 Stat. 1782; 22 U.S.C. 5956), relating to semiannual reports on Cooperative Threat Reduction.

(B) Section 1203 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2882), relating to a report accounting for United States assistance for Cooperative Threat Reduction.

(C) Section 1206 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 22 U.S.C. 5955 note), relating to accounting for United States assistance for Cooperative Threat Reduction.

(D) Section 1307 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 795), relating to a limitation on use of funds for Cooperative Threat Reduction pending submittal of a multiyear plan.

(2) Effective on the date the Secretary of Defense submits to Congress an updated version of the multiyear plan for fiscal year 2001 as described in subsection (h), section 1205 of the National Defense Authorization Act for Fiscal Year 1995 (108 Stat. 2883; 10 U.S.C. 5952 note), relating to multiyear planning and Allied support for Cooperative Threat Reduction, is repealed.

(3) Section 1312 of the National Defense Authorization Act for Fiscal Year 2000 (113 Stat. 796; 22 U.S.C. 5955 note), relating to Russian nonstrategic nuclear arms, is amended—

(A) by striking ''(a) SENSE OF CONGRESS.—''; and

(B) by striking subsections (b) and (c).

(h) LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF MULTIYEAR PLAN.—Not more than 10 percent of fiscal year 2001 Cooperative Threat Reduction funds may be obligated or expended until the Secretary of Defense submits to Congress an updated version of the multiyear plan for fiscal year 2001 required to be submitted under section 1205 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 22 U.S.C. 5952 note).

(i) REPORT ON RUSSIAN NONSTRATEGIC NUCLEAR ARMS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the following regarding Russia's arsenal of tactical nuclear warheads:

(1) Estimates regarding current types, numbers, yields, viability, locations, and deployment status of the warheads.

(2) An assessment of the strategic relevance of the warheads.

(3) An assessment of the current and projected threat of theft, sale, or unauthorized use of the warheads.

(4) A summary of past, current, and planned United States efforts to work cooperatively with Russia to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile material.

SEC. 1309. RUSSIAN CHEMICAL WEAPONS ELIMINATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the international community should, when practicable, assist Russia in eliminating its chemical weapons stockpile in accordance with Russia's obligations under the Chemical Weapons Convention, and that the level of such assistance should be based on—

(1) full and accurate disclosure by Russia of the size of its existing chemical weapons stockpile;

(2) a demonstrated annual commitment by Russia to allocate at least $25,000,000 to chemical weapons elimination;

(3) development by Russia of a practical plan for destroying its stockpile of nerve agents;

(4) enactment of a law by Russia that provides for the elimination of all nerve agents at a single site; and

(5) an agreement by Russia to destroy its chemical weapons production facilities at Volgograd and Novocheboksark.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that identifies—

(1) the amount spent by Russia for chemical weapons elimination during fiscal year 2000;

(2) the specific assistance being provided to Russia by the international community for the safe storage and elimination of Russia's stockpile of nerve agents, including those nerve agents located at the Shchuch'ye depot;

(3) the countries providing the assistance identified in paragraph (2); and

(4) the value of the assistance that the international community has already provided and has committed to provide in future years for the purpose described in paragraph (2).

(c) CHEMICAL WEAPONS CONVENTION DEFINED.—In this section, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993.

SEC. 1310. LIMITATION ON USE OF FUNDS FOR ELIMINATION OF WEAPONS GRADE PLUTONIUM PROGRAM.

Of the amounts authorized to be appropriated by this Act for fiscal year 2001 for the Elimination of Weapons Grade Plutonium Program, not more than 50 percent of such amounts may be obligated or expended for the program in fiscal year 2001 until 30 days after the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives a report on an agreement between the United States Government and the Government of the Russian Federation regarding a new option selected for the shut down or conversion of the reactors of the Russian Federation that produce weapons grade plutonium, including—

(1) the new date on which such reactors will cease production of weapons grade plutonium under such agreement by reason of the shut down or conversion of such reactors; and

(2) any cost-sharing arrangements between the United States Government and the Government of the Russian Federation in undertaking activities under such agreement.

SEC. 1311. REPORT ON AUDITS OF COOPERATIVE THREAT REDUCTION PROGRAMS.

Not later than March 31, 2001, the Comptroller General shall submit to Congress a report examining the procedures and mechanisms with respect to audits by the Department of Defense of the use of funds for Cooperative Threat Reduction programs. The report shall examine the following:

(1) Whether the audits being conducted by the Department of Defense are producing necessary information regarding whether assistance under such programs, including equipment provided and services furnished, is being used as intended.

(2) Whether the audit procedures of the Department of Defense are adequate, including whether random samplings are used.

TITLE XIV—COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE (EMP) ATTACK

Sec. 1401. Establishment of commission.
Sec. 1402. Duties of commission.
Sec. 1403. Reports.
Sec. 1404. Powers.
Sec. 1405. Commission procedures.
Sec. 1406. Personnel matters.
Sec. 1407. Miscellaneous administrative provisions.
Sec. 1408. Funding.
Sec. 1409. Termination of the commission.

SEC. 1401. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack'' (hereinafter in this title referred to as the ''Commission'').

(b) COMPOSITION.—The Commission shall be composed of nine members. Seven of the members shall be appointed by the Secretary of Defense and two of the members shall be appointed by the Director of the Federal Emergency Management Agency. In selecting individuals for appointment to the Commission, the Secretary of Defense shall consult with the chairmen and ranking minority members of the Committees on Armed Services of the Senate and House of Representatives.

(c) QUALIFICATIONS.—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the scientific, technical, and military aspects of electromagnetic pulse (hereinafter in this title referred to as ''EMP'') effects resulting

from the detonation of a nuclear weapon or weapons at high altitude, sometimes referred to as high-altitude electromagnetic pulse effects (HEMP).

(d) CHAIRMAN OF COMMISSION.—The Secretary of Defense shall designate one of the members of the Commission to serve as chairman of the Commission.

(e) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(f) SECURITY CLEARANCES.—All members of the Commission shall hold appropriate security clearances.

(g) INITIAL ORGANIZATION REQUIREMENTS.—All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act. The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed.

SEC. 1402. DUTIES OF COMMISSION.

(a) REVIEW OF EMP THREAT.—The Commission shall assess—

(1) the nature and magnitude of potential high-altitude EMP threats to the United States from all potentially hostile states or non-state actors that have or could acquire nuclear weapons and ballistic missiles enabling them to perform a high-altitude EMP attack against the United States within the next 15 years;

(2) the vulnerability of United States military and especially civilian systems to an EMP attack, giving special attention to vulnerability of the civilian infrastructure as a matter of emergency preparedness;

(3) the capability of the United States to repair and recover from damage inflicted on United States military and civilian systems by an EMP attack; and

(4) the feasibility and cost of hardening select military and civilian systems against EMP attack.

(b) RECOMMENDATION.—The Commission shall recommend any steps it believes should be taken by the United States to better protect its military and civilian systems from EMP attack.

(c) COOPERATION FROM GOVERNMENT OFFICIALS.—In carrying out its duties, the Commission should receive the full and timely cooperation of the Secretary of Defense, the Director of the Federal Emergency Management Agency, and any other United States Government official serving in the Department of Defense or Armed Forces in providing the Commission with analyses, briefings, and other information necessary for the fulfillment of its responsibilities.

SEC. 1403. REPORTS.

(a) COMMISSION REPORT.—The Commission shall, not later than one year after the date of its first meeting, submit to Congress, the Secretary of Defense, and the Director of the Federal Emergency Management Agency a report on the Commission's findings and conclusions.

(b) SECRETARY OF DEFENSE REPORT.—Not later than one year after the date of the Commission's report under subsection (a), the Secretary of Defense shall submit to Congress a report—

(1) commenting on the Commission's findings and conclusions;

(2) describing political-military scenarios that could possibly lead to an EMP attack against the United States;

(3) evaluating the relative likelihood of an EMP attack against the United States compared to other threats involving nuclear weapons; and

(4) explaining what actions, if any, the Secretary intends to take to implement the recommendations of the Commission and the Secretary's reasons for doing so.

SEC. 1404. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this title, hold hearings, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense, the Central Intelligence Agency, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this title.

SEC. 1405. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any agent or member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this title.

SEC. 1406. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1407. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1408. FUNDING.

Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2001. Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

SEC. 1409. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 1403(a).

TITLE XV—NAVY ACTIVITIES ON THE ISLAND OF VIEQUES, PUERTO RICO

Sec. 1501. Assistance for economic growth on Vieques.
Sec. 1502. Conveyance of Naval Ammunition Support Detachment, Vieques Island.
Sec. 1503. Determination regarding continuation of Navy training.
Sec. 1504. Actions if training is approved.
Sec. 1505. Requirements if training is not approved or mandate for referendum is vitiated.
Sec. 1506. Certain properties exempt from conveyance or transfer.
Sec. 1507. Moratorium on improvements at Fort Buchanan.
Sec. 1508. Transfer and management of Conservation Zones.

SEC. 1501. ASSISTANCE FOR ECONOMIC GROWTH ON VIEQUES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense for fiscal year 2000, $40,000,000 to be used to provide economic assistance for the people and communities of the island of Vieques, Puerto Rico, in accordance with the terms and conditions of the Vieques supplemental appropriation.

(b) TRANSFER AUTHORITY.—The Secretary of Defense may transfer amounts of authorizations made available to the Department of Defense in subsection (a) to any agency or office of the United States Government in order to implement the projects for which the Vieques supplemental appropriation is made available. The transfer authority under this section is in addition to any transfer authority provided in Public Law 106–65 or any other Act.

(c) NOTICE TO CONGRESS.— The advance notice required by the Vieques supplemental appropriation of each proposed transfer shall also be submitted to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(d) DEFINITION.—In this section, the term ''Vieques supplemental appropriation'' means the paragraph under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' in chapter 1 of title I of the Emergency Supplemental Act, 2000 (division B of Public Law 106–246; 114 Stat. 525).

SEC. 1502. CONVEYANCE OF NAVAL AMMUNITION SUPPORT DETACHMENT, VIEQUES ISLAND.

(a) CONVEYANCE REQUIRED.—

(1) PROPERTY TO BE CONVEYED.—The Secretary of the Navy shall convey, without consideration, to the Municipality of Vieques, Puerto Rico, all right, title, and interest of the United States in and to the land constituting the Naval Ammunition Support Detachment located on the

western end of the island of Vieques, Puerto Rico, except for—

(A) the property that is exempt from conveyance under section 1506;

(B) the property that is required to be transferred to the Secretary of the Interior under section 1508(a); and

(C) any property that is conveyed pursuant to section 1508(b).

(2) TIME FOR CONVEYANCE.—The Secretary of the Navy shall complete the conveyance required by paragraph (1) not later than May 1, 2001.

(b) DESCRIPTION OF PROPERTY.—The Secretary of the Navy, in consultation with the Secretary of the Interior on issues relating to natural resource protection under section 1508, shall determine the exact acreage and legal description of the property required to be conveyed pursuant to subsection (a), including the legal description of any easements, rights of way, and other interests that are retained pursuant to section 1506.

(c) ENVIRONMENTAL RESTORATION.—

(1) OBJECTIVE OF CONVEYANCE.—An important objective of the conveyance required by this section is to promote timely redevelopment of the conveyed property in a manner that enhances employment opportunities and economic redevelopment, consistent with all applicable environmental requirements and in full consultation with the Governor of Puerto Rico, for the benefit of the residents of the island of Vieques.

(2) CONVEYANCE DESPITE RESPONSE NEED.—If the Secretary of the Navy, by May 1, 2001, is unable to provide the covenant required by subparagraph (A)(ii)(I) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)) with respect to the property to be conveyed, the Secretary shall still complete the conveyance by that date, as required by subsection (a)(2). The Secretary shall remain responsible for completing all response actions required under such Act. Upon completion of such response actions, the Secretary shall execute and deliver to the transferee the warranty referred to in subparagraph (C)(iii) of such section. The completion of the response actions shall not be delayed on account of the conveyance.

(3) CONTINUED NAVY RESPONSIBILITY.—Consistent with existing Navy and legal requirements, the Secretary of the Navy shall remain responsible for the environmental condition of the property, and neither the Commonwealth of Puerto Rico nor the Municipality of Vieques shall be responsible for such condition existing at the time of the conveyance.

(4) SAVINGS CLAUSE.—All response actions with respect to the property to be conveyed shall take place in compliance with current law.

(d) CONTROL OF CONVEYED PROPERTY.—The government of the Municipality of Vieques, acting through the elected officials of that government, shall have the power to administer, manage, and control the property conveyed under subsection (a) in any manner determined by the government of the Municipality of Vieques as being most advantageous to the majority of the residents of the island of Vieques (consistent with the laws of the United States).

(e) INDEMNIFICATION.—

(1) ENTITIES AND PERSONS COVERED; EXTENT.—(A) Except as provided in subparagraph (C), and subject to paragraph (2), the Secretary of Defense shall hold harmless, defend, and indemnify in full the persons and entities described in subparagraph (B) from and against any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or economic loss) that results from, or is in any manner predicated upon, the release or threatened release (after the conveyance is made under subsection (a)) of any hazardous substance or pollutant or contaminant as a result of Department of Defense activities at those parts of the Naval Ammunition Support Detachment conveyed pursuant to subsection (a).

(B) The persons and entities described in this paragraph are the following:

(i) The Commonwealth of Puerto Rico (including any officer, agent, or employee of the Commonwealth of Puerto Rico).

(ii) The Municipality of Vieques, Puerto Rico, and any other political subdivision of the Commonwealth of Puerto Rico that acquires such ownership or control (including any officer, agent, or employee of that Municipality or other political subdivision).

(iii) Any other person or entity that acquires such ownership or control.

(iv) Any successor, assignee, transferee, lender, or lessee of a person or entity described in clauses (i) through (iii).

(C) To the extent the persons and entities described in subparagraph (B) contributed to any such release or threatened release, subparagraph (A) shall not apply.

(2) CONDITIONS ON INDEMNIFICATION.—No indemnification may be afforded under this subsection unless the person or entity making a claim for indemnification—

(A) notifies the Secretary of Defense in writing within two years after such claim accrues or begins action within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the Secretary of Defense;

(B) furnishes to the Secretary of Defense copies of pertinent papers the entity receives;

(C) furnishes evidence of proof of any claim, loss, or damage covered by this subsection; and

(D) provides, upon request by the Secretary of Defense, access to the records and personnel of the entity for purposes of defending or settling the claim or action.

(3) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—(A) In any case in which the Secretary of Defense determines that the Department of Defense may be required to make indemnification payments to a person under this subsection for any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage referred to in paragraph (1)(A), the Secretary may settle or defend, on behalf of that person, the claim for personal injury or property damage.

(B) In any case described in subparagraph (A), if the person to whom the Department of Defense may be required to make indemnification payments does not allow the Secretary of Defense to settle or defend the claim, the person may not be afforded indemnification with respect to that claim under this subsection.

(4) ACCRUAL OF ACTION.—For purposes of paragraph (2)(A), the date on which a claim accrues is the date on which the plaintiff knew (or reasonably should have known) that the personal injury or property damage referred to in paragraph (1) was caused or contributed to by the release or threatened release of a hazardous substance or pollutant or contaminant as a result of Department of Defense activities at any part of the Naval Ammunition Support Detachment conveyed pursuant to subsection (a).

(5) RELATIONSHIP TO OTHER LAWS.—Nothing in this subsection shall be construed as affecting or modifying in any way subsection 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(6) DEFINITIONS.—In this subsection, the terms ''hazardous substance'', ''release'', and ''pollutant or contaminant'' have the meanings given such terms under paragraphs (9), (14), (22), and (33) of section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

SEC. 1503. DETERMINATION REGARDING CONTINUATION OF NAVY TRAINING.

(a) REFERENDUM.—

(1) REQUIREMENT.—Except as provided in paragraph (2), the President shall provide for a referendum to be conducted on the island of Vieques, Puerto Rico, to determine by a majority of the votes cast in the referendum by the Vieques electorate whether the people of Vieques approve or disapprove of the continuation of the conduct of live-fire training, and any other types of training, by the Armed Forces at the Navy's training sites on the island under the conditions described in subsection (d).

(2) EXCEPTION.—If the Chief of Naval Operations and the Commandant of the Marine Corps jointly submit to the congressional defense committees, after the date of the enactment of this Act and before the date set forth in subsection (c), their certification that the Vieques Naval Training Range is no longer needed for training by the Navy and the Marine Corps, then the requirement for a referendum under paragraph (1) shall cease to be effective on the date on which the certification is submitted.

(b) PROHIBITION OF OTHER PROPOSITIONS.—In the referendum under this section, no proposition or option may be presented as an alternative to the propositions of approval and of disapproval of the continuation of the conduct of training as described in subsection (a)(1).

(c) TIME FOR REFERENDUM.—The referendum required under this section shall be held on May 1, 2001, or within 270 days before such date or 270 days after such date. The Secretary of the Navy shall publicize the date set for the referendum 90 days before that date.

(d) REQUIRED TRAINING CONDITIONS.—For the purposes of the referendum under this section, the conditions for the continuation of the conduct of training are those that are proposed by the Secretary of the Navy and publicized on the island of Vieques in connection with, and for a reasonable period in advance of, the referendum. The conditions shall include the following:

(1) LIVE-FIRE TRAINING.—A condition that the training may include live-fire training.

(2) MAXIMUM ANNUAL DAYS OF USE.—A condition that the training may be conducted on not more than 90 days each year.

(e) PROCLAMATION OF OUTCOME.—Promptly after the referendum is completed under this section, the President shall determine, and issue a proclamation declaring, the outcome of the referendum. The President's determination shall be final, and the outcome of the referendum (as so determined) shall be binding.

(f) VIEQUES ELECTORATE DEFINED.—

(1) REGISTERED VOTERS.—In this section, the term ''Vieques electorate'', with respect to a referendum under this section, means the residents of the island of Vieques, Puerto Rico, who, on both dates specified in paragraph (2), are registered to vote in a general election held for casting ballots for the election of the Resident Commissioner of the Commonwealth of Puerto Rico.

(2) REGISTRATION DATES.—The dates referred to in paragraph (1) are as follows:

(A) November 7, 2000.

(B) The date that is 180 days before the date of the referendum under this section.

SEC. 1504. ACTIONS IF TRAINING IS APPROVED.

(a) CONDITION FOR EFFECTIVENESS.—This section shall take effect on the date on which the President issues a proclamation under subsection (e) of section 1503 declaring that the continuation of the conduct of training (including live-fire training) by the Armed Forces at the Navy's training sites on the island of Vieques, Puerto Rico, under the conditions described in subsection (d) of such section, has been approved in the referendum conducted under such section.

(b) AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL ECONOMIC ASSISTANCE.—There is authorized to be appropriated to the President $50,000,000 to provide economic assistance for the people and communities of the island of Vieques. This authorization of appropriations is

in addition to the amount authorized to appropriated to provide economic assistance under section 1501.

(c) TRAINING RANGE TO REMAIN OPEN.—The Vieques Naval Training Range shall remain available for the use of the Armed Forces, including for live-fire training.

SEC. 1505. REQUIREMENTS IF TRAINING IS NOT APPROVED OR MANDATE FOR REFERENDUM IS VITIATED.

(a) CONDITIONS FOR EFFECTIVENESS.—This section shall take effect on the date on which either of the following occurs:

(1) The President issues a proclamation under subsection (e) of section 1503 declaring that the continuation of the conduct of training (including live-fire training) by the Armed Forces at the Navy's training sites on the island of Vieques, Puerto Rico, under the conditions described in subsection (d) of such section, has not been approved in the referendum conducted under such section.

(2) The requirement for a referendum under section 1503 ceases to be effective pursuant to subsection (a)(2) of such section.

(b) ACTIONS REQUIRED OF SECRETARY OF DEFENSE.—

(1) TERMINATION OF OPERATION.—Not later than May 1, 2003, the Secretary of Defense shall—

(A) terminate all Navy and Marine Corps training operations on the island of Vieques; and

(B) terminate all Navy and Marine Corps operations at Naval Station Roosevelt Roads, Puerto Rico, that are related exclusively to the use of the training range on the island of Vieques by the Navy and the Marine Corps.

(2) RELOCATION OF UNITS.—The Secretary of Defense may relocate the units of the Armed Forces (other than those of the reserve components) and activities of the Department of Defense (including nonappropriated fund activities) at Fort Buchanan, Puerto Rico, to Naval Station Roosevelt Roads, Puerto Rico, to ensure maximum utilization of capacity.

(3) CLOSURE OF INSTALLATIONS AND FACILITIES.—The Secretary of Defense shall close the Department of Defense installations and facilities on the island of Vieques, other than properties exempt from conveyance and transfer under section 1506.

(c) ACTIONS REQUIRED OF SECRETARY OF THE NAVY.—The Secretary of the Navy shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior—

(1) the Live Impact Area on the island of Vieques;

(2) all Department of Defense real properties on the eastern side of the island that are identified as conservation zones; and

(3) all other Department of Defense real properties on the eastern side of the island.

(d) ACTIONS REQUIRED OF SECRETARY OF THE INTERIOR.—

(1) RETENTION AND ADMINISTRATION.—The Secretary of the Interior shall retain, and may not dispose of any of, the properties transferred under paragraphs (2) and (3) of subsection (c) and shall administer such properties as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) pending the enactment of a law that addresses the disposition of such properties.

(2) RESPONSIBILITY FOR LIVE IMPACT AREA.—Upon a termination of Navy and Marine Corps training operations on the island of Vieques under subsection (b)(1), the Secretary of the Interior shall assume responsibility for the administration of the Live Impact Area, administer that area as a wilderness area under the Wilderness Act (16 U.S.C. 1131 et seq.), and deny public access to the area.

(3) LIVE IMPACT AREA DEFINED.—In this section, the term ''Live Impact Area'' means the parcel of real property, consisting of approximately 900 acres (more or less), on the island of Vieques that is designated by the Secretary of the Navy for targeting by live ordnance in the training of forces of the Navy and Marine Corps.

(e) GAO REVIEW.—

(1) REQUIREMENT FOR REVIEW.—The Comptroller General shall review the requirement for the continued use of Fort Buchanan, Puerto Rico, by active Army forces and shall submit to the congressional defense committees a report containing—

(A) the findings resulting from the review; and

(B) recommendations regarding the closure of Fort Buchanan and the consolidation of units of the Armed Forces to Naval Station Roosevelt Roads, Puerto Rico.

(2) TIME FOR SUBMITTAL OF REPORT.—The Comptroller General shall submit the report under paragraph (1) not later than one year after the date on which the referendum under section 1503 is conducted or one year after the date on which a certification is submitted to the congressional defense committees under subsection (a)(2) of such section, as the case may be.

SEC. 1506. CERTAIN PROPERTIES EXEMPT FROM CONVEYANCE OR TRANSFER.

(a) EXEMPT PROPERTY.—The Department of Defense properties and property interests described in subsection (b) may not be conveyed or transferred out of the Department of Defense under this title.

(b) PROPERTIES DESCRIBED.—The exemption under subsection (a) applies to the following Department of Defense properties and property interests on the island of Vieques, Puerto Rico:

(1) ROTHR SITE.—The site for relocatable over-the-horizon radar.

(2) TELECOMMUNICATIONS SITES.—The Mount Pirata telecommunications sites.

(3) ASSOCIATED INTERESTS.—Any easements, rights-of-way, and other interests in property that the Secretary of the Navy determines necessary for—

(A) ensuring access to the properties referred to in paragraphs (1) and (2);

(B) providing utilities for such properties;

(C) ensuring the security of such properties; and

(D) ensuring effective maintenance and operations on such properties.

(4) REMEDIATION ACTIVITIES.—Any easements, rights-of-way, and other interests in property that the Secretary of the Navy determines necessary for protecting human health and the environment in the discharge of the Secretary's responsibilities for environmental remediation under section 1502(c), until such time as these responsibilities are completed.

SEC. 1507. MORATORIUM ON IMPROVEMENTS AT FORT BUCHANAN.

(a) IN GENERAL.—Except as provided in subsection (b), no acquisition, construction, conversion, rehabilitation, extension, or improvement of any facility at Fort Buchanan, Puerto Rico, may be initiated or continued on or after the date of the enactment of this Act.

(b) EXCEPTIONS.—The prohibition in subsection (a) does not apply to the following:

(1) Actions necessary to maintain the existing facilities (including utilities) at Fort Buchanan.

(2) The construction of reserve component and nonappropriated fund facilities authorized before the date of the enactment of this Act.

(c) TERMINATION.—This section shall cease to be effective upon the issuance of a proclamation described in section 1504(a) or the enactment of a law, after the date of the enactment of this Act, that authorizes any acquisition, construction, conversion, rehabilitation, extension, or improvement of any facility at Fort Buchanan, Puerto Rico.

SEC. 1508. TRANSFER AND MANAGEMENT OF CONSERVATION ZONES.

(a) TRANSFER TO SECRETARY OF THE INTERIOR.—

(1) TRANSFER REQUIRED.—Except as provided in section 1506, the Secretary of the Navy shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior all Department of Defense real properties on the western end of the Vieques Island, consisting of a total of approximately 3,100 acres, that are designated as Conservation Zones in section IV of the 1983 Memorandum of Understanding between the Commonwealth of Puerto Rico and the Secretary of the Navy.

(2) TIME FOR TRANSFER.—The Secretary of the Navy shall complete the transfer required by paragraph (1) not later than May 1, 2001.

(b) CONVEYANCE TO CONSERVATION TRUST.—

(1) CONVEYANCE REQUIRED.—Except as provided in section 1506 and subject to paragraph (2), the Secretary of the Navy shall convey, without consideration, to the Puerto Rico Conservation Trust the additional Conservation Zones, consisting of a total of approximately 800 acres, identified in Alternative 1 in the Draft Environmental Assessment for the proposed transfer of Naval Ammunition Support Detachment property, Vieques, Puerto Rico, prepared by the Department of the Navy, as described in the Federal Register of August 28, 2000 (65 Fed. Reg. 52100).

(2) TIME FOR CONVEYANCE.—The Secretary of the Navy shall complete the conveyance required by paragraph (1) not later than May 1, 2001, except that paragraph (1) shall apply only to those portions of the lands described in such paragraph that the Commonwealth of Puerto Rico, the Secretary of the Interior, and the Puerto Rico Conservation Trust mutually agree, before that date, to—

(A) include in the cooperative agreement under subsection (d)(2); and

(B) manage under standards consistent with the standards in subsection (c) applicable to the lands transferred under subsection (a).

(c) ADMINISTRATION OF PROPERTIES AS WILDLIFE REFUGES.—The Secretary of the Interior shall administer as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) the Conservation Zones transferred to the Secretary under subsection (a).

(d) COOPERATIVE AGREEMENT.—

(1) REQUIRED; PARTIES.—The Secretary of the Interior shall manage the Conservation Zones transferred under subsection (a) pursuant to a cooperative agreement among the Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of the Interior.

(2) INCLUSION OF ADJACENT AREAS.—Areas adjacent to the Conservation Zones transferred under subsection (a) shall be considered for inclusion under the cooperative agreement. Subject to the mutual agreement of the Commonwealth of Puerto Rico, the Secretary of the Interior, and the Puerto Rico Conservation Trust, such adjacent areas may be included under the cooperative agreement, except that the total acreage so included under this paragraph may not exceed 800 acres. This determination of inclusion of lands shall be incorporated into the cooperative agreement process as set forth in paragraph (4).

(3) SEA GRASS AREA.—The Sea Grass Area west of Mosquito Pier, as identified in the 1983 Memorandum of Understanding between the Commonwealth of Puerto Rico and the Secretary of the Navy, shall be included in the cooperative agreement to be protected under the laws of the United States and the laws of the Commonwealth of Puerto Rico.

(4) MANAGEMENT PURPOSES.—All lands covered by the cooperative agreement shall be managed to protect and preserve the natural resources of the lands in perpetuity. The Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of the Interior shall follow all applicable Federal environmental laws during the creation and any subsequent amendment of the cooperative agreement,

including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(5) COMPLETION AND IMPLEMENTATION.—The cooperative agreement shall be completed not later than May 1, 2001. The Secretary of the Interior shall implement the terms and conditions of the cooperative agreement, which can only be amended by agreement of the Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of the Interior.

TITLE XVI—GI BILL EDUCATIONAL ASSISTANCE AND VETERANS CLAIMS ASSISTANCE

Subtitle A—Veterans Education Benefits

Sec. 1601. Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery GI Bill.

Sec. 1602. Modification of authority to pay tuition for off-duty training and education.

Subtitle B—Veterans Claims Assistance

Sec. 1611. Clarification of Department of Veterans Affairs duty to assist.

Subtitle A—Veterans Education Benefits

SEC. 1601. ADDITIONAL OPPORTUNITY FOR CERTAIN VEAP PARTICIPANTS TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) SPECIAL ENROLLMENT PERIOD.—Section 3018C of title 38, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) A qualified individual (described in paragraph (2)) may make an irrevocable election under this subsection, during the one-year period beginning on the date of the enactment of this subsection, to become entitled to basic educational assistance under this chapter. Such an election shall be made in the same manner as elections made under subsection (a)(5).

''(2) A qualified individual referred to in paragraph (1) is an individual who meets each of the following requirements:

''(A) The individual was a participant in the educational benefits program under chapter 32 of this title on or before October 9, 1996.

''(B) The individual has continuously served on active duty since October 9, 1996 (excluding the periods referred to in section 3202(1)(C) of this title), through at least April, 1, 2000.

''(C) The individual meets the requirements of subsection (a)(3).

''(D) The individual, when discharged or released from active duty, is discharged or released therefrom with an honorable discharge.

''(3)(A) Subject to the succeeding provisions of this paragraph, with respect to a qualified individual who makes an election under paragraph (1) to become entitled to basic education assistance under this chapter—

''(i) the basic pay of the qualified individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such basic pay is reduced is $2,700; and

''(ii) to the extent that basic pay is not so reduced before the qualified individual's discharge or release from active duty as specified in subsection (a)(4), at the election of the qualified individual—

''(I) the Secretary concerned shall collect from the qualified individual, or

''(II) the Secretary concerned shall reduce the retired or retainer pay of the qualified individual by,

an amount equal to the difference between $2,700 and the total amount of reductions under clause (i), which shall be paid into the Treasury of the United States as miscellaneous receipts.

''(B)(i) The Secretary concerned shall provide for an 18-month period, beginning on the date the qualified individual makes an election under paragraph (1), for the qualified individual to pay that Secretary the amount due under subparagraph (A).

''(ii) Nothing in clause (i) shall be construed as modifying the period of eligibility for and entitlement to basic education assistance under this chapter applicable under section 3031 of this title.

''(C) The provisions of subsection (c) shall apply to individuals making elections under this subsection in the same manner as they applied to individuals making elections under subsection (a)(5).

''(4) With respect to qualified individuals referred to in paragraph (3)(A)(ii), no amount of educational assistance allowance under this chapter shall be paid to the qualified individual until the earlier of the date on which—

''(A) the Secretary concerned collects the applicable amount under subparagraph (I) of such paragraph, or

''(B) the retired or retainer pay of the qualified individual is first reduced under subparagraph (II) of such paragraph.

''(5) The Secretary, in conjunction with the Secretary of Defense, shall provide for notice to participants in the educational benefits program under chapter 32 of this title of the opportunity under this section to elect to become entitled to basic educational assistance under this chapter.''.

(b) CONFORMING AMENDMENT.—Section 3018C(b) of such title is amended by striking ''subsection (a)'' and inserting ''subsection (a) or (e)''.

SEC. 1602. MODIFICATION OF AUTHORITY TO PAY TUITION FOR OFF-DUTY TRAINING AND EDUCATION.

(a) AUTHORITY TO PAY ALL CHARGES.—Section 2007 of title 10, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following new subsections:

''(a) Subject to subsection (b), the Secretary of a military department may pay all or a portion of the charges of an educational institution for the tuition or expenses of a member of the armed forces enrolled in such educational institution for education or training during the member's off-duty periods.

''(b) In the case of a commissioned officer on active duty, the Secretary of the military department concerned may not pay charges under subsection (a) unless the officer agrees to remain on active duty for a period of at least two years after the completion of the training or education for which the charges are paid.''; and

(2) in subsection (d)—

(A) by striking ''(within the limits set forth in subsection (a))'' in the matter preceding paragraph (1); and

(B) in paragraph (3), by striking ''subsection (a)(3)'' and inserting ''subsection (b)''.

(b) USE OF ENTITLEMENT TO ASSISTANCE UNDER MONTGOMERY GI BILL FOR PAYMENT OF CHARGES.—(1) That section is further amended by adding at the end the following new subsection:

''(e)(1) A member of the armed forces who is entitled to basic educational assistance under chapter 30 of title 38 may use such entitlement for purposes of paying any portion of the charges described in subsection (a) or (c) that are not paid for by the Secretary of the military department concerned under such subsection.

''(2) The use of entitlement under paragraph (1) shall be governed by the provisions of section 3014(b) of title 38.''.

(2) Section 3014 of title 38, United States Code, is amended—

(A) by inserting ''(a)'' before ''The Secretary''; and

(B) by adding at the end the following new subsection:

''(b)(1) In the case of an individual entitled to basic educational assistance who is pursuing education or training described in subsection (a) or (c) of section 2007 of title 10, the Secretary shall, at the election of the individual, pay the individual a basic educational assistance allowance to meet all or a portion of the charges of the educational institution for the education or training that are not paid by the Secretary of the military department concerned under such subsection.

''(2)(A) The amount of the basic educational assistance allowance payable to an individual under this subsection for a month shall be the amount of the basic educational assistance allowance to which the individual would be entitled for the month under section 3015 of this title (without regard to subsection (g) of that section) were payment made under that section instead of under this subsection.

''(B) The maximum number of months for which an individual may be paid a basic educational assistance allowance under paragraph (1) is 36.''.

(3) Section 3015 of title 38, United States Code, is amended—

(A) by striking ''subsection (g)'' each place it appears in subsections (a) and (b);

(B) by redesignating subsection (g) as subsection (h); and

(C) by inserting after subsection (f) the following new subsection (g):

''(g) In the case of an individual who has been paid a basic educational assistance allowance under section 3014(b) of this title, the rate of the basic educational assistance allowance applicable to the individual under this section shall be the rate otherwise applicable to the individual under this section reduced by an amount equal to—

''(1) the aggregate amount of such allowances paid the individual under such section 3014(b); divided by

''(2) 36.''.

Subtitle B—Veterans Claims Assistance

SEC. 1611. CLARIFICATION OF DEPARTMENT OF VETERANS AFFAIRS DUTY TO ASSIST.

(a) IN GENERAL.—Section 5107 of title 38, United States Code, is amended to read as follows:

''§ 5107 Assistance to claimants; benefit of the doubt; burden of proof

''(a) The Secretary shall assist a claimant in developing all facts pertinent to a claim for benefits under this title. Such assistance shall include requesting information as described in section 5106 of this title. The Secretary shall provide a medical examination when such examination may substantiate entitlement to the benefits sought. The Secretary may decide a claim without providing assistance under this subsection when no reasonable possibility exists that such assistance will aid in the establishment of entitlement.

''(b) The Secretary shall consider all evidence and material of record in a case before the Department with respect to benefits under laws administered by the Secretary and shall give the claimant the benefit of the doubt when there is an approximate balance of positive and negative evidence regarding any issue material to the determination of the matter.

''(c) Except when otherwise provided by this title or by the Secretary in accordance with the provisions of this title, a person who submits a claim for benefits under a law administered by the Secretary shall have the burden of proof.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 51 of that title is amended by striking the item relating to section 5017 and inserting the following new item:

''5107 Assistance to claimants; benefit of the doubt; burden of proof.''.

TITLE XVII—ASSISTANCE TO FIREFIGHTERS

Sec. 1701. Firefighter assistance.

Sec. 1702. Volunteer fire assistance program.

Sec. 1703. Burn research.

Sec. 1704. Study and demonstration projects regarding cases of hepatitis C among certain emergency response employees.
Sec. 1705. Report on progress on spectrum sharing.
Sec. 1706. Sale or donation of excess defense property to assist firefighting agencies.
Sec. 1707. Identification of defense technologies suitable for use, or conversion for use, in providing fire and emergency medical services.

SEC. 1701. FIREFIGHTER ASSISTANCE.

(a) IN GENERAL.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by adding at the end the following new section:

"SEC. 33. FIREFIGHTER ASSISTANCE.

''(a) DEFINITION OF FIREFIGHTING PERSONNEL.—In this section, the term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

''(b) ASSISTANCE PROGRAM.—

''(1) AUTHORITY.—In accordance with this section, the Director may—

''(A) make grants on a competitive basis directly to fire departments of a State, in consultation with the chief executive of the State, for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

''(B) provide assistance for fire prevention programs in accordance with paragraph (4).

''(2) OFFICE FOR ADMINISTRATION OF ASSISTANCE.—

''(A) ESTABLISHMENT.—Before providing assistance under paragraph (1), the Director shall establish an office in the Federal Emergency Management Agency to administer the assistance under this section.

''(B) INCLUDED DUTIES.—The duties of the office shall include the following:

''(i) RECIPIENT SELECTION CRITERIA.—To establish specific criteria for the selection of recipients of the assistance under this section.

''(ii) GRANT-WRITING ASSISTANCE.—To provide grant-writing assistance to applicants.

''(3) USE OF FIRE DEPARTMENT GRANT FUNDS.—The Director may make a grant under paragraph (1)(A) only if the applicant for the grant agrees to use the grant funds—

''(A) to hire additional firefighting personnel;

''(B) to train firefighting personnel in firefighting, emergency response, arson prevention and detection, or the handling of hazardous materials, or to train firefighting personnel to provide any of the training described in this subparagraph;

''(C) to fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies;

''(D) to certify fire inspectors;

''(E) to establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel can carry out their duties;

''(F) to fund emergency medical services provided by fire departments;

''(G) to acquire additional firefighting vehicles, including fire trucks;

''(H) to acquire additional firefighting equipment, including equipment for communications and monitoring;

''(I) to acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment for firefighting personnel;

''(J) to modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel;

''(K) to enforce fire codes;

''(L) to fund fire prevention programs;

''(M) to educate the public about arson prevention and detection; or

''(N) to provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

''(4) FIRE PREVENTION PROGRAMS.—

''(A) IN GENERAL.—For each fiscal year, the Director shall use not less than 5 percent of the funds made available under subsection (e)—

''(i) to make grants to fire departments for the purpose described in paragraph (3)(L); and

''(ii) to make grants to, or enter into contracts or cooperative agreements with, national, State, local, or community organizations that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities, for the purpose of carrying out fire prevention programs.

''(B) PRIORITY.—In selecting organizations described in subparagraph (A)(ii) to receive assistance under this paragraph, the Director shall give priority to organizations that focus on prevention of injuries to children from fire.

''(5) APPLICATION.—The Director may provide assistance to a fire department or organization under this subsection only if the fire department or organization seeking the assistance submits to the Director an application that meets the following requirements:

''(A) FORM.—The application shall be in such form as the Director may require.

''(B) INFORMATION.—The application shall include the following information:

''(i) FINANCIAL NEED.—Information that demonstrates the financial need of the applicant for the assistance for which applied.

''(ii) COST-BENEFIT ANALYSIS.—An analysis of the costs and benefits, with respect to public safety, of the use of the assistance.

''(iii) REPORTING SYSTEMS DATA.—An agreement to provide information to the national fire incident reporting system for the period covered by the assistance.

''(iv) OTHER INFORMATION.—Any other information that the Director may require.

''(6) MATCHING REQUIREMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Director may provide assistance under this subsection only if the applicant for the assistance agrees to match with an equal amount of non-Federal funds 30 percent of the assistance received under this subsection for any fiscal year.

''(B) REQUIREMENT FOR SMALL COMMUNITY ORGANIZATIONS.—In the case of an applicant whose personnel serve jurisdictions of 50,000 or fewer residents, the percent applied under the matching requirement of subparagraph (A) shall be 10 percent.

''(7) MAINTENANCE OF EXPENDITURES—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to maintain in the fiscal year for which the assistance will be received the applicant's aggregate expenditures for the uses described in paragraph (3) or (4) at or above the average level of such expenditures in the two fiscal years preceding the fiscal year for which the assistance will be received.

''(8) REPORT TO THE DIRECTOR.—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to submit to the Director a report, including a description of how the assistance was used, with respect to each fiscal year for which the assistance was received.

''(9) VARIETY OF FIRE DEPARTMENT GRANT RECIPIENTS.—The Director shall ensure that grants under paragraph (1)(A) for a fiscal year are made to a variety of fire departments, including, to the extent that there are eligible applicants—

''(A) paid, volunteer, and combination fire departments;

''(B) fire departments located in communities of varying sizes; and

''(C) fire departments located in urban, suburban, and rural communities.

''(10) GRANT LIMITATIONS.—

''(A) RECIPIENT LIMITATION.—A grant recipient under this section may not receive more than $750,000 under this section for any fiscal year.

''(B) LIMITATION ON EXPENDITURES FOR FIREFIGHTING VEHICLES.—Not more than 25 percent of the funds appropriated to provide grants under this section for a fiscal year may be used to assist grant recipients to purchase vehicles, as authorized by paragraph (3)(G).

''(11) RESERVATION OF GRANT FUNDS FOR VOLUNTEER DEPARTMENTS.—In making grants to firefighting departments, the Director shall ensure that those firefighting departments that have either all-volunteer forces of firefighting personnel or combined forces of volunteer and professional firefighting personnel receive a proportion of the total grant funding that is not less than the proportion of the United States population that those firefighting departments protect.

''(c) AUDITS.—A recipient of a grant under this section shall be subject to audits to ensure that the grant proceeds are expended for the intended purposes and that the grant recipient complies with the requirements of paragraphs (6) and (7) of subsection (b).

''(d) STATE DEFINED.—In this section, the term 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purposes of this section amounts as follows:

''(1) $100,000,000 for fiscal year 2001.

''(2) $300,000,000 for fiscal year 2002.''.

(b) STUDY ON NEED FOR FEDERAL ASSISTANCE TO STATE AND LOCAL COMMUNITIES TO FUND FIREFIGHTING AND EMERGENCY RESPONSE ACTIVITIES.—

(1) REQUIREMENT FOR STUDY.—The Director of the Federal Emergency Management Agency shall conduct a study in conjunction with the National Fire Protection Association to—

(A) define the current role and activities associated with the fire services;

(B) determine the adequacy of current levels of funding; and

(C) provide a needs assessment to identify shortfalls.

(2) TIME FOR COMPLETION OF STUDY; REPORT.—The Director shall complete the study under paragraph (1), and submit a report on the results of the study to Congress, within 18 months after the date of the enactment of this Act.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Emergency Management Agency $300,000 for fiscal year 2001 to carry out the study required by paragraph (1).

SEC. 1702. VOLUNTEER FIRE ASSISTANCE PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Agriculture for carrying out paragraphs (1) through (3) of section 10(b) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(b)(1)-(3)) amounts as follows:

(1) $10,000,000 for fiscal year 2001.

(2) $20,000,000 for fiscal year 2002.

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Agriculture shall submit a report to Congress on the results of the assistance provided under the provisions of law for which funds are authorized for appropriations under subsection (a).

(2) CONTENT.—The report shall contain the following:

(A) A list of the organizations that received funds authorized for appropriations under subsection (a) and the purpose for which those organizations were provided the funds.

(B) Efforts taken to ensure that potential recipients are provided with information necessary to develop an effective application.

(C) The Secretary's assessment regarding the appropriate level of funding that should be provided annually through the assistance program.

(D) The Secretary's assessment regarding the appropriate purposes for such assistance.

(E) Any other information the Secretary determines necessary.

(3) SUBMISSION DATE.—The report shall be submitted not later than February 1, 2002.

SEC. 1703. BURN RESEARCH.

(a) OFFICE.—The Director of the Federal Emergency Management Agency shall establish an office in the Agency to establish specific criteria of grant recipients and to administer grants under this section.

(b) SAFETY ORGANIZATION GRANTS.—The Director may make grants, on a competitive basis, to safety organizations that have experience in conducting burn safety programs for the purpose of assisting those organizations in conducting burn prevention programs or augmenting existing burn prevention programs.

(c) HOSPITAL GRANTS.—The Director may make grants, on a competitive basis, to hospitals that serve as regional burn centers to conduct acute burn care research.

(d) OTHER GRANTS.—The Director may make grants, on a competitive basis, to governmental and nongovernmental entities to provide after-burn treatment and counseling to individuals that are burn victims.

(e) REPORT.—

(1) IN GENERAL.—The Director of the Federal Emergency Management Agency shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the results of the grants provided under this section.

(2) CONTENT.—The report shall contain the following:

(A) A list of the organizations, hospitals, or other entities to which the grants were provided and the purpose for which those entities were provided grants.

(B) Efforts taken to ensure that potential grant applicants are provided with information necessary to develop an effective application.

(C) The Director's assessment regarding the appropriate level of funding that should be provided annually through the grant program.

(D) The Director's assessment regarding the appropriate purposes for such grants.

(E) Any other information the Director determines necessary.

(3) SUBMISSION DATE.—The report shall be submitted not later than February 1, 2002.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purposes of this section amounts as follows:

(1) $10,000,000 for fiscal year 2001.

(2) $20,000,000 for fiscal year 2002.

SEC. 1704. STUDY AND DEMONSTRATION PROJECTS REGARDING CASES OF HEPATITIS C AMONG CERTAIN EMERGENCY RESPONSE EMPLOYEES.

(a) STUDY REGARDING PREVALENCE AMONG CERTAIN EMERGENCY RESPONSE EMPLOYEES.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), in consultation with the Secretary of Labor, shall conduct a study to determine—

(A) an estimate of the prevalence of hepatitis C among designated emergency response employees in the United States; and

(B) the likely means through which such employees become infected with such disease in the course of performing their duties as such employees.

(2) DESIGNATED EMERGENCY RESPONSE EMPLOYEES.—For purposes of this section, the term ''designated emergency response employees'' means firefighters, paramedics, and emergency medical technicians who are employees or volunteers of units of local government.

(3) DATE CERTAIN FOR COMPLETION; REPORT TO CONGRESS.—The Secretary shall commence the study under paragraph (1) not later than 90 days after the date of the enactment of this Act. Not later that one year after such date, the Secretary shall complete the study and submit to the Congress a report describing the findings of the study.

(b) DEMONSTRATION PROJECTS REGARDING TRAINING AND TREATMENT.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall make grants to qualifying local governments for the purpose of carrying out demonstration projects that (directly or through arrangements with nonprofit private entities) carry out each of the following activities:

(A) Training designated emergency response employees in minimizing the risk of infection with hepatitis C in performing their duties as such employees.

(B) Testing such employees for infection with the disease.

(C) Treating the employees for the disease.

(2) QUALIFYING LOCAL GOVERNMENTS.—For purposes of this section, the term ''qualifying local government'' means a unit of local government whose population of designated emergency response employees has a prevalence of hepatitis C that is not less than 200 percent of the national average for the prevalence of such disease in such populations.

(3) CONFIDENTIALITY.—A grant may be made under paragraph (1) only if the qualifying local government involved agrees to ensure that information regarding the testing or treatment of designated emergency response employees pursuant to the grant is maintained confidentially in a manner not inconsistent with applicable law.

(4) EVALUATIONS.—The Secretary shall provide for an evaluation of each demonstration project under paragraph (1) in order to determine the extent to which the project has been effective in carry out the activities described in such paragraph.

(5) REPORT TO CONGRESS.—Not later than 180 days after the date on which all grants under paragraph (1) have been expended, the Secretary shall submit to Congress a report providing—

(A) a summary of evaluations under paragraph (4); and

(B) the recommendations of the Secretary for administrative or legislative initiatives regarding the activities described in paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated to the Department of Health and Human Services and the Department of Labor $10,000,000 for fiscal year 2001.

SEC. 1705. REPORT ON PROGRESS ON SPECTRUM SHARING.

(a) STUDY REQUIRED.—The Secretary of Defense, in consultation with the Attorney General and the Secretary of Commerce, shall provide for the conduct of an engineering study to identify—

(1) any portion of the 138-144 megahertz band that the Department of Defense can share in various geographic regions with public safety radio services;

(2) any measures required to prevent harmful interference between Department of Defense systems and the public safety systems proposed for operation on those frequencies; and

(3) a reasonable schedule for implementation of such sharing of frequencies.

(b) SUBMISSION OF INTERIM REPORT.—Within one year after the date of enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an interim report on the progress of the study conducted pursuant to subsection (a).

(c) REPORT.—Not later than January 1, 2002, the Secretary of Commerce and the Chairman of the Federal Communications Commission shall jointly submit a report to Congress on alternative frequencies available for use by public safety systems.

SEC. 1706. SALE OR DONATION OF EXCESS DEFENSE PROPERTY TO ASSIST FIREFIGHTING AGENCIES.

(a) TRANSFER AUTHORIZED.—Chapter 153 of title 10, United States Code, is amended by inserting after section 2576a the following new section:

''§2576b. Excess personal property: sale or donation to assist firefighting agencies

''(a) TRANSFER AUTHORIZED.—Subject to subsection (b), the Secretary of Defense may transfer to a firefighting agency in a State any personal property of the Department of Defense that the Secretary determines is—

''(1) excess to the needs of the Department of Defense; and

''(2) suitable for use in providing fire and emergency medical services, including personal protective equipment and equipment for communication and monitoring.

''(b) CONDITIONS FOR TRANSFER.—The Secretary of Defense may transfer personal property under this section only if—

''(1) the property is drawn from existing stocks of the Department of Defense;

''(2) the recipient firefighting agency accepts the property on an as-is, where-is basis;

''(3) the transfer is made without the expenditure of any funds available to the Department of Defense for the procurement of defense equipment; and

''(4) all costs incurred subsequent to the transfer of the property are borne or reimbursed by the recipient.

''(c) CONSIDERATION.—Subject to subsection (b)(4), the Secretary may transfer personal property under this section without charge to the recipient firefighting agency.

''(d) DEFINITIONS.—In this section:

''(1) STATE.—The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.

''(2) FIREFIGHTING AGENCY.—The term 'firefighting agency' means any volunteer, paid, or combined departments that provide fire and emergency medical services.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2576a the following new item:

''2576b. Excess personal property: sale or donation to assist firefighting agencies.''.

SEC. 1707. IDENTIFICATION OF DEFENSE TECHNOLOGIES SUITABLE FOR USE, OR CONVERSION FOR USE, IN PROVIDING FIRE AND EMERGENCY MEDICAL SERVICES.

(a) APPOINTMENT OF TASK FORCE; PURPOSE.—The Secretary of Defense shall appoint a task force consisting of representatives from the Department of Defense and each of the seven major fire organizations identified in subsection (b) to identify defense technologies and equipment that—

(1) can be readily put to civilian use by fire service and the emergency response agencies; and

(2) can be transferred to these agencies using the authority provided by section 2576b of title 10, United States Code, as added by section 1706 of this Act.

(b) PARTICIPATING MAJOR FIRE ORGANIZATIONS.—Members of the task force shall be appointed from each of the following:

(1) The International Association of Fire Chiefs.

(2) The International Association of Fire Fighters.

(3) The National Volunteer Fire Council.

(4) The International Association of Arson Investigators.

(5) The International Society of Fire Service Instructors.

(6) The National Association of State Fire Marshals.

(7) The National Fire Protection Association.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Defense for activities of the task force $1,000,000 for fiscal year 2001.

TITLE XVIII—IMPACT AID

Sec. 1801. Short title.
Sec. 1802. Purpose.
Sec. 1803. Payments relating to Federal acquisition of real property.
Sec. 1804. Payments for eligible federally connected children.
Sec. 1805. Maximum amount of basic support payments.
Sec. 1806. Basic support payments for heavily impacted local educational agencies.
Sec. 1807. Basic support payments for local educational agencies affected by removal of Federal property.
Sec. 1808. Additional payments for local educational agencies with high concentrations of children with severe disabilities.
Sec. 1809. Application for payments under sections 8002 and 8003.
Sec. 1810. Payments for sudden and substantial increases in attendance of military dependents.
Sec. 1811. Construction.
Sec. 1812. State consideration of payments in providing State aid.
Sec. 1813. Federal administration.
Sec. 1814. Administrative hearings and judicial review.
Sec. 1815. Forgiveness of overpayments.
Sec. 1816. Definitions.
Sec. 1817. Authorization of appropriations.
Sec. 1818. Effective date.

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Impact Aid Reauthorization Act of 2000''.

SEC. 1802. PURPOSE.

Section 8001 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701) is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting after ''educational services to federally connected children'' the following: ''in a manner that promotes control by local educational agencies with little or no Federal or State involvement''; and

(B) by inserting after ''certain activities of the Federal Government'' the following: '', such as activities to fulfill the responsibilities of the Federal Government with respect to Indian tribes and activities under section 514 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 574),'';

(2) in paragraph (4), by adding ''or'' at the end;

(3) by striking paragraph (5);

(4) by redesignating paragraph (6) as paragraph (5); and

(5) in paragraph (5) (as redesignated), by inserting before the period at the end the following: ''and because of the difficulty of raising local revenue through bond referendums for capital projects due to the inability to tax Federal property''.

SEC. 1803. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

(a) FISCAL YEAR REQUIREMENT.—Section 8002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(a)) is amended in the matter preceding paragraph (1) by striking ''1999'' and inserting ''2003''.

(b) AMOUNT.—

(1) PROHIBITION ON REDUCTION IN AMOUNT OF PAYMENT.—Section 8002(b)(1)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(A)(i)) is amended—

(A) by striking ''(i) The amount'' and inserting ''(i)(I) Subject to subclauses (II) and (III), the amount'';

(B) by striking '', except that'' and all that follows through ''Federal property''; and

(C) by adding at the end the following:

''(II) Except as provided in subclause (III), the Secretary may not reduce the amount of a payment under this section to a local educational agency for a fiscal year by (aa) the amount equal to the amount of revenue, if any, the agency received during the previous fiscal year from activities conducted on Federal property eligible under this section and located in a school district served by the agency, including amounts received from any Federal department or agency (other than the Department of Education) from such activities, by reason of receipt of such revenue, or (bb) any other amount by reason of receipt of such revenue.

''(III) If the amount equal to the sum of (aa) the proposed payment under this section to a local educational agency for a fiscal year and (bb) the amount of revenue described in subclause (II)(aa) received by the agency during the previous fiscal year, exceeds the maximum amount the agency is eligible to receive under this section for the fiscal year involved, then the Secretary shall reduce the amount of the proposed payment under this section by an amount equal to such excess amount.''.

(2) INSUFFICIENT FUNDS.—Section 8002(b)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(B)) is amended by striking ''shall ratably reduce the payment to each eligible local educational agency'' and inserting ''shall calculate the payment for each eligible local educational agency in accordance with subsection (h)''.

(3) MAXIMUM AMOUNT.—Section 8002(b)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(C)) is amended by adding at the end before the period the following: '', or the maximum amount that such agency is eligible to receive for such fiscal year under this section, whichever is greater''.

(c) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—Section 8002(h) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)) is amended to read as follows:

''(h) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For any fiscal year for which the amount appropriated under section 8014(a) is insufficient to pay to each eligible local educational agency the full amount determined under subsection (b), the Secretary shall make payments to each local educational agency under this section as follows:

''(1) FOUNDATION PAYMENTS FOR PRE-1995 RECIPIENTS.—

''(A) IN GENERAL.—The Secretary shall first make a foundation payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved and was eligible to receive a payment under section 2 of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding the date of the enactment of the Improving America's Schools Act of 1994) for any of the fiscal years 1989 through 1994.

''(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local educational agency shall be equal to 38 percent of the local educational agency's maximum entitlement amount under section 2 of the Act of September 30, 1950, for fiscal year 1994 (or if the local educational agency was not eligible to receive a payment under such section 2 for fiscal year 1994, the local educational agency's maximum entitlement amount under such section 2 for the most recent fiscal year preceding 1994).

''(C) INSUFFICIENT APPROPRIATIONS.—If the amount appropriated under section 8014(a) is insufficient to pay the full amount determined under this paragraph for all eligible local educational agencies for the fiscal year, then the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

''(2) PAYMENTS FOR 1995 RECIPIENTS.—

''(A) IN GENERAL.—From any amounts remaining after making payments under paragraph (1) for the fiscal year involved, the Secretary shall make a payment to each eligible local educational agency that received a payment under this section for fiscal year 1995.

''(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local educational agency shall be determined as follows:

''(i) Calculate the difference between the amount appropriated to carry out this section for fiscal year 1995 and the total amount of foundation payments made under paragraph (1) for the fiscal year.

''(ii) Determine the percentage share for each local educational agency that received a payment under this section for fiscal year 1995 by dividing the assessed value of the Federal property of the local educational agency for fiscal year 1995 determined in accordance with subsection (b)(3), by the total eligible national assessed value of the eligible Federal property of all such local educational agencies for fiscal year 1995, as so determined.

''(iii) Multiply the percentage share described in clause (ii) for the local educational agency by the amount determined under clause (i).

''(3) SUBSECTION (i) RECIPIENTS.—From any funds remaining after making payments under paragraphs (1) and (2) for the fiscal year involved, the Secretary shall make payments in accordance with subsection (i).

''(4) REMAINING FUNDS.—From any funds remaining after making payments under paragraphs (1), (2), and (3) for the fiscal year involved—

''(A) the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) for the fiscal year involved in an amount that bears the same relation to 25 percent of the remainder as the amount the local educational agency received under paragraph (1) for the fiscal year involved bears to the amount all local educational agencies received under paragraph (1) for the fiscal year involved; and

''(B) the Secretary shall make a payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved in an amount that bears the same relation to 75 percent of the remainder as a percentage share determined for the local educational agency (in the same manner as percentage shares are determined for local educational agencies under paragraph (2)(B)(ii)) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that for the purpose of calculating a local educational agency's assessed value of the Federal property, data from the most current fiscal year shall be used.''.

(d) SPECIAL PAYMENTS.—

(1) IN GENERAL.—Section 8002(i)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)(1)) is amended to read as follows:

''(1) IN GENERAL.—For any fiscal year beginning with fiscal year 2000 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996 and for which subsection (b)(1)(B) applies, the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved (not to exceed the amount equal to the difference between (A) the amount appropriated to carry out this section for fiscal year 1997 and (B) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2).''.

(2) CONFORMING AMENDMENT.—The heading of section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended by striking ''PRIORITY'' and inserting SPECIAL''.

(e) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION.—Section 8002(j)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(j)(2)) is amended—

(1) by striking ''(A) A local educational agency'' and inserting ''A local educational agency'';

(2) by redesignating clauses (i) through (v) as subparagraphs (A) through (E), respectively; and

(3) in subparagraph (C) (as redesignated), by adding at the end before the semicolon the following: ''and, at the time at which the agency is applying for a payment under this subsection, the agency does not have a military installation located within its geographic boundaries''.

(f) PRIOR YEAR DATA.—Section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) is amended by adding at the end the following:

''(l) PRIOR YEAR DATA.—Notwithstanding any other provision of this section, in determining the eligibility of a local educational agency for a payment under subsection (b) or (h)(4)(B) of this section for a fiscal year, and in calculating the amount of such payment, the Secretary—

''(1) shall use data from the prior fiscal year with respect to the Federal property involved, including data with respect to the assessed value of the property and the real property tax rate for current expenditures levied against or imputed to the property; and

''(2) shall use data from the second prior fiscal year with respect to determining the amount of revenue referred to in subsection (b)(1)(A)(i).''.

(g) ELIGIBILITY.—Section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702), as amended by this section, is further amended by adding at the end the following:

''(m) ELIGIBILITY.—

''(1) OLD FEDERAL PROPERTY.—Except as provided in paragraph (2), a local educational agency that is eligible to receive a payment under this section for Federal property acquired by the Federal Government before the date of enactment of the Impact Aid Reauthorization Act of 2000 shall be eligible to receive the payment only if the local educational agency submits an application for a payment under this section not later than 5 years after the date of the enactment of such Act.

''(2) COMBINED FEDERAL PROPERTY.—A local educational agency that is eligible to receive a payment under this section for Federal property acquired by the Federal Government before the date of enactment of the Impact Aid Reauthorization Act of 2000 shall be eligible to receive the payment if—

''(A) the Federal property, when combined with other Federal property in the school district served by the local educational agency acquired by the Federal Government after the date of the enactment of such Act, meets the requirements of subsection (a); and

''(B) the local educational agency submits an application for a payment under this section not later than 5 years after the date of acquisition of the Federal property acquired after the date of the enactment of such Act.

''(3) NEW FEDERAL PROPERTY.—A local educational agency that is eligible to receive a payment under this section for Federal property acquired by the Federal Government after the date of enactment of the Impact Aid Reauthorization Act of 2000 shall be eligible to receive the payment only if the local educational agency submits an application for a payment under this section not later than 5 years after the date of acquisition.''.

SEC. 1804. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

(a) GENERAL AMENDMENTS.—Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended—

(1) in subsection (a)(2)—

(A) by redesignating subparagraph (E) as subparagraph (F);

(B) in subparagraph (D), by striking ''subparagraphs (D) and (E) of paragraph (1) by a factor of .10'' and inserting ''subparagraph (D) of paragraph (1) by a factor of .20''; and

(C) by inserting after subparagraph (D) the following:

''(E) Multiply the number of children described in subparagraph (E) of paragraph (1) by a factor of .10.'';

(2) in subsection (b)(1), by adding at the end the following:

''(D) DATA.—If satisfactory data from the third preceding fiscal year are not available for any of the expenditures described in clause (i) or (ii) of subparagraph (C), the Secretary shall use data from the most recent fiscal year for which data that are satisfactory to the Secretary are available.

''(E) SPECIAL RULE.—For purposes of determining the comparable local contribution rate under subparagraph (C)(iii) for a local educational agency described in section 222.39(c)(3) of title 34, Code of Federal Regulations, that had its comparable local contribution rate for fiscal year 1998 calculated pursuant to section 222.39 of title 34, Code of Federal Regulations, the Secretary shall determine such comparable local contribution rate as the rate upon which payments under this subsection for fiscal year 2000 were made to the local educational agency adjusted by the percentage increase or decrease in the per pupil expenditure in the State serving the local educational agency calculated on the basis of the second most recent preceding school year compared to the third most recent preceding school year for which school year data are available.''; and

(3) by amending subsection (e) to read as follows:

''(e) HOLD HARMLESS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the total amount the Secretary shall pay a local educational agency under subsection (b)—

''(A) for fiscal year 2001 shall not be less than 85 percent of the total amount that the local educational agency received under subsections (b) and (f) for fiscal year 2000; and

''(B) for fiscal year 2002 shall not be less than 70 percent of the total amount that the local educational agency received under subsections (b) and (f) for fiscal year 2000.

''(2) MAXIMUM AMOUNT.—The total amount provided to a local educational agency under subparagraph (A) or (B) of paragraph (1) for a fiscal year shall not exceed the maximum basic support payment amount for such agency determined under paragraph (1) or (2) of subsection (b), as the case may be.

''(3) RATABLE REDUCTIONS.—

''(A) IN GENERAL.—If the sums made available under this title for any fiscal year are insufficient to pay the full amounts that all local educational agencies in all States are eligible to receive under paragraph (1) for such year, then the Secretary shall ratably reduce the payments to all such agencies for such year.

''(B) ADDITIONAL FUNDS.—If additional funds become available for making payments under paragraph (1) for such fiscal year, payments that were reduced under subparagraph (A) shall be increased on the same basis as such payments were reduced.''.

(b) MILITARY INSTALLATION AND INDIAN HOUSING UNDERGOING RENOVATION OR REBUILDING.—

(1) IN GENERAL.—Section 8003(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended—

(A) in the heading—

(i) by inserting ''AND INDIAN'' after ''MILITARY INSTALLATION''; and

(ii) by inserting ''OR REBUILDING'' after ''RENOVATION'';

(B) by striking ''For purposes'' and inserting the following:

''(A) IN GENERAL.—(i) For purposes'';

(C) in subparagraph (A)(i) (as designated by subparagraph (B)), by inserting ''or rebuilding'' after ''undergoing renovation''; and

(D) by adding at the end the following:

''(ii) For purposes of computing the amount of a payment for a local educational agency that received a payment for children that resided on Indian lands in accordance with paragraph (1)(C) for the fiscal year prior to the fiscal year for which the local educational agency is making an application, the Secretary shall consider such children to be children described in paragraph (1)(C) if the Secretary determines, on the basis of a certification provided to the Secretary by a designated representative of the Secretary of the Interior or the Secretary of Housing and Urban Development, that such children would have resided in housing on Indian lands in accordance with paragraph (1)(C) except that such housing was undergoing renovation or rebuilding on the date for which the Secretary determines the number of children under paragraph (1).

''(B) LIMITATIONS.—(i)(I) Children described in paragraph (1)(D)(i) may be deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A)(i) for a period not to exceed 3 fiscal years.

''(II) The number of children described in paragraph (1)(D)(i) who are deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A)(i) for any fiscal year may not exceed the maximum number of children who are expected to occupy that housing upon completion of the renovation or rebuilding.

''(ii)(I) Children that resided on Indian lands in accordance with paragraph (1)(C) for the fiscal year prior to the fiscal year for which the local educational agency is making an application may be deemed to be children described in paragraph (1)(C) with respect to housing on Indian lands undergoing renovation or rebuilding in accordance with subparagraph (A)(ii) for a period not to exceed 3 fiscal years.

''(II) The number of children that resided on Indian lands in accordance with paragraph (1)(C) for the fiscal year prior to the fiscal year for which the local educational agency is making an application who are deemed to be children described in paragraph (1)(C) with respect to housing on Indian lands undergoing renovation or rebuilding in accordance with subparagraph (A)(ii) for any fiscal year may not exceed the maximum number of children who are expected to occupy that housing upon completion of the renovation or rebuilding.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to payments to a local educational agency for fiscal years beginning before, on, or after the date of the enactment of this Act.

(c) MILITARY ''BUILD TO LEASE'' PROGRAM HOUSING.—Section 8003(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended by adding at the end the following:

''(5) MILITARY 'BUILD TO LEASE' PROGRAM HOUSING.—

''(A) IN GENERAL.—For purposes of computing the amount of payment for a local educational agency for children identified under paragraph (1), the Secretary shall consider children residing in housing initially acquired or constructed under the former section 2828(g) of title 10, United States Code (commonly known as the 'Build to Lease' program), as added by section 801 of the Military Construction Authorization Act, 1984, to be children described under paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility upon which such housing is situated.

''(B) ADDITIONAL REQUIREMENTS.—If the property described in subparagraph (A) is not owned by the Federal Government, is subject to taxation by a State or political subdivision of a State, and thereby generates revenues for a local educational agency that is applying to receive a payment under this section, then the Secretary—

''(i) shall require the local educational agency to provide certification from an appropriate official of the Department of Defense that the property is being used to provide military housing; and

''(ii) shall reduce the amount of the payment under this section by an amount equal to the amount of revenue from such taxation received in the second preceding fiscal year by such local educational agency, unless the amount of such revenue was taken into account by the State for such second preceding fiscal year and already resulted in a reduction in the amount of State aid paid to such local educational agency.''.

SEC. 1805. MAXIMUM AMOUNT OF BASIC SUPPORT PAYMENTS.

Section 8003(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(1)), as amended by this Act, is further amended by adding at the end the following:

''(F) INCREASE IN LOCAL CONTRIBUTION RATE DUE TO UNUSUAL GEOGRAPHIC FACTORS.—If the current expenditures in those local educational agencies which the Secretary has determined to be generally comparable to the local educational agency for which a computation is made under subparagraph (C) are not reasonably comparable because of unusual geographical factors which affect the current expenditures necessary to maintain, in such agency, a level of education equivalent to that maintained in such other agencies, then the Secretary shall increase the local contribution rate for such agency under subparagraph (C)(iii) by such an amount which the Secretary determines will compensate such agency for the increase in current expenditures necessitated by such unusual geographical factors. The amount of any such supplementary payment may not exceed the per-pupil share (computed with regard to all children in average daily attendance), as determined by the Secretary, of the increased current expenditures necessitated by such unusual geographic factors.''.

SEC. 1806. BASIC SUPPORT PAYMENTS FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.

(a) IN GENERAL.—Section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

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

''(2) BASIC SUPPORT PAYMENTS FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—(i) From the amount appropriated under section 8014(b) for a fiscal year, the Secretary is authorized to make basic support payments to eligible heavily impacted local educational agencies with children described in subsection (a).

''(ii) A local educational agency that receives a basic support payment under this paragraph for a fiscal year shall not be eligible to receive a basic support payment under paragraph (1) for that fiscal year.

''(B) ELIGIBILITY FOR CONTINUING HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—

(I) received an additional assistance payment under subsection (f) (as such subsection was in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000) for fiscal year 2000; and

''(II)(aa) is a local educational agency whose boundaries are the same as a Federal military installation;

''(bb) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency which is not less than 35 percent, has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of all States (whichever average per-pupil expenditure is greater), except that a local educational agency with a total student enrollment of less than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement, and has a tax rate for general fund purposes which is not less than 95 percent of the average tax rate for general fund purposes of local educational agencies in the State;

''(cc) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency which is not less than 30 percent, and has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State;

''(dd) has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 6,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or

''(ee) meets the requirements of subsection (f)(2) applying the data requirements of subsection (f)(4) (as such subsections were in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000).

''(ii) LOSS OF ELIGIBILITY.—A heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

''(iii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of clause (i) for that subsequent fiscal year, except that such agency shall not receive a basic support payment under this paragraph until the fiscal year succeeding the fiscal year for which the eligibility determination is made.

''(C) ELIGIBILITY FOR NEW HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—A heavily impacted local educational agency that did not receive an additional assistance payment under subsection (f) (as such subsection was in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000) for fiscal year 2000 is eligible to receive a basic support payment under subparagraph (A) for fiscal year 2002 and any subsequent fiscal year with respect to a number of children determined under subsection (a)(1) only if the agency is a local educational agency whose boundaries are the same as a Federal military installation, or the agency—

''(I) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that—

''(aa) is not less than 50 percent if such agency receives a payment on behalf of children described in subparagraphs (F) and (G) of such subsection; or

''(bb) is not less than 40 percent if such agency does not receive a payment on behalf of such children;

''(II)(aa) for a local educational agency that has a total student enrollment of 350 or more students, has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located; or

''(bb) for a local educational agency that has a total student enrollment of less than 350 students, has a per-pupil expenditure that is less than the average per-pupil expenditure of a comparable local educational agency in the State in which the agency is located; and

''(III) has a tax rate for general fund purposes that is at least 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State.

''(ii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency is a local educational agency whose boundaries are the same as a Federal military installation, or meets the requirements of clause (i), for that subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

''(iii) APPLICATION.—With respect to the first fiscal year for which a heavily impacted local educational agency described in clause (i) applies for a basic support payment under subparagraph (A), or with respect to the first fiscal year for which a heavily impacted local educational agency applies for a basic support payment under subparagraph (A) after becoming ineligible under clause (i) for 1 or more preceding fiscal years, the agency shall apply for such payment at least 1 year prior to the start of that first fiscal year.

''(D) MAXIMUM AMOUNT FOR REGULAR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—(i) Except as provided in subparagraph (E), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student units, as computed under subsection (a)(2) and subject to clause (ii), multiplied by the greater of—

''(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or

''(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.

''(ii)(I) For a local educational agency with respect to which 35 percent or more of the total student enrollment of the schools of the agency are children described in subparagraph (D) or (E) (or a combination thereof) of subsection (a)(1), the Secretary shall calculate the weighted student units of such children for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 0.55.

''(II) For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

''(III) For a local educational agency that has an enrollment of more than 100 but not more than 750 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.

''(E) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—(i)(I) Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

''(II) A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 6,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

''(ii) For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under

subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.

''(F) DATA.—For purposes of providing assistance under this paragraph the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.''.

(b) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—Section 8003(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(3)) (as so redesignated) is amended—

(1) in subparagraph (A), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'';

(2) in subparagraph (B)—

(A) in the heading, by inserting after ''PAYMENTS'' the following: ''IN LIEU OF PAYMENTS UNDER PARAGRAPH (1)'';

(B) in clause (i)—

(i) in the matter preceding subclause (I), by inserting before ''by multiplying'' the following: ''in lieu of basic support payments under paragraph (1)''; and

(ii) in subclause (II), by striking ''(not including amounts received under subsection (f))''; and

(C) by adding at the end the following:

''(iv) In the case of a local educational agency that has a total student enrollment of fewer than 1,000 students and that has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located, the total percentage used to calculate threshold payments under clause (i) shall not be less than 40 percent.'';

(3) by redesignating subparagraph (C) as subparagraph (D);

(4) by inserting after subparagraph (B) the following:

''(C) LEARNING OPPORTUNITY THRESHOLD PAYMENTS IN LIEU OF PAYMENTS UNDER PARAGRAPH (2).—For fiscal years described in subparagraph (A), the learning opportunity threshold payment in lieu of basic support payments under paragraph (2) shall be equal to the amount obtained under subparagraph (D) or (E) of paragraph (2), as the case may be.''; and

(5) in subparagraph (D) (as so redesignated), by striking ''computation made under subparagraph (B)'' and inserting ''computations made under subparagraphs (B) and (C)''.

(c) CONFORMING AMENDMENTS.—Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended—

(1) in the matter preceding subparagraph (A) of subsection (a)(1), by striking ''subsection (b), (d), or (f)'' and inserting ''subsection (b) or (d)'';

(2) in subsection (b)—

(A) in paragraph (1)(C), in the matter preceding clause (i), by striking ''this subsection'' and inserting ''this paragraph''; and

(B) in paragraph (4) (as so redesignated)—

(i) in subparagraph (A), by striking ''paragraphs (1)(B), (1)(C), and (2) of this subsection'' and inserting ''subparagraphs (B) and (C) of paragraph (1) or subparagraphs (B) through (D) of paragraph (2), as the case may be, paragraph (3) of this subsection''; and

(ii) in subparagraph (B)—

(I) by inserting after ''paragraph (1)(C)'' the following: ''or subparagraph (D) or (E) of paragraph (2), as the case may be,''; and

(II) by striking ''paragraph (2)(B)'' and inserting ''subparagraph (B) or (C) of paragraph (3), as the case may be,'';

(3) in subsection (c)(1), by striking ''paragraph (2) and subsection (f)'' and inserting ''subsections (b)(1)(D), (b)(2), and paragraph (2)'';

(4) by striking subsection (f); and

(5) in subsection (h), by striking ''section 6'' and all that follows through ''1994)'' and inserting ''section 386 of the National Defense Authorization Act for Fiscal Year 1993''.

SEC. 1807. BASIC SUPPORT PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES AFFECTED BY REMOVAL OF FEDERAL PROPERTY.

Section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)), as amended by this Act, is further amended by adding at the end the following:

''(5) LOCAL EDUCATIONAL AGENCIES AFFECTED BY REMOVAL OF FEDERAL PROPERTY.—

''(A) IN GENERAL.—In computing the amount of a basic support payment under this subsection for a fiscal year for a local educational agency described in subparagraph (B), the Secretary shall meet the additional requirements described in subparagraph (C).

''(B) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this subparagraph is a local educational agency with respect to which Federal property (i) located within the boundaries of the agency, and (ii) on which one or more children reside who are receiving a free public education at a school of the agency, is transferred by the Federal Government to another entity in any fiscal year beginning on or after the date of the enactment of the Impact Aid Reauthorization Act of 2000 so that the property is subject to taxation by the State or a political subdivision of the State.

''(C) ADDITIONAL REQUIREMENTS.—The additional requirements described in this subparagraph are the following:

''(i) For each fiscal year beginning after the date on which the Federal property is transferred, a child described in subparagraph (B) who continues to reside on such property and who continues to receive a free public education at a school of the agency shall be deemed to be a child who resides on Federal property for purposes of computing under the applicable subparagraph of subsection (a)(1) the amount that the agency is eligible to receive under this subsection.

''(ii)(I) For the third fiscal year beginning after the date on which the Federal property is transferred, and for each fiscal year thereafter, the Secretary shall, after computing the amount that the agency is otherwise eligible to receive under this subsection for the fiscal year involved, deduct from such amount an amount equal to the revenue received by the agency for the immediately preceding fiscal year as a result of the taxable status of the former Federal property.

''(II) For purposes of determining the amount of revenue to be deducted in accordance with subclause (I), the local educational agency—

''(aa) shall provide for a review and certification of such amount by an appropriate local tax authority; and

''(bb) shall submit to the Secretary a report containing the amount certified under item (aa).''.

SEC. 1808. ADDITIONAL PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES WITH HIGH CONCENTRATIONS OF CHILDREN WITH SEVERE DISABILITIES.

(a) REPEAL.—Subsection (g) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(g)) is repealed.

(b) CONFORMING AMENDMENTS.—(1) Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(2) Section 426 of the General Education Provisions Act (20 U.S.C. 1228) is amended by striking ''subsections (d) and (g) of section 8003 of such Act'' and inserting ''section 8003(d) of such Act''.

SEC. 1809. APPLICATION FOR PAYMENTS UNDER SECTIONS 8002 AND 8003.

Section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)) is amended—

(1) in paragraph (2), by inserting after ''not more than 60 days after a deadline established under subsection (c)'' the following: '', or not more than 60 days after the date on which the Secretary sends written notice to the local educational agency pursuant to paragraph (3)(A), as the case may be,''; and

(2) in paragraph (3) to read as follows:

''(3) LATE APPLICATIONS.—

''(A) NOTICE.—The Secretary shall, as soon as practicable after the deadline established under subsection (c), provide to each local educational agency that applied for a payment under section 8002 or 8003 for the prior fiscal year, and with respect to which the Secretary has not received an application for a payment under either such section (as the case may be) for the fiscal year in question, written notice of the failure to comply with the deadline and instruction to ensure that the application is filed not later than 60 days after the date on which the Secretary sends the notice.

''(B) ACCEPTANCE AND APPROVAL OF LATE APPLICATIONS.—The Secretary shall not accept or approve any application of a local educational agency that is filed more than 60 days after the date on which the Secretary sends written notice to the local educational agency pursuant to subparagraph (A).''.

SEC. 1810. PAYMENTS FOR SUDDEN AND SUBSTANTIAL INCREASES IN ATTENDANCE OF MILITARY DEPENDENTS.

Section 8006 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7706) is repealed.

SEC. 1811. CONSTRUCTION.

Section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) is amended to read as follows:

''SEC. 8007. CONSTRUCTION.

''(a) CONSTRUCTION PAYMENTS AUTHORIZED.—

''(1) IN GENERAL.—From 40 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary shall make payments in accordance with this subsection to each local educational agency that receives a basic support payment under section 8003(b) for that fiscal year.

''(2) ADDITIONAL REQUIREMENTS.—A local educational agency that receives a basic support payment under section 8003(b)(1) shall also meet at least one of the following requirements:

''(A) The number of children determined under section 8003(a)(1)(C) for the agency for the preceding school year constituted at least 50 percent of the total student enrollment in the schools of the agency during the preceding school year.

''(B) The number of children determined under subparagraphs (B) and (D)(i) of section 8003(a)(1) for the agency for the preceding school year constituted at least 50 percent of the total student enrollment in the schools of the agency during the preceding school year.

''(3) AMOUNT OF PAYMENTS.—

''(A) LOCAL EDUCATIONAL AGENCIES IMPACTED BY MILITARY DEPENDENT CHILDREN.—The amount of a payment to each local educational agency described in this subsection that is impacted by military dependent children for a fiscal year shall be equal to—

''(i)(I) 20 percent of the amount appropriated under section 8014(e) for such fiscal year; divided by

''(II) the total number of weighted student units of children described in subparagraphs (B) and (D)(i) of section 8003(a)(1) for all local educational agencies described in this subsection (as calculated under section 8003(a)(2)), including the number of weighted student units of such children attending a school facility described in section 8008(a) if the Secretary does not provide assistance for the school facility under that section for the prior fiscal year; multiplied by

''(ii) the total number of such weighted student units for the agency.

''(B) LOCAL EDUCATIONAL AGENCIES IMPACTED BY CHILDREN WHO RESIDE ON INDIAN LANDS.—

The amount of a payment to each local educational agency described in this subsection that is impacted by children who reside on Indian lands for a fiscal year shall be equal to—

''(i)(I) 20 percent of the amount appropriated under section 8014(e) for such fiscal year; divided by

''(II) the total number of weighted student units of children described in section 8003(a)(1)(C) for all local educational agencies described in this subsection (as calculated under section 8003(a)(2)); multiplied by

''(ii) the total number of such weighted student units for the agency.

''(4) USE OF FUNDS.—Any local educational agency that receives funds under this subsection shall use such funds for construction, as defined in section 8013(3).

''(b) SCHOOL FACILITY MODERNIZATION GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From 60 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary shall award grants in accordance with this subsection to eligible local educational agencies to enable the local educational agencies to carry out modernization of school facilities.

''(2) ELIGIBILITY REQUIREMENTS.—A local educational agency is eligible to receive funds under this subsection only if—

''(A) such agency (or in the case of a local educational agency that does not have the authority to tax or issue bonds, such agency's fiscal agent) has no capacity to issue bonds or is at such agency's limit in bonded indebtedness for the purposes of generating funds for capital expenditures, except that a local educational agency that is eligible to receive funds under section 8003(b)(2) shall be deemed to meet the requirements of this subparagraph; and

''(B)(i) such agency received assistance under section 8002(a) for the fiscal year and has an assessed value of taxable property per student in the school district that is less than the average of the assessed value of taxable property per student in the State in which the local educational agency is located; or

''(ii) such agency received assistance under subsection (a) for the fiscal year and has a school facility emergency, as determined by the Secretary, that poses a health or safety hazard to the students and school personnel assigned to the school facility.

''(3) AWARD CRITERIA.—In awarding grants under this subsection the Secretary shall consider one or more of the following factors:

''(A) The extent to which the local educational agency lacks the fiscal capacity to undertake the modernization project without Federal assistance.

''(B) The extent to which property in the local educational agency is nontaxable due to the presence of the Federal Government.

''(C) The extent to which the local educational agency serves high numbers or percentages of children described in subparagraphs (A), (B), (C), and (D) of section 8003(a)(1).

''(D) The need for modernization to meet—

''(i) the threat that the condition of the school facility poses to the health, safety, and well-being of students;

''(ii) overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment; and

''(iii) facility needs resulting from actions of the Federal Government.

''(E) The age of the school facility to be modernized.

''(4) OTHER AWARD PROVISIONS.—

''(A) FEDERAL SHARE.—The Federal funds provided under this subsection to a local educational agency described in subparagraph (C) shall not exceed 50 percent of the total cost of the project to be assisted under this subsection. A local educational agency may use in-kind contributions to meet the matching requirement of the preceding sentence.

''(B) MAXIMUM GRANT.—A local educational agency described in subparagraph (C) may not receive a grant under this subsection in an amount that exceeds $3,000,000 during any 5-year period.

''(C) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this subparagraph is a local educational agency that has the authority to issue bonds but is at such agency's limit in bonded indebtedness for the purposes of generating funds for capital expenditures.

''(5) APPLICATIONS.—A local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall contain—

''(A) documentation certifying such agency's lack of bonding capacity;

''(B) a listing of the school facilities to be modernized, including the number and percentage of children determined under section 8003(a)(1) in average daily attendance in each school facility;

''(C) a description of the ownership of the property on which the current school facility is located or on which the planned school facility will be located;

''(D) a description of any school facility deficiency that poses a health or safety hazard to the occupants of the school facility and a description of how that deficiency will be repaired;

''(E) a description of the modernization to be supported with funds provided under this subsection;

''(F) a cost estimate of the proposed modernization; and

''(G) such other information and assurances as the Secretary may reasonably require.

''(6) EMERGENCY GRANTS.—

''(A) APPLICATIONS.—Each local educational agency described in paragraph (2)(B)(ii) that desires a grant under this subsection shall include in the application submitted under paragraph (5) a signed statement from an appropriate local official certifying that a health or safety deficiency exists.

''(B) PRIORITY.—If the Secretary receives more than one application from local educational agencies described in paragraph (2)(B)(ii) for grants under this subsection for any fiscal year, the Secretary shall give priority to local educational agencies based on the severity of the emergency, as determined by the Secretary, and when the application was received.

''(C) ALLOCATION; REPORTING REQUIREMENT.—

''(i) ALLOCATION.—In awarding grants under this subsection to local educational agencies described in paragraph (2)(B)(ii), the Secretary shall consider all applications received from local educational agencies that meet the requirement of subsection (a)(2)(A) and local educational agencies that meet the requirement of subsection (a)(2)(B).

''(ii) REPORTING REQUIREMENT.—

''(I) IN GENERAL.—Not later than January 1 of each year, the Secretary shall prepare and submit to the appropriate congressional committees a report that contains a justification for each grant awarded under this subsection for the prior fiscal year.

''(II) DEFINITION.—In this clause, the term 'appropriate congressional committees' means the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives and the Committee on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate.

''(D) CONSIDERATION FOR FOLLOWING YEAR.—A local educational agency described in paragraph (2)(B)(ii) that applies for a grant under this subsection for any fiscal year and does not receive the grant shall have the application for the grant considered for the following fiscal year, subject to the priority described in subparagraph (B).

''(7) SUPPLEMENT NOT SUPPLANT.—An eligible local educational agency shall use funds received under this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the modernization of school facilities used for educational purposes, and not to supplant such funds.''.

SEC. 1812. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.

Section 8009 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7709) is amended—

(1) in subsection (a)(1), by striking ''or under'' and all that follows through ''of 1994)'';

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—A State may reduce State aid to a local educational agency that receives a payment under section 8002 or 8003(b) (except the amount calculated in excess of 1.0 under section 8003(a)(2)(B)) for any fiscal year if the Secretary determines, and certifies under subsection (c)(3)(A), that the State has in effect a program of State aid that equalizes expenditures for free public education among local educational agencies in the State.''; and

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter proceeding subparagraph (A), by striking ''or under'' and all that follows through ''of 1994)''; and

(ii) in subparagraph (B), by striking ''or under'' and all that follows through ''of 1994)''; and

(B) in paragraph (2), by striking ''or under'' and all that follows through ''of 1994)''.

SEC. 1813. FEDERAL ADMINISTRATION.

Section 8010(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7710(c)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (2) (as redesignated)—

(A) in subparagraph (D), by striking ''section 5(d)(2) of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) or''; and

(B) in subparagraph (E)—

(i) by striking ''1994'' and inserting ''1999'';

(ii) by striking ''(or such section's predecessor authority)''; and

(iii) by striking ''paragraph (2)'' and inserting ''paragraph (1)''.

SEC. 1814. ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW.

(a) ADMINISTRATIVE HEARINGS.—

(1) IN GENERAL.—Section 8011(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7711) is amended by adding at the end before the period the following: ''if the local educational agency or State, as the case may be, submits to the Secretary a request for the hearing not later than 60 days after the date of the action of the Secretary under this title''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to an action of the Secretary under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) initiated on or after the date of the enactment of this Act.

(b) JUDICIAL REVIEW OF SECRETARIAL ACTION.—Section 8011(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7711(b)(1)) is amended by striking ''60 days'' and inserting ''30 working days (as determined by the local educational agency or State)''.

SEC. 1815. FORGIVENESS OF OVERPAYMENTS.

The matter preceding paragraph (1) of section 8012 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7712) is amended by striking ''under the Act'' and all that follows through ''of 1994)'' and inserting ''under this title's predecessor authorities''.

SEC. 1816. DEFINITIONS.

Section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713) is amended—

(1) in paragraph (5)—

(A) in subparagraph (A)(iii)—

(I) in subclause (I), by striking ''or'' after the semicolon; and

(II) by adding at the end the following:

''(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996; or''; and

(B) in subparagraph (F)(i), by striking ''the mutual'' and all that follows through ''1937'' and inserting ''or authorized by the Native American Housing Assistance and Self-Determination Act of 1996'';

(2) in paragraph (8)(B), by striking ''all States'' and inserting ''the 50 States and the District of Columbia'';

(3) by redesignating paragraphs (11) and (12) as paragraphs (12) and (13), respectively; and

(4) by inserting after paragraph (10) the following:

''(11) MODERNIZATION.—The term 'modernization' means repair, renovation, alteration, or construction, including—

''(A) the concurrent installation of equipment; and

''(B) the complete or partial replacement of an existing school facility, but only if such replacement is less expensive and more cost-effective than repair, renovation, or alteration of the school facility.''.

SEC. 1817. AUTHORIZATION OF APPROPRIATIONS.

(a) PAYMENTS FOR FEDERAL ACQUISITION OF REAL PROPERTY.—Section 8014(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(a)) is amended—

(1) by striking ''$16,750,000 for fiscal year 1995'' and inserting ''$32,000,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(b) BASIC PAYMENTS.—Section 8014(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(b)) is amended—

(1) by striking ''subsections (b) and (f) of section 8003'' and inserting ''section 8003(b)'';

(2) by striking ''$775,000,000 for fiscal year 1995'' and inserting ''$809,400,000 for fiscal year 2000'';

(3) by striking ''four'' and inserting ''three''; and

(4) by striking '', of which 6 percent'' and all that follows and inserting a period.

(c) PAYMENTS FOR CHILDREN WITH DISABILITIES.—Section 8014(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(c)) is amended—

(1) by striking ''$45,000,000 for fiscal year 1995'' and inserting ''$50,000,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(d) PAYMENTS FOR INCREASES IN MILITARY CHILDREN.—Subsection (d) of section 8014 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714) is repealed.

(e) CONSTRUCTION.—Section 8014(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(e)) is amended—

(1) by striking ''$25,000,000 for fiscal year 1995'' and inserting ''$10,052,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(f) FACILITIES MAINTENANCE.—Section 8014(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(f)) is amended—

(1) by striking ''$2,000,000 for fiscal year 1995'' and inserting ''$5,000,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(g) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION.—Section 8014(g) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(g)) is amended—

(1) in the heading, by striking ''FEDERAL PROPERTY LOCAL EDUCATIONAL AGENCIES'' and inserting ''LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION''; and

(2) by striking ''such sums as are necessary beginning in fiscal year 1998 and for each succeeding fiscal year'' and inserting ''$1,500,000 for fiscal year 2000 and such sums as may be necessary for each of the three succeeding fiscal years''.

SEC. 1818. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on October 1, 2000, or the date of the enactment of this Act, whichever occurs later.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2001''.

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.
Sec. 2105. Modification of authority to carry out certain fiscal year 2000 projects.
Sec. 2106. Modification of authority to carry out certain fiscal year 1999 projects.
Sec. 2107. Modification of authority to carry out fiscal year 1998 project.
Sec. 2108. Authority to accept funds for realignment of certain military construction project, Fort Campbell, Kentucky.

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

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

Army: Inside the United States

State	Installation or location	Amount
Alabama.	Redstone Arsenal	$39,000,000
Alaska	Fort Richardson	$3,000,000
Arizona	Fort Huachuca	$4,600,000
Arkansas.	Pine Bluff Arsenal ..	$2,750,000
California.	Fort Irwin	$31,000,000
	Presidio, Monterey ..	$2,600,000
Georgia	Fort Benning	$15,800,000
	Fort Gordon	$2,600,000
Hawaii	Pohakoula Training Facility.	$32,000,000
	Schofield Barracks ..	$43,800,000
Kansas	Fort Riley	$22,000,000
Kentucky.	Fort Knox	$550,000
Maryland.	Fort Meade	$19,000,000
Missouri.	Fort Leonard Wood	$65,400,000
New Jersey.	Picatinny Arsenal ...	$5,600,000
New York.	Fort Drum	$18,000,000

Army: Inside the United States—Continued

State	Installation or location	Amount
North Carolina.	Fort Bragg	$222,200,000
	Sunny Point Army Terminal.	$2,300,000
Ohio	Columbus	$1,832,000
Pennsylvania.	Carlisle Barracks	$10,500,000
	New Cumberland Army Depot.	$3,700,000
Texas ...	Fort Bliss	$26,000,000
	Fort Hood	$36,492,000
	Red River Army Depot.	$800,000
Virginia	Fort Evans	$4,450,000
	Total:	$615,974,000

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

Army: Outside the United States

Country	Installation or location	Amount
Germany ..	Area Support Group, Bamberg	$11,650,000
	Area Support Group, Darmstadt	$11,300,000
	Kaiserslautern	$3,400,000
	Mannheim	$4,050,000
Korea	Camp Carroll	$10,000,000
	Camp Hovey	$30,200,000
	Camp Humphreys	$14,200,000
	Camp Page	$19,500,000
	Yongpyong	$11,850,000
Puerto Rico.	Fort Buchanan ...	$3,700,000
	Total:	$119,850,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(3), the Secretary of the Army may acquire real property and carry out military construction projects for the installation and location, and in the amount, set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide.	Classified Location.	$11,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Army: Family Housing

State or Country	Installation or location	Purpose	Amount
Alaska	Fort Wainwright	75 Units	$24,000,000
Arizona	Fort Huachuca	110 Units	$16,224,000
California	Fort Irwin	24 Units	$4,700,000
Hawaii	Schofield Barracks	72 Units	$15,500,000
Kentucky	Fort Campbell	184 Units	$27,800,000
Maryland	Fort Detrick	48 Units	$5,600,000
Missouri	Fort Leonard Wood	24 Units	$4,150,000
North Carolina	Fort Bragg	160 Units	$22,000,000
South Carolina	Fort Jackson	1 Unit	$250,000
Texas	Fort Bliss	64 Units	$10,200,000
Virginia	Fort Lee	52 Units	$8,600,000
Korea	Camp Humphreys	60 Units	$21,800,000
Puerto Rico	Fort Buchanan	31 Units	$5,000,000
	Total:		$165,824,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $6,542,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $63,590,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $1,925,344,000, as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $419,374,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $119,850,000.

(3) For a military construction project at an unspecified worldwide location authorized by section 2101(c), $11,000,000.

(4) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $20,700,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $109,306,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $235,956,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $971,704,000.

(7) For the construction of phase 1C of a barracks complex, Infantry Drive, Fort Riley, Kansas, authorized by section 2101(a) of the Military Construction Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2182), $10,000,000.

(8) For the construction of a railhead facility, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2182), as amended by section 2106 of this Act, $9,800,000.

(9) For the construction of a chemical defense qualification facility, Pine Bluff Arsenal, Arkansas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825), $2,592,000.

(10) For the construction of phase 1B of a barracks complex, Wilson Street, Schofield Barracks, Hawaii, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 825), $22,400,000.

(11) For the construction of phase 2B of a barracks complex, Tagaytay Street, Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 825), $3,108,000.

(12) For the construction of phase 2 of a tactical equipment shop, Fort Sill, Oklahoma, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 825), $10,100,000.

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

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) $22,600,000 (the balance of the amount authorized under section 2101(a) for the construction of a Basic Training Complex at Fort Leonard Wood, Missouri);

(3) $10,000,000 (the balance of the amount authorized under section 2101(a) for construction of a Multipurpose Digital Training Range at Fort Hood, Texas);

(4) $34,000,000 (the balance of the amount authorized under section 2101(a) for construction of phase I of a barracks complex, Longstreet Road, Fort Bragg, North Carolina);

(5) $104,000,000 (the balance of the amount authorized under section 2101(a) for the construction phase I of a barracks complex, Bunter Road, Fort Bragg, North Carolina);

(6) $6,000,000 (the balance of the amount authorized under section 2101(a) for the construction of a battle simulation center at Fort Drum, New York); and

(7) $20,000,000 (the balance of the amount authorized under section 2101(a) for the construction of Saddle Access Road, Pohakuloa Training Facility, Hawaii).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (12) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $635,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $19,911,000 which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECTS.

(a) CONSTRUCTION PROJECTS INSIDE THE UNITED STATES.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825) is amended—

(1) in the item relating to Fort Stewart, Georgia, by striking ''$71,700,000'' in the amount column and inserting ''$25,700,000'';

(2) by striking the item relating to Fort Riley, Kansas;

(3) in the item relating to CONUS Various, by striking ''$36,400,000'' in the amount column and inserting ''$138,900,000''; and

(4) by striking the amount identified as the total in the amount column and inserting ''$1,059,250,000''.

(b) UNSPECIFIED MINOR CONSTRUCTION PROJECTS.—Subsection (a)(3) of section 2104 of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 826) is amended by striking ''$9,500,000'' and inserting ''$14,600,000''.

(c) CONFORMING AMENDMENTS.—Section 2104 of the Military Construction Authorization Act for Fiscal Year 2000 is further amended—

(1) in the matter preceding subsection (a), by striking ''$2,353,231,000'' and inserting ''$2,358,331,000''; and

(2) in subsection (b), by striking paragraph (7) and inserting the following new paragraph:

''(7) $102,500,000 (the balance of the amount authorized under section 2101(a) for Army construction and land acquisition projects covered under the item relating to CONUS Various, as amended by section 2105 of the Military Construction Authorization Act for Fiscal Year 2001).

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1999 PROJECTS.

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

(1) in the item relating to Fort Hood, Texas, by striking ''$32,500,000'' in the amount column and inserting ''$45,300,000'';

(2) in the item relating to Fort Riley, Kansas, by striking ''$41,000,000'' in the amount column and inserting ''$44,500,000''; and

(3) by striking the amount identified as the total in the amount column and inserting ''$785,081,000''.

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''$2,098,713,000'' and inserting ''$2,111,513,000''; and

(B) in paragraph (1), by striking ''$609,781,000'' and inserting ''$622,581,000''; and

(2) in subsection (b)(7), by striking ''$24,500,000'' and inserting ''$28,000,000''.

SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 1998 PROJECT.

(a) MODIFICATION.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1967), as amended by section 2105(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2185), is amended—

(1) in the item relating to Hunter Army Airfield, Fort Stewart, Georgia, by striking ''$54,000,000'' in the amount column and inserting ''$57,500,000''; and

(2) by striking the amount identified as the total in the amount column and inserting ''$606,250,000''.

(b) CONFORMING AMENDMENT.—Section 2104(b)(5) of the Military Construction Authorization Act for Fiscal Year 1998 (111 Stat. 1969) is amended by striking ''$42,500,000'' and inserting ''$46,000,000''.

SEC. 2108. AUTHORITY TO ACCEPT FUNDS FOR REALIGNMENT OF CERTAIN MILITARY CONSTRUCTION PROJECT, FORT CAMPBELL, KENTUCKY.

(a) AUTHORITY TO ACCEPT FUNDS.—(1) The Secretary of the Army may accept funds from the Federal Highway Administration or the Commonwealth of Kentucky for purposes of funding all costs associated with the realignment of the military construction project involving a rail connector located at Fort Campbell, Kentucky, as authorized in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2763).

(2) Any funds accepted under paragraph (1) shall be credited to the account of the Department of the Army from which the costs of the realignment of the military construction project described in that paragraph are to be paid.

(b) USE OF FUNDS.—(1) The Secretary may use funds accepted under subsection (a) for any costs associated with the realignment of the military construction project described in that subsection in addition to any amounts authorized and appropriated for the military construction project.

(2) For purposes of paragraph (1), the costs associated with the realignment of the military construction project described in subsection (a) include redesign costs, additional construction costs, additional costs due to construction delays related to the realignment, and additional real estate costs.

(3) Funds accepted under subsection (a) shall remain available for use under paragraph (1) until expended.

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Modification of authority to carry out fiscal year 1997 project at Marine Corps Combat Development Command, Quantico, Virginia.

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

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

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma.	$8,200,000
	Navy Detachment, Camp Navajo.	$2,940,000
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	$23,870,000
	Marine Corps Air Station, Miramar	$13,740,000
	Marine Corps Base, Camp Pendleton	$8,100,000
	Marine Corps Logistics Base, Barstow	$6,660,000
	Naval Air Station, Lemoore.	$12,050,000
	Naval Air Warfare Center Weapons Division, Point Mugu	$11,400,000
	Naval Aviation Depot, North Island	$4,340,000
	Naval Facility, San Clemente Island	$8,860,000
	Naval Postgraduate School, Monterey	$5,280,000
	Naval Ship Weapons Systems Engineering Station, Port Hueneme	$10,200,000
	Naval Station, San Diego.	$53,200,000
Connecticut.	Naval Submarine Base, New London	$3,100,000
CONUS Various.	CONUS Various	$11,500,000
District of Columbia.	Marine Corps Barracks.	$24,597,000
	Naval District, Washington.	$2,450,000
	Naval Research Laboratory, Washington	$12,390,000
Florida	Naval Air Station, Whiting Field.	$5,130,000
	Naval Surface Warfare Center Wastal Systems Station, Panama City	$9,960,000
	Naval Station, Mayport.	$6,830,000
	Naval Surface Warfare Center Detachment, Ft. Lauderdale	$3,570,000
Georgia	Marine Corps Logistics Base, Albany	$1,100,000
	Navy Supply Corps School, Athens	$2,950,000
	Trident Refit Facility, Kings Bay.	$5,200,000
Hawaii	Fleet Industrial Supply Center, Pearl Harbor	$12,000,000
	Naval Undersea Weapons Station Detachment, Lualualei	$2,100,000
	Marine Corps Air Station, Kaneohe	$18,400,000
	Naval Station, Pearl Harbor.	$37,600,000
Illinois	Naval Training Center, Great Lakes	$121,400,000
Maine	Naval Air Station, Brunswick.	$2,450,000
	Naval Shipyard, Portsmouth.	$4,960,000
Maryland	Naval Explosive Ordinance Disposal Technology Center, Indian Head	$6,430,000
	Naval Air Station, Patuxent River	$8,240,000
Mississippi	Naval Air Station, Meridian.	$4,700,000
	Naval Oceanographic Office, Stennis Space Center	$6,950,000
Nevada	Naval Air Station, Fallon.	$6,280,000
New Jersey	Naval Weapons Station, Earle.	$2,420,000
North Carolina.	Marine Corps Air Station, Cherry Point	$8,480,000
	Marine Corps Air Station, New River	$3,400,000
	Marine Corps Base, Camp Lejeune	$45,870,000
	Naval Aviation Depot, Cherry Point	$7,540,000
Pennsylvania.	Naval Surface Warfare Center Shipyard Systems Engineering Station, Philadelphia	$10,680,000
Rhode Island.	Naval Undersea Warfare Center Division, Newport	$4,150,000
South Carolina.	Marine Corps Air Station, Beaufort	$3,140,000
	Marine Corps Recruit Depot, Parris Island	$2,660,000
Texas	Naval Air Station, Corpus Christi	$4,850,000
	Naval Air Station, Kingsville.	$2,670,000
	Naval Station, Ingleside.	$2,420,000
Virginia	AEGIS Combat Systems Center, Wallops Island	$3,300,000
	Marine Corps Combat Development Command, Quantico	$8,590,000
	Naval Air Station, Norfolk.	$31,450,000
	Naval Air Station, Oceana.	$5,250,000
	Naval Amphibious Base, Little Creek	$2,830,000
	Naval Shipyard, Norfolk, Portsmouth	$16,100,000
	Naval Station, Norfolk.	$4,700,000
	Naval Surface Warfare Center, Dahlgren	$30,700,000
Washington.	Naval Shipyard, Bremerton, Puget Sound	$100,740,000
	Naval Station, Bremerton	$11,930,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
	Naval Station, Everett	$5,500,000
	Naval Submarine Base, Bangor	$4,600,000
	Strategic Weapons Facility Pacific, Bremerton	$1,400,000
	Total:	$811,497,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

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

Navy: Outside the United States—Continued

Country	Installation or location	Amount
	Total:	$67,511,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or location	Purpose	Amount
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	79 Units	$13,923,000
	Naval Air Station, Lemoore	260 Units	$47,871,000
Hawaii	Commander Naval Base, Pearl Harbor	112 Units	$23,654,000
	Commander Naval Base, Pearl Harbor	62 Units	$14,237,000
	Commander Naval Base, Pearl Harbor	98 Units	$22,230,000
	Marine Corps Air Station, Kaneohe Bay	84 Units	$21,910,000
Louisiana	Naval Air Station, New Orleans	34 Units	$5,000,000
Maine	Naval Air Station, Brunswick	168 Units	$18,722,000
Mississippi	Naval Construction Battalion Center, Gulfport	157 Units	$20,700,000
Washington	Naval Air Station, Whidbey Island	98 Units	$16,873,000
		Total:	$205,120,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $19,958,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $193,077,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,227,995,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $750,257,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $67,511,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $11,659,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $73,335,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $418,155,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $882,638,000.

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

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

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) $17,500,000 (the balance of the amount authorized under section 2201(a) for repair of a pier at Naval Station, San Diego, California);

(3) $24,460,000 (the balance of the amount authorized under section 2201(a) for replacement of a pier at Naval Shipyard, Bremerton, Puget Sound, Washington); and

(4) $10,280,000 (the balance of the amount authorized under section 2201(a) for construction of an industrial skills center at Naval Shipyard, Bremerton, Puget Sound, Washington).

(c) ADJUSTMENTS.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (7) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $2,889,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States;

(2) $20,000,000, which represents the combination of project savings in military construction resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes; and

(3) $1,071,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing support outside the United States.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 1997 PROJECT AT MARINE CORPS COMBAT DEVELOPMENT COMMAND, QUANTICO, VIRGINIA.

The Secretary of the Navy may carry out a military construction project involving infrastructure development at the Marine Corps Combat Development Command, Quantico, Virginia, in the amount of $8,900,000, using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2769) for a military construction project involving a sanitary landfill at that installation, as authorized by section 2201(a) of that Act (110 Stat. 2767) and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 842) and section 2703 of this Act.

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base.	$3,825,000
Alaska	Cape Romanzof	$3,900,000
	Eielson Air Force Base.	$40,990,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
	Elmendorf Air Force Base.	$35,186,000
Arizona ...	Davis-Monthan Air Force Base	$7,900,000
Arkansas	Little Rock Air Force Base	$18,319,000
California	Beale Air Force Base.	$10,099,000
	Los Angeles Air Force Base.	$6,580,000
	Vandenberg Air Force Base.	$4,650,000
Colorado ..	Buckley Air National Guard Base	$2,750,000
	Peterson Air Force Base.	$22,396,000
	Schriever Air Force Base.	$8,450,000
	United States Air Force Academy	$18,960,000
CONUS Classified.	Classified Location.	$1,810,000
District of Columbia.	Bolling Air Force Base.	$4,520,000
Florida	Eglin Air Force Base.	$8,940,000
	Eglin Auxiliary Field 9.	$7,960,000
	Patrick Air Force Base.	$12,970,000
	Tyndall Air Force Base.	$31,495,000
Georgia	Fort Stewart/Hunter Army Air Field	$4,920,000
	Moody Air Force Base.	$11,318,000
	Robins Air Force Base.	$15,857,000
Hawaii	Hickam Air Force Base.	$4,620,000
Idaho	Mountain Home Air Force Base	$10,125,000
Illinois	Scott Air Force Base.	$3,830,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Kansas	McConnell Air Force Base.	$11,864,000
Louisiana	Barksdale Air Force Base.	$20,464,000
Massachusetts.	Hanscom Air Force Base.	$12,000,000
Mississippi	Columbus Air Force Base.	$4,828,000
	Keesler Air Force Base.	$15,040,000
Missouri ..	Whiteman Air Force Base.	$12,050,000
Montana	Malmstrom Air Force Base.	$11,179,000
New Jersey	McGuire Air Force Base.	$29,772,000
New Mexico.	Cannon Air Force Base.	$4,934,000
	Holloman Air Force Base.	$18,380,000
	Kirtland Air Force Base.	$7,350,000
North Carolina.	Pope Air Force Base.	$24,570,000
	Seymour Johnson Air Force Base	$7,141,000
Ohio	Wright-Patterson Air Force Base	$37,508,000
Oklahoma	Altus Air Force Base.	$2,939,000
	Tinker Air Force Base.	$26,895,000
	Vance Air Force Base.	$10,504,000
South Carolina.	Charleston Air Force Base.	$22,238,000
	Shaw Air Force Base.	$8,102,000
South Dakota.	Ellsworth Air Force Base.	$10,290,000
Texas	Dyess Air Force Base.	$24,988,000
	Lackland Air Force Base.	$10,330,000
	Laughlin Air Force Base.	$11,973,000
	Sheppard Air Force Base.	$6,450,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Utah	Hill Air Force Base.	$28,050,000
Virginia ...	Langley Air Force Base.	$19,650,000
Washington.	Fairchild Air Force Base.	$7,926,000
	McChord Air Force Base.	$10,250,000
Wyoming	F.E. Warren Air Force Base.	$25,720,000
	Total:	$745,755,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

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

SEC. 2302. FAMILY HOUSING.

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

Air Force: Family Housing

State	Installation or location	Purpose	Amount
California	Edwards Air Force Base	57 Units	$9,870,000
	Travis Air Force Base	64 Units	$9,870,000
District of Columbia	Bolling Air Force Base	136 Units ..	$17,137,000
Idaho	Mountain Home Air Force Base	119 Units ..	$10,598,000
Nevada	Nellis Air Force Base	26 Units	$5,000,000
North Dakota	Cavalier Air Force Station	2 Units	$443,000
	Minot Air Force Base	134 Units ..	$19,097,000
		Total:	$72,015,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $12,760,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

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

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,943,069,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $736,355,000.

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

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $11,350,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $74,628,000.

(5) For military housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $258,821,000.

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

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a); and

(2) $9,400,000 (the balance of the amount authorized under section 2301(a) for the construction of an air freight terminal and base supply complex at McGuire Air Force Base, New Jersey).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (5) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by $12,231,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Energy conservation projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

Sec. 2404. Modification of authority to carry out certain fiscal year 1990 project.

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

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

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization	Aberdeen Proving Ground	$3,100,000
Defense Education Activity	Camp Lejeune, North Carolina	$5,914,000
	Laurel Bay, South Carolina	$804,000
Defense Logistics Agency	Defense Distribution Depot Susquehanna, New Cumberland, Pennsylvania	$17,700,000
	Defense Fuel Support Point, Cherry Point, North Carolina	$5,700,000
	Defense Fuel Support Point, MacDill Air Force Base, Florida	$16,956,000
	Defense Fuel Support Point, McConnell Air Force Base, Kansas	$11,000,000
	Defense Fuel Support Point, Naval Air Station, Fallon, Nevada	$5,000,000
	Defense Fuel Support Point, North Island, California	$5,900,000
	Defense Fuel Support Point, Oceana Naval Air Station, Virginia	$2,000,000
	Defense Fuel Support Point, Patuxent River, Maryland	$8,300,000
	Defense Fuel Support Point, Twentynine Palms, California	$2,200,000
	Defense Supply Center, Richmond, Virginia	$4,500,000
National Security Agency	Fort Meade, Maryland	$4,228,000
Special Operations Command	Eglin Auxiliary Field 9, Florida	$23,204,000
	Fleet Combat Training Center, Dam Neck, Virginia	$5,500,000
	Fort Bragg, North Carolina	$8,600,000
	Fort Campbell, Kentucky	$16,300,000
	Naval Air Station, North Island, California	$1,350,000
	Naval Air Station, Oceana, Virginia	$3,400,000
	Naval Amphibious Base, Coronado, California	$4,300,000
	Naval Amphibious Base, Little Creek, Virginia	$5,400,000
	Pearl Harbor, Hawaii	$9,900,000
TRICARE Management Activity	Edwards Air Force Base, California	$17,900,000
	Marine Corps Base, Camp Pendleton, California	$14,150,000
	Eglin Air Force Base, Florida	$37,600,000
	Fort Drum, New York	$1,400,000
	Patrick Air Force Base, Florida	$2,700,000
	Tyndall Air Force Base, Florida	$7,700,000
	William Beaumont Medical Center, Texas	$4,200,000
	Total:	$256,906,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Activity	Hanau, Germany	$2,030,000
	Hohenfels, Germany	$13,774,000
	Osan, Korea	$892,000
	Royal Air Force, Feltwell, United Kingdom	$1,800,000
	Royal Air Force, Lakenheath, United Kingdom	$5,650,000
	Schweinfurt, Germany	$1,750,000
	Seoul, Korea	$2,451,000
	Sigonella, Italy	$3,450,000
	Taegu, Korea	$806,000
	Wuerzburg, Germany	$2,635,000
Defense Finance and Accounting Service	Kleber Kaserne, Germany.	$7,500,000
Defense Logistics Agency	Defense Fuel Support Point, Andersen Air Force Base, Guam	$36,000,000
	Defense Fuel Support Point, Marine Corps Air Station, Iwakuni, Japan	$22,400,000
	Defense Fuel Support Point, Misawa Air Base, Japan	$26,400,000
	Defense Fuel Support Point, Royal Air Force, Mildenhall, United Kingdom	$10,000,000
	Defense Fuel Support Point, Sigonella, Italy	$16,300,000
Defense Threat Reduction Agency	Darmstadt, Germany	$2,450,000
Special Operations Command	Roosevelt Roads, Puerto Rico	$1,241,000
	Taegu, Korea	$1,450,000
TRICARE Management Agency	Kitzingen, Germany	$1,400,000
	Wiesbaden Air Base, Germany	$7,187,000
	Total:	$167,566,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(3), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations, and in the amounts, set forth in the following table:

Defense Agencies: Unspecified Worldwide

Location	*Installation*	*Amount*
Unspecified Worldwide.	*Unspecified Worldwide .....*	*$451,135,000*

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(7), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $15,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Subject to subsection (c), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $1,883,902,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $256,906,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $167,566,000.

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

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

(5) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $6,000,000.

(6) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $77,505,000.

(7) For energy conservation projects authorized by section 2402 of this Act, $15,000,000.

(8) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $1,024,369,000.

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

(10) For the construction of an ammunition demilitarization facility, Pine Bluff Arsenal, Arkansas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3040), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1982), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), $43,600,000.

(11) For the construction of phase 6 of an ammunition demilitarization facility, Umatilla Army Depot, Oregon, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1995, as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996, section 2408 of the Military Construction Authorization Act for Fiscal Year 1998, and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999, $9,400,000.

(12) For the construction of phase 2 of an ammunition demilitarization facility, Pueblo Army Depot, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), $10,700,000.

(13) For the construction of phase 3 of an ammunition demilitarization facility, Newport Army Depot, Indiana, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2193), $54,400,000.

(14) For the construction of phase 3 of an ammunition demilitarization facility, Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999, $45,700,000.

(15) For construction of a replacement hospital at Fort Wainwright, Alaska, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 836), $44,000,000.

(16) For the construction of the Ammunition Demilitarization Support Phase 2, Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Act for Fiscal Year 2000, $8,500,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a); and

(2) $366,040,000 (the balance of the amount authorized under section 2401(c) for construction of National Missile Defense Initial Deployment Facilities, Unspecified Worldwide locations).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (16) of subsection (a) is the sum of the amounts authorized to be appropriated by such paragraphs, reduced by—

(1) $7,115,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $20,000,000, which represents the combination of project savings in military construction for chemical demilitarization resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1990 PROJECT.

(a) MODIFICATION.—Section 2401(a) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), is amended in the item relating to Portsmouth Naval Hospital, Virginia, by striking ''$351,354,000'' and inserting ''$359,854,000''.

(b) CONFORMING AMENDMENT.—Section 2405(b)(2) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991, as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1999, is amended by striking ''$342,854,000'' and inserting ''$351,354,000''.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amount of $172,000,000.

TITLE XXVI—GUARD AND RESERVE FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.
Sec. 2602. Authority to contribute to construction of airport tower, Cheyenne Airport, Cheyenne, Wyoming.

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 2000, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $266,531,000; and

(B) for the Army Reserve, $108,738,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $62,073,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $194,929,000; and

(B) for the Air Force Reserve, $36,591,000.

SEC. 2602. AUTHORITY TO CONTRIBUTE TO CONSTRUCTION OF AIRPORT TOWER, CHEYENNE AIRPORT, CHEYENNE, WYOMING.

The Secretary of the Air Force may use up to $1,450,000 of the amounts appropriated pursuant to the authorization of appropriations in section 2601(3)(A) to make a contribution to the Cheyenne Airport Authority, consistent with applicable agreements, to the costs of construction of a new airport tower at Cheyenne Airport, Cheyenne, Wyoming.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Extension of authorizations of certain fiscal year 1998 projects.
Sec. 2703. Extension of authorizations of certain fiscal year 1997 projects.
Sec. 2704. Effective date.

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2003; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2004.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing

projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) for which appropriated funds have been obligated before the later of—

(1) October 1, 2003; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2004 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1998 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1984), authorizations set forth in the tables in subsection (b), as provided in section 2102, 2202, or 2302 of that Act, shall remain in effect until October 1, 2001, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2002, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Army: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
Maryland	Fort Meade	Family Housing Construction (56 units)	$7,900,000
Texas	Fort Hood	Family Housing Construction (130 units)	$18,800,000

Navy: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
California	Naval Complex, San Diego	Replacement Family Housing Construction (94 units)	$13,500,000
California	Marine Corps Air Station, Miramar	Family Housing Construction (166 units)	$28,881,000
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	Replacement Family Housing Construction (132 units)	$23,891,000
Louisiana	Naval Complex, New Orleans	Replacement Family Housing Construction (100 units)	$11,930,000
Texas	Naval Air Station, Corpus Christi	Family Housing Construction (212 units)	$22,250,000
Washington	Naval Air Station, Whidbey Island	Replacement Family Housing Construction (102 units)	$16,000,000

Air Force: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
Georgia	Robins Air Force Base	Replace Family Housing (60 units)	$6,800,000
Idaho	Mountain Home Air Force Base	Replace Family Housing (60 units)	$11,032,000
New Mexico	Kirtland Air Force Base	Replace Family Housing (180 units)	$20,900,000
Texas	Dyess Air Force Base	Construct Family Housing (70 units)	$10,503,000

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1997 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2782), authorizations set forth in the tables in subsection (b), as provided in section 2201, 2202, or 2601 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 842), shall remain in effect until October 1, 2001, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2002, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Navy: Extension of 1997 Project Authorizations

State	Installation or location	Project	Amount
Florida	Navy Station, Mayport	Family Housing Construction (100 units)	$10,000,000
North Carolina	Marine Corps Base, Camp Lejuene	Family Housing Construction (94 units)	$10,110,000
South Carolina	Marine Corps Air Station, Beaufort	Family Housing Construction (140 units)	$14,000,000
Texas	Naval Complex, Corpus Christi	Family Housing Replacement (104 units)	$11,675,000
	Naval Air Station, Kingsville	Family Housing Replacement (48 units)	$7,550,000
Virginia	Marine Corps Combat Development Command, Quantico	Sanitary landfill	$8,900,000
Washington	Naval Station, Everett	Family Housing Construction (100 units)	$15,015,000

Army National Guard: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Mississippi	Camp Shelby	Multipurpose Range Complex (Phase II)	$5,000,000

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 2000; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Joint use military construction projects.

Sec. 2802. Exclusion of certain costs from determination of applicability of limitation on use of funds for improvement of family housing.

Sec. 2803. Revision of space limitations for military family housing.

Sec. 2804. Modification of lease authority for high-cost military family housing.

Sec. 2805. Provision of utilities and services under alternative authority for acquisition and improvement of military housing.

Sec. 2806. Extension of alternative authority for acquisition and improvement of military housing.

Sec. 2807. Expansion of definition of armory to include readiness centers.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Increase in threshold for notice and wait requirements for real property transactions.

Sec. 2812. Enhancement of authority of military departments to lease non-excess property.

Sec. 2813. Conveyance authority regarding utility systems of military departments.

Sec. 2814. Permanent conveyance authority to improve property management.

Subtitle C—Defense Base Closure and Realignment

Sec. 2821. Scope of agreements to transfer property to redevelopment authorities without consideration under the base closure laws.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

Sec. 2831. Transfer of jurisdiction, Rock Island Arsenal, Illinois.

Sec. 2832. Land conveyance, Army Reserve Center, Galesburg, Illinois.

Sec. 2833. Land conveyance, Charles Melvin Price Support Center, Illinois.

Sec. 2834. Land conveyance, Fort Riley, Kansas.

Sec. 2835. Land conveyance, Fort Polk, Louisiana.

Sec. 2836. Land conveyance, Army Reserve Center, Winona, Minnesota.

Sec. 2837. Land conveyance, Fort Dix, New Jersey.

Sec. 2838. Land conveyance, Nike Site 43, Elrama, Pennsylvania.

Sec. 2839. Land exchange, Army Reserve Local Training Center, Chattanooga, Tennessee.

Sec. 2840. Land exchange, Fort Hood, Texas.

Sec. 2841. Land conveyance, Fort Pickett, Virginia.

Sec. 2842. Land conveyance, Fort Lawton, Washington.

Sec. 2843. Land conveyance, Vancouver Barracks, Washington.

PART II—NAVY CONVEYANCES

Sec. 2846. Modification of land conveyance, Marine Corps Air Station, El Toro, California.

Sec. 2847. Modification of authority for Oxnard Harbor District, Port Hueneme, California, to use certain Navy property.

Sec. 2848. Transfer of jurisdiction, Marine Corps Air Station, Miramar, California.

Sec. 2849. Land exchange, Marine Corps Recruit Depot, San Diego, California.

Sec. 2850. Lease of property, Naval Air Station, Pensacola, Florida.

Sec. 2851. Land conveyance, Naval Reserve Center, Tampa, Florida.

Sec. 2852. Modification of land conveyance, Defense Fuel Supply Point, Casco Bay, Maine.

Sec. 2853. Land conveyance, Naval Computer and Telecommunications Station, Cutler, Maine.

Sec. 2854. Modification of land conveyance authority, former Naval Training Center, Bainbridge, Cecil County, Maryland.

Sec. 2855. Land conveyance, Marine Corps Base, Camp Lejeune, North Carolina.

Sec. 2856. Land exchange, Naval Air Reserve Center, Columbus, Ohio.

Sec. 2857. Land conveyance, Naval Station, Bremerton, Washington.

PART III—AIR FORCE CONVEYANCES

Sec. 2861. Land conveyance, Los Angeles Air Force Base, California.

Sec. 2862. Land conveyance, Point Arena Air Force Station, California.

Sec. 2863. Land conveyance, Lowry Air Force Base, Colorado.

Sec. 2864. Land conveyance, Wright Patterson Air Force Base, Ohio.

Sec. 2865. Modification of land conveyance, Ellsworth Air Force Base, South Dakota.

Sec. 2866. Land conveyance, Mukilteo Tank Farm, Everett, Washington.

PART IV—OTHER CONVEYANCES

Sec. 2871. Land conveyance, Army and Air Force Exchange Service property, Farmers Branch, Texas.

Sec. 2872. Land conveyance, former National Ground Intelligence Center, Charlottesville, Virginia.

Subtitle E—Other Matters

Sec. 2881. Relation of easement authority to leased parkland, Marine Corps Base, Camp Pendleton, California.

Sec. 2882. Extension of demonstration project for purchase of fire, security, police, public works, and utility services from local government agencies.

Sec. 2883. Acceptance and use of gifts for construction of third building at United States Air Force Museum, Wright-Patterson Air Force Base, Ohio.

Sec. 2884. Development of Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia.

Sec. 2885. Activities relating to greenbelt at Fallon Naval Air Station, Nevada.

Sec. 2886. Establishment of World War II memorial on Guam.

Sec. 2887. Naming of Army missile testing range at Kwajalein Atoll as the Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll.

Sec. 2888. Designation of building at Fort Belvoir, Virginia, in honor of Andrew T. McNamara.

Sec. 2889. Designation of Balboa Naval Hospital, San Diego, California, in honor of Bob Wilson, a former member of the House of Representatives.

Sec. 2890. Sense of Congress regarding importance of expansion of National Training Center, Fort Irwin, California.

Sec. 2891. Sense of Congress regarding land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. JOINT USE MILITARY CONSTRUCTION PROJECTS.

(a) SENSE OF CONGRESS ON JOINT USE PROJECTS.—It is the sense of Congress that when the Secretary of Defense assists the President in preparing the budget for the Department of Defense for a fiscal year for submission to Congress under section 1105 of title 31, United States Code, the Secretary of Defense should—

(1) seek to identify military construction projects that are suitable as joint use military construction projects;

(2) specify in the budget for the fiscal year the military construction projects that are identified under paragraph (1); and

(3) give priority in the budget for the fiscal year to the military construction projects specified under paragraph (2).

(b) ANNUAL EVALUATION OF JOINT USE PROJECTS.—(1) Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

"§2815. Joint use military construction projects: annual evaluation

"(a) JOINT USE MILITARY CONSTRUCTION PROJECT DEFINED.—In this section, the term 'joint use military construction project' means a military construction project for a facility intended to be used by—

"(1) both the active and a reserve component of a single armed force; or

"(2) two or more components (whether active or reserve components) of the armed forces.

"(b) ANNUAL EVALUATION.—In the case of the budget submitted under section 1105 of title 31 for fiscal year 2003 and each fiscal year thereafter, the Secretary of Defense shall include in the budget justification materials submitted to Congress in support of the budget a certification by each Secretary concerned that, in evaluating military construction projects for inclusion in the budget for that fiscal year, the Secretary concerned evaluated the feasibility of carrying out the projects as joint use military construction projects.".

(2) The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"2815. Joint use military construction projects: annual evaluation.".

SEC. 2802. EXCLUSION OF CERTAIN COSTS FROM DETERMINATION OF APPLICABILITY OF LIMITATION ON USE OF FUNDS FOR IMPROVEMENT OF FAMILY HOUSING.

Section 2825(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

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

"(3) In determining the applicability of the limitation contained in paragraph (1), the Secretary concerned shall not include as part of the cost of the improvement of the unit or units concerned the following:

"(A) The cost of the installation of communications, security, or antiterrorism equipment required by an occupant of the unit or units to perform duties assigned to the occupant as a member of the armed forces.

"(B) The cost of the maintenance or repair of equipment described in subparagraph (A) installed for the purpose specified in such subparagraph.".

SEC. 2803. REVISION OF SPACE LIMITATIONS FOR MILITARY FAMILY HOUSING.

(a) IN GENERAL.—(1) Section 2826 of title 10, United States Code, is amended to read as follows:

"§2826. Military family housing: local comparability of room patterns and floor areas

"(a) LOCAL COMPARABILITY.—In the construction, acquisition, and improvement of military family housing, the Secretary concerned shall ensure that the room patterns and floor areas of military family housing in a particular locality (as designated by the Secretary concerned for purposes of this section) are similar to room patterns and floor areas of similar housing in the private sector in that locality.

"(b) REQUESTS FOR AUTHORITY FOR MILITARY FAMILY HOUSING.—(1) In submitting to Congress a request for authority to carry out the construction, acquisition, or improvement of military family housing, the Secretary concerned shall include in the request information on the net floor area of each unit of military family housing to be constructed, acquired, or improved under the authority.

"(2) In this subsection, the term 'net floor area', in the case of a military family housing unit, means the total number of square feet of the floor space inside the exterior walls of the unit, excluding the floor area of an unfinished basement, an unfinished attic, a utility space, a garage, a carport, an open or insect-screened porch, a stairwell, and any space used for a solar-energy system.".

(2) The table of sections at the beginning of subchapter II of chapter 169 of that title is amended by striking the item relating to section 2826 and inserting the following new item:

"2826. Military family housing: local comparability of room patterns and floor areas.".

(b) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall take effect on October 1, 2001, but the Secretary of Defense shall anticipate the requirements of section 2826 of title 10, United States Code, as added by such subsection, when preparing the budget request for new construction, acquisition, or improvement of military family housing for fiscal year 2002.

(2) Section 2826 of title 10, United States Code, as in effect on September 30, 2001, shall continue to apply with respect to the construction, acquisition, or improvement of military family housing commenced on or before that date.

SEC. 2804. MODIFICATION OF LEASE AUTHORITY FOR HIGH-COST MILITARY FAMILY HOUSING.

(a) LEASES FOR UNITED STATES SOUTHERN COMMAND.—Paragraph (4) of section 2828(b) of title 10, United States Code, is amended—

(1) by inserting "(A)" after "(4)";

(2) by striking the second sentence; and

(3) by adding at the end the following new subparagraphs:

"(B) The amount of all leases under this paragraph may not exceed $280,000 per year, as adjusted from time to time under paragraph (6).

"(C) The term of any lease under this paragraph may not exceed 5 years.".

(b) ANNUAL ADJUSTMENT OF MAXIMUM LEASE AMOUNTS.—Such section is further amended by striking paragraph (5) and inserting the following new paragraphs:

"(5) At the beginning of each fiscal year, the Secretary concerned shall adjust the maximum lease amount provided for leases under paragraphs (2) and (3) for the previous fiscal year by the percentage (if any) by which the national average monthly cost of housing (as calculated for purposes of determining rates of basic allowance for housing under section 403 of title 37) for the preceding fiscal year exceeds the national average monthly cost of housing (as so calculated) for the fiscal year before such preceding fiscal year.

"(6) At the beginning of each fiscal year, the Secretary of the Army shall adjust the maximum aggregate amount for leases under paragraph (4) for the previous fiscal year by the percentage (if any) by which the annual average cost of housing for the Miami Military Housing Area (as calculated for purposes of determining rates of basic allowance for housing under section 403 of title 37) for the preceding fiscal year exceeds the annual average cost of housing for the Miami Military Housing Area (as so calculated) for the fiscal year before such preceding fiscal year.".

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in paragraph (2), by inserting after "per year" the following: ", as adjusted from time to under paragraph (5)"; and

(2) in paragraph (3), by striking "$12,000 per unit per year but does not exceed $14,000 per unit per year" and inserting "the maximum amount per unit per year in effect under paragraph (2) but does not exceed $14,000 per unit per year, as adjusted from time to time under paragraph (5)".

SEC. 2805. PROVISION OF UTILITIES AND SERVICES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) AUTHORITY TO FURNISH ON REIMBURSABLE BASIS.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2872 the following new section:

"§2872a. Utilities and services

"(a) AUTHORITY TO FURNISH.—The Secretary concerned may furnish utilities and services referred to in subsection (b) in connection with any military housing acquired or constructed pursuant to the exercise of any authority or combination of authorities under this subchapter if the military housing is located on a military installation.

"(b) COVERED UTILITIES AND SERVICES.—The utilities and services that may be furnished under subsection (a) are the following:

"(1) Electric power.

"(2) Steam.

''(3) Compressed air.
''(4) Water.
''(5) Sewage and garbage disposal.
''(6) Natural gas.
''(7) Pest control.
''(8) Snow and ice removal.
''(9) Mechanical refrigeration.
''(10) Telecommunications service.

''(c) REIMBURSEMENT.—(1) The Secretary concerned shall be reimbursed for any utilities or services furnished under subsection (a).

''(2) The amount of any cash payment received under paragraph (1) shall be credited to the appropriation or working capital account from which the cost of furnishing the utilities or services concerned was paid. Amounts so credited to an appropriation or account shall be merged with funds in such appropriation or account, and shall be available to the same extent, and subject to the same terms and conditions, as such funds.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2872 the following new item:

''2872a. Utilities and services.''.

SEC. 2806. EXTENSION OF ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

Section 2885 of title 10, United States Code, is amended by striking ''February 10, 2001'' and inserting ''December 31, 2004''.

SEC. 2807. EXPANSION OF DEFINITION OF ARMORY TO INCLUDE READINESS CENTERS.

(a) DEFINITION.—Section 18232(3) of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''The term 'armory' means'' and inserting ''The terms 'armory' and 'readiness center' mean''; and

(2) in the second sentence, by striking ''It includes'' and inserting ''Such terms include''.

(b) CONFORMING AMENDMENTS.—(1) Section 18232(2) of such title is amended by striking ''armory or other structure'' and inserting ''armory, readiness center, or other structure''.

(2) Section 18236(b) of such title by inserting ''or readiness center'' after ''armory''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. INCREASE IN THRESHOLD FOR NOTICE AND WAIT REQUIREMENTS FOR REAL PROPERTY TRANSACTIONS.

(a) INCREASED THRESHOLD.—Section 2662 of title 10, United States Code, is amended by striking ''$200,000'' each place it appears and inserting ''$500,000''.

(b) REFERENCE TO SIMPLIFIED ACQUISITION THRESHOLD.—Subsection (b) of such section is amended by striking ''under section 2304(g) of this title'' and inserting ''specified in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)),''.

SEC. 2812. ENHANCEMENT OF AUTHORITY OF MILITARY DEPARTMENTS TO LEASE NON-EXCESS PROPERTY.

(a) PROPERTY AVAILABLE FOR LEASE.—Subsection (a) of section 2667 of title 10, United States Code, is amended—

(1) by inserting ''and'' at the end of paragraph (1);

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) ACCEPTANCE OF IN-KIND CONSIDERATION.—Such section is further amended—

(1) in subsection (b)(5)—

(A) by striking ''improvement, maintenance, protection, repair, or restoration,'' and inserting ''alteration, repair, or improvement,''; and

(B) by striking '', or of the entire unit or installation where a substantial part of it is leased,'';

(2) by transferring subsection (c) to the end of the section and redesignating such subsection, as so transferred, as subsection (i);

(3) by inserting after subsection (b) the following new subsection (c):

''(c)(1) In addition to any in-kind consideration accepted under subsection (b)(5), in-kind consideration accepted with respect to a lease under this section may include the following:

''(A) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities under the control of the Secretary concerned.

''(B) Construction of new facilities for the Secretary concerned.

''(C) Provision of facilities for use by the Secretary concerned.

''(D) Facilities operation support for the Secretary concerned.

''(E) Provision of such other services relating to activities that will occur on the leased property as the Secretary concerned considers appropriate.

''(2) In-kind consideration under paragraph (1) may be accepted at any property or facilities under the control of the Secretary concerned that are selected for that purpose by the Secretary concerned.

''(3) Sections 2662 and 2802 of this title shall not apply to any new facilities whose construction is accepted as in-kind consideration under this subsection.

''(4) In the case of a lease for which all or part of the consideration proposed to be accepted by the Secretary concerned under this subsection is in-kind consideration with a value in excess of $500,000, the Secretary concerned may not enter into the lease until 30 days after the date on which a report on the facts of the lease is submitted to the congressional defense committees.''; and

(4) in subsection (f)—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

(c) USE OF PROCEEDS.—Subsection (d)(1) of such section is amended to read as follows:

''(d)(1)(A) The Secretary of a military department shall deposit in a special account in the Treasury established for such military department the following:

''(i) All money rentals received pursuant to leases entered into by that Secretary under this section.

''(ii) All proceeds received pursuant to the granting of easements by that Secretary under sections 2668 and 2669 of this title.

''(iii) All proceeds received by that Secretary from authorizing the temporary use of other property under the control of that military department.

''(B) Subparagraph (A) does not apply to the following proceeds:

''(i) Amounts paid for utilities and services furnished lessees by the Secretary of a military department pursuant to leases entered into under this section.

''(ii) Money rentals referred to in paragraph (4) or (5).

''(C) Subject to subparagraphs (D) and (E), the proceeds deposited in the special account of a military department pursuant to subparagraph (A) shall be available to the Secretary of that military department, in such amounts as provided in appropriation Acts, for the following:

''(i) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities.

''(ii) Construction or acquisition of new facilities.

''(iii) Lease of facilities.

''(iv) Facilities operation support.

''(D) At least 50 percent of the proceeds deposited in the special account of a military department under subparagraph (A) shall be available for activities described in subparagraph (C) only at the military installation where the proceeds were derived.

''(E) The Secretary concerned may not expend under subparagraph (C) an amount in excess of $500,000 at a single installation until 30 days after the date on which a report on the facts of the proposed expenditure is submitted to the congressional defense committees.''.

(d) CONGRESSIONAL NOTIFICATION.—Subsection (d)(3) of such section is amended—

(1) in the matter preceding subparagraph (A), by striking ''As part'' and all that follows through ''Secretary of Defense'' and inserting ''Not later than March 15 each year, the Secretary of Defense shall submit to the congressional defense committees a report which''; and

(2) in subparagraph (A), by striking ''request'' and inserting ''report''.

(e) DEFINITIONS.—Subsection (h) of such section is amended to read as follows:

''(h) In this section:

''(1) The term 'congressional defense committees' means:

''(A) The Committee on Armed Services and the Committee on Appropriations of the Senate.

''(B) The Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(2) The term 'base closure law' means the following:

''(A) Section 2687 of this title.

''(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

''(C) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

''(3) The term 'military installation' has the meaning given such term in section 2687(e)(1) of this title.''.

(f) CONFORMING AMENDMENTS.—(1) Section 2668 of such title is amended by adding at the end the following new subsection:

''(e) Subsection (d) of section 2667 of this title shall apply with respect to proceeds received by the Secretary of a military department in connection with an easement granted under this section in the same manner as such subsection applies to money rentals received pursuant to leases entered into by that Secretary under such section.''.

(2) Section 2669 of such title is amended by adding at the end the following new subsection:

''(e) Subsection (d) of section 2667 of this title shall apply with respect to proceeds received by the Secretary of a military department in connection with an easement granted under this section in the same manner as such subsection applies to money rentals received pursuant to leases entered into by that Secretary under such section.''.

SEC. 2813. CONVEYANCE AUTHORITY REGARDING UTILITY SYSTEMS OF MILITARY DEPARTMENTS.

(a) SELECTION OF CONVEYEE.—Subsection (b) of section 2688 of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''If more than one''; and

(2) by adding at the end the following new paragraphs:

''(2) Notwithstanding paragraph (1), the Secretary concerned may use procedures other than competitive procedures, but only in accordance with subsections (c) through (f) of section 2304 of this title, to select the conveyee of a utility system (or part of a utility system) under subsection (a).

''(3) With respect to the solicitation process used in connection with the conveyance of a utility system (or part of a utility system) under subsection (a), the Secretary concerned shall ensure that the process is conducted in a manner consistent with the laws and regulations of the State in which the utility system is located to the extent necessary to ensure that all interested regulated and unregulated utility companies and other interested entities receive an opportunity to acquire and operate the utility system to be conveyed.''.

(b) APPLICABILITY OF REGULATORY REQUIREMENTS.—Subsection (f) of such section is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

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

''(2) The Secretary concerned shall require in any contract for the conveyance of a utility system (or part of a utility system) under subsection (a) that the conveyee manage and operate the utility system in a manner consistent with applicable Federal and State regulations pertaining to health, safety, fire, and environmental requirements.''.

SEC. 2814. PERMANENT CONVEYANCE AUTHORITY TO IMPROVE PROPERTY MANAGEMENT.

Section 203(p)(1) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)(1)) is amended by striking subparagraph (B) and inserting the following new subparagraph:

''(B) The Administrator may exercise the authority under subparagraph (A) with respect to such surplus real and related property needed by the transferee or grantee for—

''(i) law enforcement purposes, as determined by the Attorney General; or

''(ii) emergency management response purposes, including fire and rescue services, as determined by the Director of the Federal Emergency Management Agency.''.

Subtitle C—Defense Base Closure and Realignment

SEC. 2821. SCOPE OF AGREEMENTS TO TRANSFER PROPERTY TO REDEVELOPMENT AUTHORITIES WITHOUT CONSIDERATION UNDER THE BASE CLOSURE LAWS.

(a) 1990 LAW.—Section 2905(b)(4)(B)(i) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking ''the transfer'' and inserting ''the initial transfer of property''.

(b) 1988 LAW.—Section 204(b)(4)(B)(i) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended by striking ''the transfer'' and inserting ''the initial transfer of property''.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2831. TRANSFER OF JURISDICTION, ROCK ISLAND ARSENAL, ILLINOIS.

(a) TRANSFER AUTHORIZED.—The Secretary of the Army may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property, including any improvements thereon, consisting of approximately 23 acres and comprising a portion of the Rock Island Arsenal, Illinois.

(b) USE OF LAND.—The Secretary of Veterans Affairs shall include the real property transferred under subsection (a) in the Rock Island National Cemetery and use the transferred property as a national cemetery under chapter 24 of title 38, United States Code.

(c) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary of the Army. The cost of the survey shall be borne by the Secretary of Veterans Affairs.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Army considers appropriate to protect the interests of the United States.

SEC. 2832. LAND CONVEYANCE, ARMY RESERVE CENTER, GALESBURG, ILLINOIS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Knox County, Illinois (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Galesburg, Illinois, consisting of approximately 4.65 acres and containing an Army Reserve Center for the purpose of permitting the County to use the parcel for municipal office space.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the County.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. LAND CONVEYANCE, CHARLES MELVIN PRICE SUPPORT CENTER, ILLINOIS.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Army may convey to the Tri-City Regional Port District of Granite City, Illinois (in this section referred to as the ''Port District''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 752 acres and known as the Charles Melvin Price Support Center, for the purpose of permitting the Port District to use the parcel for development of a port facility and for other public purposes.

(2) The property to be conveyed under paragraph (1) shall include 158 units of military family housing at the Charles Melvin Price Support Center for the purpose of permitting the Port District to use the housing to provide affordable housing, but only if the Port District agrees to provide members of the Armed Forces first priority in leasing the housing at a rental rate not to exceed the member's basic allowance for housing.

(3) The Secretary of the Army may include as part of the conveyance under paragraph (1) personal property of the Army at the Charles Melvin Price Support Center that the Secretary of Transportation recommends is appropriate for the development or operation of the port facility and the Secretary of the Army agrees is excess to the needs of the Army.

(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary of the Army may lease the property to the Port District.

(c) CONSIDERATION.—(1) The conveyance under subsection (a) shall be made without consideration as a public benefit conveyance for port development if the Secretary of the Army determines that the Port District satisfies the criteria specified in section 203(q) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(q)) and regulations prescribed to implement such section. If the Secretary determines that the Port District fails to qualify for a public benefit conveyance, but still desires to acquire the property, the Port District shall pay to the United States an amount equal to the fair market value of the property to be conveyed. The fair market value of the property shall be determined by the Secretary of the Army.

(2) The Secretary of the Army may accept as consideration for a lease of the property under subsection (b) an amount that is less than fair market value if the Secretary determines that the public interest will be served as a result of the lease.

(d) ARMY RESERVE ACTIVITIES.—(1) Notwithstanding the total acreage of the parcel authorized for conveyance under subsection (a), the Secretary of the Army may retain up to 50 acres of the parcel for use by the Army Reserve. The acreage selected for retention shall be mutually agreeable to the Secretary and the Port District.

(2) At such time as the Secretary of the Army determines that the property retained under this subsection is no longer needed for Army Reserve activities, the Secretary shall convey the property to the Port District. The consideration for the conveyance shall be determined in the manner provided in subsection (c).

(e) FEDERAL LEASE OF FACILITIES.—(1) As a condition for the conveyance under subsection (a), the Secretary of the Army may require that the Port District lease to the Department of Defense or any other Federal agency facilities for use by the agency on the property being conveyed. Any lease under this subsection shall be made under terms and conditions satisfactory to the Secretary and the Port District.

(2) The agency leasing a facility under this subsection shall provide for the maintenance of the facility or pay the Port District to maintain the facility. Maintenance of the leased facilities performed by the Port District shall be to the reasonable satisfaction of the United States, or as required by all applicable Federal, State, and local laws and ordinances.

(3) At the end of a lease under this subsection, the facility covered by the lease shall revert to the Port District.

(f) FLOOD CONTROL EASEMENT.—The Port District shall grant to the Secretary of the Army an easement on the property conveyed under subsection (a) for the purpose of permitting the Secretary to implement and maintain flood control projects. The Secretary of the Army, acting through the Corps of Engineers, shall be responsible for the maintenance of any flood control project built on the property pursuant to the easement.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army and the Port District. The cost of such survey shall be borne by the Port District.

(h) ADDITIONAL TERMS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. LAND CONVEYANCE, FORT RILEY, KANSAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State of Kansas (in this section referred to as the ''State''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 70 acres at Fort Riley Military Reservation, Fort Riley, Kansas. The preferred site is adjacent to the Fort Riley Military Reservation boundary, along the north side of Huebner Road across from the First Territorial Capitol of Kansas Historical Site Museum.

(b) CONDITIONS OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the conditions that—

(1) the State use the property conveyed solely for purposes of establishing and maintaining a State-operated veterans cemetery; and

(2) all costs associated with the conveyance, including the cost of relocating water and electric utilities should the Secretary determine that such relocations are necessary, be borne by the State.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Director of the Kansas Commission on Veterans Affairs.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance required by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LAND CONVEYANCE, FORT POLK, LOUISIANA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State of Louisiana (in this section referred to as the ''State''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements

thereon, consisting of approximately 200 acres at Fort Polk, Louisiana, for the purpose of permitting the State to establish a State-run cemetery for veterans.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the State.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2836. LAND CONVEYANCE, ARMY RESERVE CENTER, WINONA, MINNESOTA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Winona State University Foundation of Winona, Minnesota (in this section referred to as the ''Foundation''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Winona, Minnesota, containing an Army Reserve Center for the purpose of permitting the Foundation to use the parcel for educational purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Foundation.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2837. LAND CONVEYANCE, FORT DIX, NEW JERSEY.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Pemberton Township, New Jersey (in this section referred to as the ''Township''), all right, title, and interest of the United States in and to a parcel of real property at Fort Dix, New Jersey, consisting of approximately 2 acres and containing a parking lot inadvertently constructed on the parcel by the Township.

(b) CONDITIONS OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the conditions that—

(1) the Township accept the property as is; and

(2) the Township assume responsibility for any environmental restoration or remediation required with respect to the property under applicable law.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Township.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2838. LAND CONVEYANCE, NIKE SITE 43, ELRAMA, PENNSYLVANIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Board of Supervisors of Union Township, Pennsylvania (in this section referred to as the ''Township''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Elrama, Pennsylvania, consisting of approximately 160 acres, which is known as Nike Site 43 and was more recently used by the Pennsylvania Army National Guard, for the purpose of permitting the Township to use the parcel for municipal storage and other public purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Township.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2839. LAND CONVEYANCE, ARMY RESERVE LOCAL TRAINING CENTER, CHATTANOOGA, TENNESSEE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Medal of Honor Museum, Inc., a nonprofit corporation organized in the State of Tennessee (in this section referred to as the ''Corporation''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 15 acres at the Army Reserve Local Training Center located on Bonny Oaks Drive, Chattanooga, Tennessee, for the purpose of permitting the Corporation to develop and use the parcel as a museum and for other educational purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Corporation.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2840. LAND EXCHANGE, FORT HOOD, TEXAS.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Army may convey to the City of Copperas Cove, Texas (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 100 acres at Fort Hood, Texas, in exchange for the City's conveyance to the Secretary of all right, title, and interest of the City in and to one or more parcels of real property that are acceptable to the Secretary and consist of a total of approximately 300 acres.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcels of real property to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the City.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2841. LAND CONVEYANCE, FORT PICKETT, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Commonwealth of Virginia (in this section referred to as the ''Commonwealth''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 700 acres at Fort Pickett, Virginia, for the purpose of permitting the Commonwealth to develop and operate a public safety training facility.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Commonwealth.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2842. LAND CONVEYANCE, FORT LAWTON, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the City of Seattle, Washington (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the real property at Fort Lawton, Washington, consisting of Area 500 and Government Way from 36th Avenue to Area 500, for purposes of the inclusion of the property in Discovery Park, Seattle, Washington.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2843. LAND CONVEYANCE, VANCOUVER BARRACKS, WASHINGTON.

(a) CONVEYANCE OF WEST BARRACKS AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the City of Vancouver, Washington (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, encompassing 19 structures at Vancouver Barracks, Washington, which are identified by the Army using numbers between 602 and 676, and are known as the west barracks.

(b) PURPOSE.—The purpose of the conveyance authorized by subsection (a) shall be to include the property described in that subsection in the Vancouver National Historic Reserve, Washington.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART II—NAVY CONVEYANCES

SEC. 2846. MODIFICATION OF LAND CONVEYANCE, MARINE CORPS AIR STATION, EL TORO, CALIFORNIA.

(a) USE OF CONSIDERATION.—Subsection (a)(2) of section 2811 of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189; 103 Stat. 1650) is amended by striking ''of additional military family housing units at Marine Corps Air Station, Tustin, California.'' and inserting ''and repair of roads and development of Aerial Port of Embarkation facilities at Marine Corps Air Station, Miramar, California.''.

(b) CONFORMING AMENDMENT.—The section heading of such section is amended by striking ***'', AND CONSTRUCTION OF FAMILY HOUSING AT MARINE CORPS AIR STATION, TUSTIN, CALIFORNIA''.***

SEC. 2847. MODIFICATION OF AUTHORITY FOR OXNARD HARBOR DISTRICT, PORT HUENEME, CALIFORNIA, TO USE CERTAIN NAVY PROPERTY.

(a) ADDITIONAL RESTRICTIONS ON JOINT USE.—Subsection (c) of section 2843 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3067) is amended to read as follows:

''(c) RESTRICTIONS ON USE.—The District's use of the property covered by an agreement under

subsection (a) is subject to the following conditions:

''(1) The District shall suspend operations under the agreement upon notification by the commanding officer of the Center that the property is needed to support mission essential naval vessel support requirements or Navy contingency operations, including combat missions, natural disasters, and humanitarian missions.

''(2) The District shall use the property covered by the agreement in a manner consistent with Navy operations at the Center, including cooperating with the Navy for the purpose of assisting the Navy to meet its through-put requirements at the Center for the expeditious movement of military cargo.

''(3) The commanding officer of the Center may require the District to remove any of its personal property at the Center that the commanding officer determines may interfere with military operations at the Center. If the District cannot expeditiously remove the property, the commanding officer may provide for the removal of the property at District expense.''.

(b) CONSIDERATION.—Subsection (d) of such section is amended to read as follows:

''(d) CONSIDERATION.—(1) As consideration for the use of the property covered by an agreement under subsection (a), the District shall pay to the Navy an amount that is mutually agreeable to the parties to the agreement, taking into account the nature and extent of the District's use of the property.

''(2) The Secretary may accept in-kind consideration under paragraph (1), including consideration in the form of—

''(A) the District's maintenance, preservation, improvement, protection, repair, or restoration of all or any portion of the property covered by the agreement;

''(B) the construction of new facilities, the modification of existing facilities, or the replacement of facilities vacated by the Navy on account of the agreement; and

''(C) covering the cost of relocation of the operations of the Navy from the vacated facilities to the replacement facilities.

''(3) All cash consideration received under paragraph (1) shall be deposited in the special account in the Treasury established for the Navy under section 2667(d) of title 10, United States Code. The amounts deposited in the special account pursuant to this paragraph shall be available, as provided in appropriation Acts, for general supervision, administration, overhead expenses, and Center operations and for the maintenance preservation, improvement, protection, repair, or restoration of property at the Center.''.

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

SEC. 2848. TRANSFER OF JURISDICTION, MARINE CORPS AIR STATION, MIRAMAR, CALIFORNIA.

(a) TRANSFER AUTHORIZED.—The Secretary of the Navy may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior a parcel of real property, including any improvements thereon, consisting of approximately 250 acres and known as the Teacup Parcel, which comprises a portion of the Marine Corps Air Station, Miramar, California.

(b) USE OF LAND.—The Secretary of the Interior shall include the real property transferred under subsection (a) in the Vernal Pool Unit of the San Diego National Wildlife Refuge and administer the property for the conservation of fish and wildlife. All current and future military aviation and related activities at the Marine Corps Air Station, Miramar, are deemed to be compatible with the refuge purposes for which the property is transferred, and with any secondary uses that may be established on the transferred property.

(c) CONDITION ON TRANSFER.—The transfer authorized under subsection (a) shall be subject to the condition that the Secretary of the Interior make the transferred property available to the Secretary of the Navy for any habitat restoration or preservation project that may be required for mitigation of military activities occurring at the Marine Corps Air Station, Miramar, unless the Secretary of the Interior determines that the project will adversely affect the property's sensitive wildlife and habitat resource values.

(d) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of the survey shall be borne by the Secretary of the Interior.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Navy considers appropriate to protect the interests of the United States.

SEC. 2849. LAND EXCHANGE, MARINE CORPS RECRUIT DEPOT, SAN DIEGO, CALIFORNIA.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to the San Diego Unified Port District of San Diego, California (in this section referred to as the ''Port District''), all right, title, and interest of the United States in and to three parcels of real property, including any improvements thereon, consisting of approximately 44.5 acres and comprising a portion of the Marine Corps Recruit Depot, San Diego, California, in exchange for the Port District's—

(1) conveyance to the Secretary of all right, title, and interest of Port District in and to a parcel of real property that is acceptable to the Secretary and contiguous to the Marine Corps Recruit Depot; and

(2) construction of suitable replacement facilities and necessary supporting structures on the parcel or other property comprising the Marine Corps Recruit Depot, as determined necessary by the Secretary.

(b) TIME FOR CONVEYANCE.—The Secretary may not make the conveyance to the Port District authorized by subsection (a) until the Secretary determines that the replacement facilities have been constructed and are ready for occupancy.

(c) ADMINISTRATIVE EXPENSES.—The Port District shall reimburse the Secretary for administrative expenses incurred by the Secretary in carrying out the exchange under subsection (a), including expenses related to the planning, design, survey, environmental compliance, and supervision and inspection of construction of the replacement facilities. Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(d) CONSTRUCTION SCHEDULE.—The Port District shall construct the replacement facilitates pursuant to such schedule and in such a manner so as to not interrupt or adversely affect the capability of the Marine Corps Recruit Depot to accomplish its mission.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcels of real property to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the Port District.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2850. LEASE OF PROPERTY, NAVAL AIR STATION, PENSACOLA, FLORIDA.

(a) AUTHORITY TO LEASE.—The Secretary of the Navy may lease, without consideration, to the Naval Aviation Museum Foundation (in this section referred to as the ''Foundation'') real property improvements constructed by the Foundation at the National Museum of Naval Aviation at Naval Air Station, Pensacola, Florida, for the purpose of permitting the Foundation to operate a National Flight Academy to encourage and assist American young people to develop an interest in naval aviation and to preserve and enhance the image and heritage of naval aviation.

(b) CONSTRUCTION.—The Foundation shall be solely responsible for the design and construction of the real property improvements referred to in subsection (a). Upon completion, the improvements shall be donated to and become the property of the United States, subject to the terms of the lease under subsection (a).

(c) TERM OF LEASE.—(1) The lease authorized by subsection (a) may be for a term of up to 50 years, with an option to renew for an additional 50 years.

(2) In the event that the National Flight Academy ceases operation for a period in excess of 1 year during the leasehold period, or any extension thereof, the lease shall immediately terminate without cost or future liability to the United States.

(d) USE BY NAVY.—The Secretary may use all or a portion of the leased property when the National Flight Academy is not in session or whenever the use of the property would not conflict with operation of the Academy. The Foundation shall permit such use at no cost to the Navy.

(e) MAINTENANCE AND REPAIR.—The Foundation shall be solely responsible during the leasehold period, and any extension thereof, for the operation, maintenance, and repair or replacement of the real property improvements authorized for lease under this section.

(f) ASSISTANCE.—(1) Subject to subsection (e), the Secretary may assist the Foundation in implementing the National Flight Academy by furnishing facilities, utilities, maintenance, and other services within the boundaries of Naval Air Station, Pensacola. The Secretary may require the Foundation to reimburse the Secretary for the facilities, utilities, maintenance, or other services so provided or may provide the facilities, utilities, maintenance, or other services without reimbursement by the Foundation.

(2) Any assistance provided the Foundation pursuant to paragraph (1) may be terminated by the Secretary without notice, cause, or liability to the United States.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2851. LAND CONVEYANCE, NAVAL RESERVE CENTER, TAMPA, FLORIDA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the Tampa Port Authority of Tampa, Florida (in this section referred to as the ''Port Authority''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 2.18 acres and comprising the Naval Reserve Center, Tampa, Florida, for the purpose of permitting the Port Authority to use the parcel to facilitate the expansion of the Port of Tampa.

(b) CONDITIONS OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the following conditions:

(1) The Port Authority will accept the Naval Reserve Center as is.

(2) The Port Authority will provide a replacement facility for the Naval Reserve Center on a site of comparable size and consisting of comparable improvements on port property or other public land acceptable to the Secretary. In the event that a federally owned site acceptable to the Secretary is not available for the construction of the replacement facility, the Port Authority will provide a site for the replacement facility acceptable to the Secretary and convey it in fee title to the United States.

(3) The Port Authority will procure all necessary funding and the planning and design necessary to construct a replacement facility

that is fully operational and satisfies the Base Facilities Requirements plan, as provided by the Naval Reserve.

(4) The Port Authority will bear all reasonable costs that the Navy may incur in the relocating to the replacement facility.

(c) TIME FOR CONVEYANCE.—The Secretary may not make the conveyance authorized under subsection (a) until all of the conditions specified in subsection (b) have been met to the satisfaction of the Secretary.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Port Authority.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2852. MODIFICATION OF LAND CONVEYANCE, DEFENSE FUEL SUPPLY POINT, CASCO BAY, MAINE.

Section 2839 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3065) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) REPLACEMENT OF REMOVED ELECTRIC UTILITY SERVICE.—(1) The Secretary of Defense shall replace the electric utility service removed during the course of environmental remediation carried out with respect to the property to be conveyed under subsection (a), including the procurement and installation of electrical cables, switch cabinets, and transformers associated with the service.

''(2) As part of the replacement of the electric utility service under paragraph (1), the Secretary of Defense may, at the request of the Town, improve the electric utility service and install telecommunications service. The Secretary shall determine, in consultation with the Town, the additional costs that would be associated with the improvement of the electric utility service and the installation of telecommunications service under this paragraph, and the Town shall be responsible for the payment of such costs.''.

SEC. 2853. LAND CONVEYANCE, NAVAL COMPUTER AND TELECOMMUNICATIONS STATION, CUTLER, MAINE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the State of Maine, any political subdivision of the State of Maine, or any tax-supported agency in the State of Maine, all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 263 acres located in Washington County, Maine, and known as the Naval Computer and Telecommunications Station, Cutler, Maine.

(b) REIMBURSEMENT FOR ENVIRONMENTAL AND OTHER ASSESSMENTS.—(1) The Secretary may require the recipient of the property conveyed under this section to reimburse the Secretary for the costs incurred by the Secretary for any environmental assessments and other studies and analyses carried out by the Secretary with respect to the property to be conveyed under this section before the conveyance of the property under this section.

(2) The amount of any reimbursement required under paragraph (1) shall be determined by the Secretary and may not exceed the cost of the assessments, studies, and analyses for which reimbursement is required under that paragraph.

(3) Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(c) LEASE OF PROPERTY PENDING CONVEYANCE.—(1) Pending the conveyance by deed of the property authorized to be conveyed by subsection (a), the Secretary may enter into one or more leases of the property.

(2) The Secretary shall deposit any amounts paid under a lease under paragraph (1) in the appropriation or account providing funds for the protection, maintenance, or repair of the property, or for the provision of utility services for the property. Amounts so deposited shall be merged with funds in the appropriation or account in which deposited, and shall be available for the same purposes, and subject to the same conditions and limitations, as the funds with which merged.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the property.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2854. MODIFICATION OF LAND CONVEYANCE AUTHORITY, FORMER NAVAL TRAINING CENTER, BAINBRIDGE, CECIL COUNTY, MARYLAND.

Section 1 of Public Law 99–596 (100 Stat. 3349) is amended—

(1) in subsection (a), by striking ''subsections (b) through (f)'' and inserting ''subsections (b) through (e)'';

(2) by striking subsection (b) and inserting the following new subsection:

''(b) CONSIDERATION.—(1) In the event of the transfer of the property under subsection (a) to the State of Maryland, the transfer shall be with consideration or without consideration from the State of Maryland, at the election of the Secretary.

''(2) If the Secretary elects to receive consideration from the State of Maryland under paragraph (1), the Secretary may reduce the amount of consideration to be received from the State of Maryland under that paragraph by an amount equal to the cost, estimated as of the time of the transfer of the property under this section, of the restoration of the historic buildings on the property. The total amount of the reduction of consideration under this paragraph may not exceed $500,000.'';

(3) by striking subsection (d); and

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 2855. LAND CONVEYANCE, MARINE CORPS BASE, CAMP LEJEUNE, NORTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Jacksonville, North Carolina (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, that is currently leased to Norfolk Southern Corporation and consists of approximately 50 acres, known as the railroad right-of-way, lying within the City between Highway 24 and Highway 17, at the Marine Corps Base, Camp Lejeune, North Carolina, for the purpose of permitting the City to develop the parcel for initial use as a bike/green way trail.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall reimburse the Secretary (in such amounts as the Secretary may determine) for the expenses incurred by the Secretary in making the conveyance, including costs related to planning, design, surveys, environmental assessment and compliance, supervision and inspection of construction, severing and realigning utility systems, and other prudent and necessary actions. Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(c) CONDITION OF CONVEYANCE.—The Secretary may retain such easements, rights-of-way, and other interests in the property to be conveyed under subsection (a) and impose such restrictions on the use of the conveyed property as the Secretary considers necessary to ensure the effective security, maintenance, and operations of the Marine Corps Base, Camp Lejeune, North Carolina, and to protect human health and the environment.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2856. LAND EXCHANGE, NAVAL AIR RESERVE CENTER, COLUMBUS, OHIO.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to the Rickenbacker Port Authority of Columbus, Ohio (in this section referred to as the ''Authority''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 24 acres comprising the civilian facilities of the Naval Air Reserve at Rickenbacker International Airport in Franklin County, Ohio, in exchange for the Authority's conveyance to the Secretary of all right, title, and interest of the Authority in and to a parcel of real property consisting of approximately 10 to 15 acres acceptable to the Secretary at Rickenbacker International Airport.

(b) USE OF ACQUIRED PROPERTY.—The Secretary shall use the real property acquired from the Authority in the exchange as the site for a replacement facility that will house both the Naval Air Reserve Center at Rickenbacker International Airport and the Naval and Marine Corps Reserve Center currently located in Columbus, Ohio.

(c) TIME FOR CONVEYANCE.—The Secretary may not make the conveyance to the Authority authorized by subsection (a) until the Secretary determines that the replacement facility described in subsection (b) has been constructed and is ready for occupancy.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcels of real property to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the Authority.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2857. LAND CONVEYANCE, NAVAL STATION, BREMERTON, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Bremerton, Washington (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 45.8 acres and comprising the former East Park Transient Family Accommodations, which was an off-site housing facility for Naval Station, Bremerton, Washington.

(b) CONSIDERATION.—(1) The conveyance under subsection (a) may be made without consideration to the extent the real property to be conveyed will be used by the City, directly or through an agreement with a public or private entity, for public health, public safety, education, affordable housing, or public recreation.

(2) If the City intends to use a portion of the conveyed property for a purpose not specified in paragraph (1), the City shall pay to the United States an amount equal to the fair market value

of that portion of the property. The fair market value shall be determined by an appraisal acceptable to the Secretary.

(c) ADMINISTRATIVE EXPENSES.—The City shall reimburse the Secretary for administrative expenses incurred by the Secretary in carrying out the conveyance under subsection (a), including expenses related to planning, design, survey, environmental compliance, and other prudent and necessary actions. Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART III—AIR FORCE CONVEYANCES

SEC. 2861. LAND CONVEYANCE, LOS ANGELES AIR FORCE BASE, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, by sale or lease upon such terms as the Secretary considers appropriate, all or any portion of the following parcels of real property, including any improvements thereon, at Los Angeles Air Force Base, California:

(1) Approximately 42 acres in El Segundo, California, commonly known as Area A.

(2) Approximately 52 acres in El Segundo, California, commonly known as Area B.

(3) Approximately 13 acres in Hawthorne, California, commonly known as the Lawndale Annex.

(4) Approximately 3.7 acres in Sun Valley, California, commonly known as the Armed Forces Radio and Television Service Broadcast Center.

(b) CONSIDERATION.—As consideration for the conveyance of real property under subsection (a), the recipient of the property shall provide for the design and construction on real property acceptable to the Secretary of one or more facilities to consolidate the mission and support functions at Los Angeles Air Force Base. Any such facility must comply with the seismic and safety design standards for Los Angeles County, California, in effect at the time the Secretary takes possession of the facility.

(c) LEASEBACK AUTHORITY.—If the fair market value of a facility to be provided as consideration for the conveyance of real property under subsection (a) exceeds the fair market value of the conveyed property, the Secretary may enter into a lease for the facility for a period not to exceed 10 years. Rental payments under the lease shall be established at the rate necessary to permit the lessor to recover, by the end of the lease term, the difference between the fair market value of a facility and the fair market value of the conveyed property. At the end of the lease, all right, title, and interest in the facility shall vest in the United States.

(d) APPRAISAL OF PROPERTY.—The Secretary shall obtain an appraisal of the fair market value of all property and facilities to be sold, leased, or acquired under this section. An appraisal shall be made by a qualified appraiser familiar with the type of property to be appraised. The Secretary shall consider the appraisals in determining whether a proposed conveyance accomplishes the purpose of this section and is in the interest of the United States. Appraisal reports shall not be released outside of the Federal Government, other than to the other party to a conveyance.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of real property to be conveyed under subsection (a) or acquired under subsection (b) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the property.

(f) EXEMPTION.—Section 2696 of title 10, United States Code, does not apply to the conveyance authorized by subsection (a).

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under subsection (a) or a lease under subsection (c) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2862. LAND CONVEYANCE, POINT ARENA AIR FORCE STATION, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to Mendocino County, California (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 82 acres at the Point Arena Air Force Station, California, for the purpose of permitting the County to use the parcel for municipal and other public purposes.

(b) CONDITIONS OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the County—

(1) use the conveyed property, directly or through an agreement with a public or private entity, for municipal and other public purposes;

(2) convey the property to an appropriate public or private entity that will use the conveyed property for such purposes; or

(3) convey the property by sale or exchange and—

(A) if conveyed by exchange, use the property acquired in the exchange for such purposes; or

(B) if conveyed by sale, use the proceeds to acquire property that will be used for such purposes.

(c) CONSIDERATION.—If the Secretary determines at any time that the County, or a public or private entity to which the property is reconveyed as authorized by paragraph (2) of subsection (b), has failed to comply with the conditions specified in such subsection, the County shall pay the United States an amount equal to the fair market value of the property conveyed under subsection (a), as determined by an appraisal satisfactory to the Secretary.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the County.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2863. LAND CONVEYANCE, LOWRY AIR FORCE BASE, COLORADO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, or lease upon such terms as the Secretary considers appropriate, to the Lowry Redevelopment Authority (in this section referred to as the ''Authority'') all right, title, and interest of the United States in and to seven parcels of real property, including any improvements thereon, consisting of approximately 23 acres at the former Lowry Air Force Base, Colorado, for the purpose of permitting the Authority to use the property in furtherance of economic development and other public purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of real property to be conveyed or leased under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Authority.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance or lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2864. LAND CONVEYANCE, WRIGHT PATTERSON AIR FORCE BASE, OHIO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to Greene County, Ohio (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 92 acres comprising the communications test annex at Wright Patterson Air Force Base, Ohio, for the purpose of permitting the County to use the parcel for recreational purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the County.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2865. MODIFICATION OF LAND CONVEYANCE, ELLSWORTH AIR FORCE BASE, SOUTH DAKOTA.

(a) CHANGE IN RECIPIENT.—Subsection (a) of section 2863 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010) is amended by striking ''Greater Box Elder Area Economic Development Corporation, Box Elder, South Dakota (in this section referred to as the 'Corporation')'' and inserting ''West River Foundation for Economic and Community Development, Sturgis, South Dakota (in this section referred to as the 'Foundation')''.

(b) CONFORMING AMENDMENTS.—Such section is further amended by striking ''Corporation'' each place it appears in subsections (c) and (e) and inserting ''Foundation''.

SEC. 2866. LAND CONVEYANCE, MUKILTEO TANK FARM, EVERETT, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Port of Everett, Washington (in this section referred to as the ''Port''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 22 acres and known as the Mukilteo Tank Farm for the purpose of permitting the Port to use the parcel for the development and operation of a port facility and for other public purposes.

(b) PERSONAL PROPERTY.—The Secretary of the Air Force may include as part of the conveyance authorized by subsection (a) any personal property at the Mukilteo Tank Farm that is excess to the needs of the Air Force if the Secretary of Transportation determines that such personal property is appropriate for the development or operation of the Mukilteo Tank Farm as a port facility.

(c) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary of the Air Force may lease all or part of the real property to the Port if the Secretary determines that the real property is suitable for lease and the lease of the property under this subsection will not interfere with any environmental remediation activities or schedules under applicable law or agreements.

(2) The determination under paragraph (1) whether the lease of the real property will interfere with environmental remediation activities or schedules referred to in that paragraph shall be based upon an environmental baseline survey conducted in accordance with applicable Air Force regulations and policy.

(3) Except as provided by paragraph (4), as consideration for the lease under this subsection, the Port shall pay the Secretary an

amount equal to the fair market of the lease, as determined by the Secretary.

(4) The amount of consideration paid by the Port for the lease under this subsection may be an amount, as determined by the Secretary, less than the fair market value of the lease if the Secretary determines that—

(A) the public interest will be served by an amount of consideration for the lease that is less than the fair market value of the lease; and

(B) payment of an amount equal to the fair market value of the lease is unobtainable.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the Port.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force, in consultation with the Secretary of Transportation, may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

PART IV—OTHER CONVEYANCES

SEC. 2871. LAND CONVEYANCE, ARMY AND AIR FORCE EXCHANGE SERVICE PROPERTY, FARMERS BRANCH, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of Defense may authorize the Army and Air Force Exchange Service, which is a nonappropriated fund instrumentality of the United States, to sell all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 2727 LBJ Freeway in Farmers Branch, Texas.

(b) CONSIDERATION.—As consideration for conveyance under subsection (a), the purchaser shall pay, in a single lump sum payment, an amount equal to the fair market value of the real property conveyed, as determined by the Secretary. The payment shall be handled in the manner provided in section 204(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(c)).

(c) CONGRESSIONAL REPORT.—Within 30 days after the sale of the property under subsection (a), the Secretary shall submit to Congress a report detailing the particulars of the sale.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the purchaser.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2872. LAND CONVEYANCE, FORMER NATIONAL GROUND INTELLIGENCE CENTER, CHARLOTTESVILLE, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Administrator of General Services may convey, without consideration, to the City of Charlottesville, Virginia (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, formerly occupied by the National Ground Intelligence Center and known as the Jefferson Street Property, for the purpose of permitting the City to use the parcel, directly or through an agreement with a public or private entity, for economic development purposes.

(b) AUTHORITY TO CONVEY WITHOUT CONSIDERATION.—The conveyance authorized by subsection (a) may be made without consideration if the Administrator determines that conveyance on that basis would be in the best interests of the United States.

(c) REVERSIONARY INTEREST.—During the five-year period beginning on the date the Administrator makes the conveyance authorized by subsection (a), if the Administrator determines that the conveyed real property is not being used in accordance with the purpose specified in such subsection, all right, title, and interest in and to the property, including any improvements thereon, may upon the election of the Administrator revert to the United States, and upon such reversion the United States shall have the right of immediate entry onto the property.

(d) LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.—(1) Subject to paragraph (2), if at any time after the Administrator makes the conveyance authorized by subsection (a) the City conveys any portion of the parcel conveyed under that subsection to a private entity, the City shall pay to the United States an amount equal to—

(A) the fair market value (as determined by the Administrator) of the portion conveyed at the time of the conveyance; less

(B) the cost of any improvements to the property made by the City.

(2) Paragraph (1) applies to a conveyance described in such paragraph only if the Administrator makes the conveyance authorized by subsection (a) without consideration.

(3) The Administrator shall deposit any amounts paid the United States under this subsection into the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)). Any amounts so deposited shall be available to the Administrator for real property management and related activities as provided for under paragraph (2) of such section.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Administrator. The cost of the survey shall be borne by the City.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2881. RELATION OF EASEMENT AUTHORITY TO LEASED PARKLAND, MARINE CORPS BASE, CAMP PENDLETON, CALIFORNIA.

Section 2851 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2219) is amended by adding at the end the following new subsection:

''(f) EXEMPTION FOR CERTAIN LEASED LANDS.—(1) Section 303 of title 49, and section 138 of title 23, United States Code, shall not apply to any approval by the Secretary of Transportation of the use by State Route 241 of parkland within Camp Pendleton that is leased by the State of California, where the lease reserved to the United States the right to establish rights-of-way.

''(2) The Agency shall be responsible for the implementation of any measures required by the Secretary of Transportation to mitigate the impact of the Agency's use of parkland within Camp Pendleton for State Route 241. With the exception of those mitigation measures directly related to park functions, the measures shall be located outside the boundaries of Camp Pendleton. The required mitigation measures related to park functions shall be implemented in accordance with the terms of the lease referred to in paragraph (1).''.

SEC. 2882. EXTENSION OF DEMONSTRATION PROJECT FOR PURCHASE OF FIRE, SECURITY, POLICE, PUBLIC WORKS, AND UTILITY SERVICES FROM LOCAL GOVERNMENT AGENCIES.

Section 816(c) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2820), as added by section 2873 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2225), is amended by striking ''2000'' and inserting ''2001''.

SEC. 2883. ACCEPTANCE AND USE OF GIFTS FOR CONSTRUCTION OF THIRD BUILDING AT UNITED STATES AIR FORCE MUSEUM, WRIGHT-PATTERSON AIR FORCE BASE, OHIO.

(a) ACCEPTANCE AUTHORIZED.—The Secretary of the Air Force may accept from the Air Force Museum Foundation, a private nonprofit foundation, gifts in the form of cash, Treasury instruments, or comparable United States Government securities for the purpose of paying the costs of design and construction of a third building for the United States Air Force Museum at Wright-Patterson Air Force Base, Ohio. The terms of the gift may specify that all or a part of the amount of the gift be utilized solely for purposes of the design and construction of a particular portion of the building.

(b) DEPOSIT IN ESCROW ACCOUNT.—The Secretary, acting through the Comptroller of the Air Force Materiel Command, shall deposit the amount of any cash, instruments, or securities accepted as a gift under subsection (a) in an escrow account established for that purpose.

(c) INVESTMENT.—Amounts in the escrow account under subsection (b) not required to meet current requirements of the account shall be invested in public debt securities with maturities suitable to the needs of the account, as determined by the Comptroller of the Air Force Materiel Command, and bearing interest at rates that take into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to and form a part of the account.

(d) UTILIZATION.—(1) Amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), that are attributable to a particular portion of the building described in subsection (a) shall be utilized by the Comptroller of the Air Force Materiel Command to pay the costs of the design and construction of such portion of the building, including progress payments for such design and construction.

(2) Subject to paragraph (3), amounts shall be payable under paragraph (1) upon receipt by the Comptroller of the Air Force Materiel Command of a notification from an appropriate officer or employee of the Corps of Engineers that such amounts are required for the timely payment of an invoice or claim for the performance of design or construction activities for which such amounts are payable under paragraph (1).

(3) The Comptroller of the Air Force Materiel Command shall, to the maximum extent practicable consistent with good business practice, limit payment of amounts from the account in order to maximize the return on investment of amounts in the account.

(e) LIMITATION ON CONTRACTS.—The Corps of Engineers may not enter into a contract for the design or construction of a particular portion of the building described in subsection (a) until amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), that are attributable to such portion of the building are sufficient to cover the amount of such contract.

(f) LIQUIDATION OF ESCROW ACCOUNT.—Upon final payment of all invoices and claims associated with the design and construction of the building described in subsection (a), the Secretary of the Air Force shall terminate the escrow account under subsection (b). Any amounts in the account upon final payment of invoices and claims shall be available to the Secretary for such purposes as the Secretary considers appropriate.

SEC. 2884. DEVELOPMENT OF MARINE CORPS HERITAGE CENTER AT MARINE CORPS BASE, QUANTICO, VIRGINIA.

(a) AUTHORITY TO ENTER INTO JOINT VENTURE FOR DEVELOPMENT.—The Secretary of the Navy

may enter into a joint venture with the Marine Corps Heritage Foundation, a not-for-profit entity, for the design and construction of a multipurpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center.

(b) AUTHORITY TO ACCEPT CERTAIN LAND.—(1) The Secretary may, if the Secretary determines it to be necessary for the facility described in subsection (a), accept without compensation any portion of the land known as Locust Shade Park which is now offered by the Park Authority of the County of Prince William, Virginia, as a potential site for the facility.

(2) The Park Authority may convey the land described in paragraph (1) to the Secretary under this section without regard to any limitation on its use, or requirement for its replacement upon conveyance, under section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–8(f)(3)) or under any other provision of law.

(c) DESIGN AND CONSTRUCTION.—For each phase of development of the facility described in subsection (a), the Secretary may—

(1) permit the Marine Corps Heritage Foundation to contract for the design, construction, or both of such phase of development; or

(2) accept funds from the Marine Corps Heritage Foundation for the design, construction, or both of such phase of development.

(d) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the facility described in subsection (a) by the Marine Corps Heritage Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Marine Corps Heritage Foundation, the facility shall become the property of the Department of the Navy with all right, title, and interest in and to facility being in the United States.

(e) LEASE OF FACILITY.—(1) The Secretary may lease, under such terms and conditions as the Secretary considers appropriate for the joint venture authorized by subsection (a), portions of the facility developed under that subsection to the Marine Corps Heritage Foundation for use in generating revenue for activities of the facility and for such administrative purposes as may be necessary for support of the facility.

(2) The amount of consideration paid the Secretary by the Marine Corps Heritage Foundation for the lease under paragraph (1) may not exceed an amount equal to the actual cost (as determined by the Secretary) of the operation of the facility.

(3) Notwithstanding any other provision of law, the Secretary shall use amounts paid under paragraph (2) to cover the costs of operation of the facility.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2885. ACTIVITIES RELATING TO THE GREENBELT AT FALLON NAVAL AIR STATION, NEVADA.

(a) IN GENERAL.—The Secretary of the Navy shall, in consultation with the Secretary of the Army acting through the Chief of Engineers, carry out appropriate activities after examination of the potential environmental and flight safety ramifications for irrigation that has been eliminated, or will be eliminated, for the greenbelt at Fallon Naval Air Station, Nevada. Any activities carried out under the preceding sentence shall be consistent with aircrew safety at Fallon Naval Air Station.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for operation and maintenance for the Navy such sums as may be necessary to carry out the activities required by subsection (a).

SEC. 2886. ESTABLISHMENT OF WORLD WAR II MEMORIAL ON GUAM.

(a) ESTABLISHMENT REQUIRED.—The Secretary of Defense shall establish on Federal lands near the Fena Caves in Guam a suitable memorial intended to honor those Guamanian civilians who were killed during the occupation of Guam during World War II and to commemorate the liberation of Guam by the United States Armed Forces in 1944.

(b) MAINTENANCE OF MEMORIAL.—The Secretary of Defense shall be responsible for the maintenance of the memorial established pursuant to subsection (a).

(c) CONSULTATION.—In designing and building the memorial and selecting the specific location for the memorial, the Secretary of Defense shall consult with the American Battle Monuments Commission established under chapter 21 of title 36, United States Code.

SEC. 2887. NAMING OF ARMY MISSILE TESTING RANGE AT KWAJALEIN ATOLL AS THE RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE AT KWAJALEIN ATOLL.

The United States Army missile testing range located at Kwajalein Atoll in the Marshall Islands shall after the date of the enactment of this Act be known and designated as the ''Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll''. Any reference to that range in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll.

SEC. 2888. DESIGNATION OF BUILDING AT FORT BELVOIR, VIRGINIA, IN HONOR OF ANDREW T. MCNAMARA.

The building at 8725 John J. Kingman Road, Fort Belvoir, Virginia, shall be known and designated as the ''Andrew T. McNamara Building''. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Andrew T. McNamara Building.

SEC. 2889. DESIGNATION OF BALBOA NAVAL HOSPITAL, SAN DIEGO, CALIFORNIA, IN HONOR OF BOB WILSON, A FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES.

The Balboa Naval Hospital in San Diego, California, shall be known and designated as the ''Bob Wilson Naval Hospital''. Any reference to the Balboa Naval Hospital in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Bob Wilson Naval Hospital.

SEC. 2890. SENSE OF CONGRESS REGARDING IMPORTANCE OF EXPANSION OF NATIONAL TRAINING CENTER, FORT IRWIN, CALIFORNIA.

(a) FINDINGS.—Congress makes the following findings:

(1) The National Training Center at Fort Irwin, California, is the Army's premier warfare training center.

(2) The National Training Center was cited by General Norman Schwarzkopf as being instrumental to the success of the allied victory in the Persian Gulf conflict.

(3) The National Training Center gives a military unit the opportunity to use high-tech equipment and confront realistic opposing forces in order to accurately discover the unit's strengths and weaknesses.

(4) The current size of the National Training Center is insufficient in light of the advanced equipment and technology required for modern warfare training.

(5) The expansion of the National Training Center to include additional lands would permit military units and members of the Armed Forces to adequately prepare for future conflicts and various warfare scenarios they may encounter throughout the world.

(6) Additional lands for the expansion of the National Training Center are presently available in the California desert.

(7) The expansion of the National Training Center is a top priority of the Army and the Office of the Secretary of Defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the prompt expansion of the National Training Center is vital to the national security interests of the United States.

SEC. 2891. SENSE OF CONGRESS REGARDING LAND TRANSFERS AT MELROSE RANGE, NEW MEXICO, AND YAKIMA TRAINING CENTER, WASHINGTON.

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of the Air Force seeks the transfer of 6,713 acres of public domain land within the Melrose Range, New Mexico, from the Department of the Interior to the Department of the Air Force for the continued use of these lands as a military range.

(2) The Secretary of the Army seeks the transfer of 6,640 acres of public domain land within the Yakima Training Center, Washington, from the Department of the Interior to the Department of the Army for military training purposes.

(3) The transfers provide the Department of the Air Force and the Department of the Army with complete land management control of these public domain lands to allow for effective land management, minimize safety concerns, and ensure meaningful training.

(4) The Department of the Interior concurs with the land transfers at Melrose Range and Yakima Training Center.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington, will support military training, safety, and land management concerns on the lands subject to transfer.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental restoration and waste management.
Sec. 3103. Other defense activities.
Sec. 3104. Defense environmental management privatization.
Sec. 3105. Defense nuclear waste disposal.

Subtitle B—Recurring General Provisions

Sec. 3121. Reprogramming.
Sec. 3122. Limits on general plant projects.
Sec. 3123. Limits on construction projects.
Sec. 3124. Fund transfer authority.
Sec. 3125. Authority for conceptual and construction design.
Sec. 3126. Authority for emergency planning, design, and construction activities.
Sec. 3127. Funds available for all national security programs of the Department of Energy.
Sec. 3128. Availability of funds.
Sec. 3129. Transfers of defense environmental management funds.

Subtitle C—Program Authorizations, Restrictions, and Limitations

Sec. 3131. Funding for termination costs of River Protection Project, Richland, Washington.
Sec. 3132. Enhanced cooperation between National Nuclear Security Administration and Ballistic Missile Defense Organization.
Sec. 3133. Reprogramming of funds available for infrastructure upgrades or maintenance in certain accounts of the National Nuclear Security Administration.

Sec. 3134. Adjustment of composite theoretical performance levels for post-shipment verification reports on advanced supercomputer sales to certain foreign nations.
Sec. 3135. Modification of counterintelligence polygraph program.
Sec. 3136. Employee incentives for employees at closure project facilities.
Sec. 3137. Continuation of processing, treatment, and disposition of legacy nuclear materials.
Sec. 3138. Contingent limitation on use of certain funds pending certifications of compliance with Formerly Utilized Sites Remedial Action Program funding prohibition.
Sec. 3139. Conceptual design for Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho.
Sec. 3140. Report on National Ignition Facility, Lawrence Livermore National Laboratory, Livermore, California.
Sec. 3141. River Protection Project, Richland, Washington.
Sec. 3142. Report on tank waste remediation system, Hanford Reservation, Richland, Washington.

Subtitle D—Matters Relating to Management of National Nuclear Security Administration

Sec. 3151. Term of office of person first appointed as Under Secretary for Nuclear Security of the Department of Energy.
Sec. 3152. Membership of Under Secretary for Nuclear Security on the Joint Nuclear Weapons Council.
Sec. 3153. Organization plan for field offices of the National Nuclear Security Administration.
Sec. 3154. Required contents of future-years nuclear security program.
Sec. 3155. Future-years nuclear security program for fiscal year 2001.
Sec. 3156. Engineering and manufacturing research, development, and demonstration by plant managers of certain nuclear weapons production plants.
Sec. 3157. Prohibition on individuals engaging in concurrent service or duties within National Nuclear Security Administration and outside that Administration but within Department of Energy.
Sec. 3158. Annual plan for obligation of funds of the National Nuclear Security Administration.
Sec. 3159. Authority to reorganize National Nuclear Security Administration.

Subtitle E—National Laboratories Partnership Improvement

Sec. 3161. Technology Infrastructure Pilot Program.
Sec. 3162. Report on small business participation in National Nuclear Security Administration activities.
Sec. 3163. Study and report related to improving mission effectiveness, partnerships, and technology transfer at national security laboratories and nuclear weapons production facilities.
Sec. 3164. Report on effectiveness of National Nuclear Security Administration technology development partnerships with non-Federal entities.
Sec. 3165. Definitions.

Subtitle F—Matters Relating to Defense Nuclear Nonproliferation

Sec. 3171. Annual report on status of Nuclear Materials Protection, Control, and Accounting Program.
Sec. 3172. Nuclear Cities Initiative.
Sec. 3173. Department of Energy nonproliferation monitoring.
Sec. 3174. Sense of Congress on the need for coordination of nonproliferation programs.
Sec. 3175. Limitation on use of funds for International Nuclear Safety Program.

Subtitle G—Other Matters

Sec. 3191. Extension of authority for appointment of certain scientific, engineering, and technical personnel.
Sec. 3192. Biennial report containing update on nuclear test readiness postures.
Sec. 3193. Frequency of reports on inadvertent releases of Restricted Data and Formerly Restricted Data.
Sec. 3194. Form of certifications regarding the safety or reliability of the nuclear weapons stockpile.
Sec. 3195. Authority to provide certificate of commendation to Department of Energy and contractor employees for exemplary service in stockpile stewardship and security.
Sec. 3196. Cooperative research and development agreements for government-owned, contractor-operated laboratories.
Sec. 3197. Office of Arctic Energy.

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $6,422,356,000, to be allocated as follows:

(1) WEAPONS ACTIVITIES.—For weapons activities, $4,840,289,000, to be allocated as follows:

(A) For stewardship, $4,505,545,000, to be allocated as follows:

(i) For directed stockpile work, $862,603,000.

(ii) For campaigns, $2,054,014,000, to be allocated as follows:

(I) For operation and maintenance, $1,639,682,000.

(II) For construction, $414,332,000, to be allocated as follows:

Project 01–D–101, distributed information systems laboratory, Sandia National Laboratories, Livermore, California, $2,300,000.

Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $5,000,000.

Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $56,000,000.

Project 00–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $6,700,000.

Project 98–D–125, tritium extraction facility, Savannah River Plant, Aiken, South Carolina, $75,000,000.

Project 98–D–126, accelerator production of tritium, various locations, $25,000,000.

Project 97–D–102, dual-axis radiographic hydrotest facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $35,232,000.

Project 96–D–111, national ignition facility (NIF), Lawrence Livermore National Laboratory, Livermore, California, $209,100,000.

(iii) For readiness in technical base and facilities, $1,588,928,000, to be allocated as follows:

(I) For operation and maintenance, $1,429,087,000.

(II) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $159,841,000, to be allocated as follows:

Project 01–D–103, preliminary project design and engineering, various locations, $14,500,000.

Project 01–D–124, highly enriched uranium (HEU) materials storage facility, Y–12 Plant, Oak Ridge, Tennessee, $17,800,000.

Project 01–D–126, weapons evaluation test laboratory, Pantex Plant, Amarillo, Texas, $3,000,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $5,000,000.

Project 99–D–104, protection of real property (roof reconstruction, phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 99–D–106, model validation and system certification center, Sandia National Laboratories, Albuquerque, New Mexico, $5,200,000.

Project 99–D–108, renovate existing roadways, Nevada Test Site, Nevada, $2,000,000.

Project 99–D–125, replace boilers and controls, Kansas City Plant, Kansas City, Missouri, $13,000,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City plant, Kansas City, Missouri, $23,765,000.

Project 99–D–128, stockpile management restructuring initiative, Pantex Plant, Amarillo, Texas, $4,998,000.

Project 99–D–132, stockpile management restructuring initiative, nuclear material safeguards and security upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,043,000.

Project 98–D–123, stockpile management restructuring initiative, tritium facility modernization and consolidation, Savannah River Plant, Aiken, South Carolina, $30,767,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $2,918,000.

Project 95–D–102, chemistry and metallurgy research (CMR) upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $13,337,000.

Project 88–D–123, security enhancements, Pantex Plant, Amarillo, Texas, $2,713,000.

(B) For secure transportation asset, $115,673,000, to be allocated as follows:

(i) For operation and maintenance, $79,357,000.

(ii) For program direction, $36,316,000.

(C) For program direction, $219,071,000.

(2) DEFENSE NUCLEAR NONPROLIFERATION.—For other nuclear security activities, $877,467,000, to be allocated as follows:

(A) For nonproliferation and verification research and development, $252,990,000, to be allocated as follows:

(i) For operation and maintenance, $245,990,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $7,000,000, to be allocated as follows:

Project 00–D–192, nonproliferation and international security center (NISC), Los Alamos National Laboratory, Los Alamos, New Mexico, $7,000,000.

(B) For arms control, $320,560,000, to be allocated as follows:

(i) For arms control operations, $285,370,000.

(ii) For highly enriched uranium transparency implementation, $15,190,000.

(iii) For international nuclear safety, $20,000,000.

(C) For fissile materials control and disposition, $252,449,000, to be allocated as follows:

(i) For operation and maintenance, $175,517,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $76,932,000, to be allocated as follows:

Project 01–D–407, highly enriched uranium blend-down, Savannah River Site, Aiken, South Carolina, $27,932,000.

Project 00–D–142, immobilization and associated processing facility (Title I and II design), Savannah River Site, Aiken, South Carolina, $3,000,000.

Project 99–D–141, pit disassembly and conversion facility (Title I and II design), Savannah River Site, Aiken, South Carolina, $20,000,000.

Project 99–D–143, mixed oxide fuel fabrication facility (Title I and II design), Savannah River Site, Aiken, South Carolina, $26,000,000.

(D) For program direction, $51,468,000.

(3) NAVAL REACTORS.—For naval reactors, $694,600,000, to be allocated as follows:

(A) For naval reactors development, $673,200,000, to be allocated as follows:

(i) For operation and maintenance, $644,500,000.

(ii) For general plant projects, $11,400,000.

(iii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $17,300,000, to be allocated as follows:

Project 01–D–200, major office replacement building, Schenectady, New York, $1,300,000.

Project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $16,000,000.

(B) For program direction, $21,400,000.

(4) OFFICE OF ADMINISTRATOR FOR NUCLEAR SECURITY.—For the Office of the Administrator for Nuclear Security, for program direction, $10,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

(a) IN GENERAL.—Subject to subsection (b), funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for environmental restoration and waste management activities in carrying out programs necessary for national security in the amount of $6,058,009,000, to be allocated as follows:

(1) CLOSURE PROJECTS.—For closure projects carried out in accordance with section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2836; 42 U.S.C. 7277n), $1,082,297,000

(2) SITE/PROJECT COMPLETION.—For site completion and project completion in carrying out environmental management activities necessary for national security programs, $941,719,000, to be allocated as follows:

(A) For operation and maintenance, $900,175,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $41,544,000, to be allocated as follows:

Project 01–D–402, Intec cathodic protection system expansion, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $500,000.

Project 99–D–402, tank farm support services, F&H areas, Savannah River Site, Aiken, South Carolina, $7,714,000.

Project 99–D–404, health physics instrumentation laboratory, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $4,300,000.

Project 98–D–453, plutonium stabilization and handling system for plutonium finishing plant, Richland, Washington, $1,690,000.

Project 97–D–470, regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, South Carolina, $3,949,000.

Project 96–D–471, chlorofluorocarbon heating, ventilation, and air conditioning and chiller retrofit, Savannah River Site, Aiken, South Carolina, $12,512,000.

Project 92–D–140, F&H canyon exhaust upgrades, Savannah River Site, Aiken, South Carolina, $8,879,000.

Project 86–D–103, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

(3) POST-2006 COMPLETION.—For post-2006 completion in carrying out environmental restoration and waste management activities necessary for national security programs, $3,432,457,000, to be allocated as follows:

(A) For operation and maintenance, $2,691,106,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $27,212,000, to be allocated as follows:I26 Project 93–D–187, high-level waste removal from filled waste tanks, Savannah River Site, Aiken, South Carolina, $27,212,000.

(C) For the Office of River Protection in carrying out environmental restoration and waste management activities necessary for national security programs, $714,139,000, to be allocated as follows:

(i) For operation and maintenance, $309,619,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $404,520,000, to be allocated as follows:

Project 01–D–416, Tank Waste Remediation System privatization phase I, Richland, Washington, $332,000,000.

Project 01–D–403, immobilized high-level waste interim storage facility, Richland, Washington, $1,300,000.

Project 99–D–403, privatization phase I infrastructure support, Richland, Washington, $7,812,000.

Project 97–D–402, tank farm restoration and safe operations, Richland, Washington, $46,023,000.

Project 94–D–407, initial tank retrieval systems, Richland, Washington, $17,385,000.

(4) SCIENCE AND TECHNOLOGY DEVELOPMENT.—For science and technology development in carrying out environmental restoration and waste management activities necessary for national security programs, $246,548,000.

(5) PROGRAM DIRECTION.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs, $354,988,000.

(b) ADJUSTMENT.—The total amount authorized to be appropriated by subsection (a) is the sum of the amounts authorized to be appropriated by paragraphs (1) through (5) of that subsection, reduced by $84,317,000, to be derived from offsets and use of prior year balances.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for other defense activities in carrying out programs necessary for national security in the amount of $543,822,000, to be allocated as follows:

(1) INTELLIGENCE.—For intelligence, $38,059,000, to be allocated as follows:

(A) For operation and maintenance, $36,059,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $2,000,000, to be allocated as follows:

Project 01–D–800, Sensitive compartmented information facility, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

(2) COUNTERINTELLIGENCE.—For counterintelligence, $45,200,000.

(3) SECURITY AND EMERGENCY OPERATIONS.—For security and emergency operations, $284,076,000, to be allocated as follows:

(A) For nuclear safeguards and security, $124,409,000.

(B) For security investigations, $33,000,000.

(C) For emergency management, $37,300,000.

(D) For program direction, $89,367,000.

(4) INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE.—For independent oversight and performance assurance, $14,937,000.

(5) ENVIRONMENT, SAFETY, AND HEALTH.—For the Office of Environment, Safety, and Health, $134,050,000, to be allocated as follows:

(A) For environment, safety, and health (defense), $86,446,000.

(B) For the Energy Employees Occupational Illness Compensation initiative, $25,000,000.

(C) For program direction, $22,604,000.

(6) WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $24,500,000, to be allocated as follows:

(A) For worker and community transition, $21,500,000.

(B) For program direction, $3,000,000.

(7) OFFICE OF HEARINGS AND APPEALS.—For the Office of Hearings and Appeals, $3,000,000.

(b) ADJUSTMENTS.—The amount authorized to be appropriated pursuant to subsection (a)(3)(B) is reduced by $20,000,000 to reflect an offset provided by user organizations for security investigations.

SEC. 3104. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $90,092,000, to be allocated as follows:

Project 98–PVT–2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $25,092,000.

Project 97–PVT–2, advanced mixed waste treatment project Idaho Falls, Idaho, $65,000,000.

(b) EXPLANATION OF ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is the sum of the amounts authorized to be appropriated for the projects in that subsection reduced by $90,092,000 for use of prior year balances of funds for defense environmental management privatization.

SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $112,000,000.

Subtitle B—Recurring General Provisions

SEC. 3121. REPROGRAMMING.

(a) IN GENERAL.—Until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such committees receive the report, the Secretary may not use amounts appropriated pursuant to this title for any program—

(1) in amounts that exceed, in a fiscal year—

(A) 110 percent of the amount authorized for that program by this title; or

(B) $ 1,000,000 more than the amount authorized for that program by this title; or

(2) which has not been presented to, or requested of, Congress.

(b) REPORT.—(1) The report referred to in subsection (a) is a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of the proposed action.

(2) In the computation of the 30-day period under subsection (a), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(c) LIMITATIONS.—(1) In no event may the total amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) IN GENERAL.—The Secretary of Energy may carry out any construction project under the general plant projects authorized by this title if the total estimated cost of the construction project does not exceed $5,000,000.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $5,000,000, the Secretary shall immediately furnish a report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) IN GENERAL.—(1) Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project above the total estimated cost, whenever the current estimated cost of the construction project, authorized by 3101, 3102, or 3103, or which is in support of national security programs of the Department of Energy and was authorized by any previous Act, exceeds by more than 25 percent the higher of—

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project as shown in the most recent budget justification data submitted to Congress.

(2) An action described in paragraph (1) may be taken if—

(A) the Secretary of Energy has submitted to the congressional defense committees a report on the actions and the circumstances making such action necessary; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(3) In the computation of the 30-day period under paragraph (2), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(b) EXCEPTION.—Subsection (a) does not apply to a construction project with a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

(a) TRANSFER TO OTHER FEDERAL AGENCIES.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds were authorized. Funds so transferred may be merged with and be available for the same purposes and for the same time period as the authorizations of the Federal agency to which the amounts are transferred.

(b) TRANSFER WITHIN DEPARTMENT OF ENERGY.—(1) Subject to paragraph (2), the Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title between any such authorizations. Amounts of authorizations so transferred may be merged with and be available for the same purposes and for the same period as the authorization to which the amounts are transferred.

(2) Not more than 5 percent of any such authorization may be transferred between authorizations under paragraph (1). No such authorization may be increased or decreased by more than 5 percent by a transfer under such paragraph.

(c) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may be used only to provide funds for items relating to activities necessary for national security programs that have a higher priority than the items from which the funds are transferred; and

(2) may not be used to provide funds for an item for which Congress has specifically denied funds.

(d) NOTICE TO CONGRESS.—The Secretary of Energy shall promptly notify the Committees on Armed Services of the Senate and House of Representatives of any transfer of funds to or from authorizations under this title.

SEC. 3125. AUTHORITY FOR CONCEPTUAL AND CONSTRUCTION DESIGN.

(a) REQUIREMENT OF CONCEPTUAL DESIGN.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting to Congress a request for funds for a construction project that is in support of a national security program of the Department of Energy, the Secretary of Energy shall complete a conceptual design for that project.

(2) If the estimated cost of completing a conceptual design for a construction project exceeds $3,000,000, the Secretary shall submit to Congress a request for funds for the conceptual design before submitting a request for funds for the construction project.

(3) The requirement in paragraph (1) does not apply to a request for funds—

(A) for a construction project the total estimated cost of which is less than $5,000,000; or

(B) for emergency planning, design, and construction activities under section 3126.

(b) AUTHORITY FOR CONSTRUCTION DESIGN.—(1) Within the amounts authorized by this title, the Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such design does not exceed $600,000.

(2) If the total estimated cost for construction design in connection with any construction project exceeds $600,000, funds for that design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) AUTHORITY.—The Secretary of Energy may use any funds available to the Department of Energy pursuant to an authorization in this title, including funds authorized to be appropriated for advance planning and construction design under sections 3101, 3102, and 3103, to perform planning, design, and construction activities for any Department of Energy national security program construction project that, as determined by the Secretary, must proceed expeditiously in order to protect public health and safety, to meet the needs of national defense, or to protect property.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) in the case of any construction project until the Secretary has submitted to the congressional defense committees a report on the activities that the Secretary intends to carry out under this section and the circumstances making those activities necessary.

(c) SPECIFIC AUTHORITY.—The requirement of section 3125(b)(2) does not apply to emergency planning, design, and construction activities conducted under this section.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriation Acts and section 3121, amounts appropriated pursuant to this title for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Except as provided in subsection (b), when so specified in an appropriations Act, amounts appropriated for operation and maintenance or for plant projects may remain available until expended.

(b) EXCEPTION FOR PROGRAM DIRECTION FUNDS.—Amounts appropriated for program direction pursuant to an authorization of appropriations in subtitle A shall remain available to be expended only until the end of fiscal year 2002.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.

(a) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

(b) LIMITATIONS.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(2) The amount transferred to or from a program or project under subsection (a) may not exceed $5,000,000 in a fiscal year.

(3) A transfer may not be carried out by a manager of a field office under subsection (a) unless the manager determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3121 shall not apply to transfers of funds pursuant to subsection (a).

(d) NOTIFICATION.—The Secretary, acting through the Assistant Secretary of Energy for Environmental Management, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) DEFINITIONS.—In this section:

(1) The term ''program or project'' means, with respect to a field office of the Department of Energy, any of the following:

(A) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(B) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department, that is being carried out by the office, and for which defense environmental management funds have been authorized and appropriated before the date of the enactment of this Act.

(2) The term ''defense environmental management funds'' means funds appropriated to the Department of Energy pursuant to an authorization for carrying out environmental restoration and waste management activities necessary for national security programs.

(f) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during the period beginning on October 1, 2000, and ending on September 30, 2001.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. FUNDING FOR TERMINATION COSTS OF RIVER PROTECTION PROJECT, RICHLAND, WASHINGTON.

The Secretary of Energy may not use appropriated funds to establish a reserve for the payment of any costs of termination of any contract relating to the River Protection Project, Richland, Washington (as designated by section 3141), that is terminated after the date of the enactment of this Act. Such costs may be paid from—

(1) appropriations originally available for the performance of the contract concerned;

(2) appropriations currently available for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs, and not otherwise obligated; or

(3) funds appropriated specifically for the payment of such costs.

SEC. 3132. ENHANCED COOPERATION BETWEEN NATIONAL NUCLEAR SECURITY ADMINISTRATION AND BALLISTIC MISSILE DEFENSE ORGANIZATION.

(a) JOINTLY FUNDED PROJECTS.—The Secretary of Energy and the Secretary of Defense shall modify the memorandum of understanding for the use of the national laboratories for ballistic missile defense programs, entered into under section 3131 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2034; 10 U.S.C. 2431 note), to provide for jointly funded projects.

(b) REQUIREMENTS FOR PROJECTS.—The projects referred to in subsection (a) shall—

(1) be carried out by the National Nuclear Security Administration and the Ballistic Missile Defense Organization; and

(2) contribute to sustaining—

(A) the expertise necessary for the viability of such laboratories; and

(B) the capabilities required to sustain the nuclear stockpile.

(c) PARTICIPATION BY NNSA IN CERTAIN BMDO ACTIVITIES.—The Administrator for Nuclear Security and the Director of the Ballistic Missile Defense Organization shall implement mechanisms that increase the cooperative relationship between those organizations. Those mechanisms may include participation by personnel of the National Nuclear Security Administration in the following activities of the Ballistic Missile Defense Organization:

(1) Peer reviews of technical efforts.

(2) Activities of so-called ''red teams''.

SEC. 3133. REPROGRAMMING OF FUNDS AVAILABLE FOR INFRASTRUCTURE UPGRADES OR MAINTENANCE IN CERTAIN ACCOUNTS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) LIMITATION.—(1) Except as provided in paragraph (2), the Secretary of Energy may not use amounts appropriated or otherwise made available to the Secretary for fiscal year 2001 for the purpose of infrastructure upgrades or maintenance in an account specified in subsection (b) for any other purpose.

(2) Paragraph (1) does not apply to a particular amount for the purpose of a particular infrastructure upgrade or maintenance project if the Secretary—

(A) determines that that project is not needed by reason of a change to, or cancellation of, a program for which that project was intended to be used; and

(B) submits to the congressional defense committees the report referred to in subsection (c) and a period of 45 days elapses after the date on which such committees receive such report.

(b) COVERED ACCOUNTS.—An account referred to in subsection (a) is any Construction account or Readiness in Technical Base and Facilities account within any National Nuclear Security Administration budget account.

(c) REPORT.—(1) The report referred to in subsection (a)(2)(B) is a report containing a full and complete statement of—

(A) the determination of the Secretary under subsection (a)(2)(A); and

(B) the action proposed to be taken with the particular amount concerned and the facts and circumstances relied upon in support of such proposed action.

(2) In the computation of the 45-day period under subsection (a)(2)(B), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than three days to a day certain.

(d) COORDINATION WITH GENERAL REPROGRAMMING REPORT.—If the Secretary, in accordance with this section, submits a report referred to in subsection (c) for the use of a particular amount, that report shall be treated, for purposes of section 3121, as the report referred to in subsection (b) of that section for that use of that amount.

SEC. 3134. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS FOR POST-SHIPMENT VERIFICATION REPORTS ON ADVANCED SUPERCOMPUTER SALES TO CERTAIN FOREIGN NATIONS.

Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended by adding at the end the following new subsection:

''(e) ADJUSTMENT OF PERFORMANCE LEVELS.—Whenever a new composite theoretical performance level is established under section 1211(d), that level shall apply for the purposes of subsection (a) of this section in lieu of the level set forth in subsection (a).''.

SEC. 3135. MODIFICATION OF COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

(a) COVERED PERSONS.—Subsection (b) of section 3154 of the Department of Energy Facilities Safeguards, Security, and Counterintelligence Enhancement Act of 1999 (subtitle D of title XXXI of Public Law 106–65; 113 Stat. 941; 42 U.S.C. 7383h) is amended to read as follows:

''(b) COVERED PERSONS.—(1) Subject to paragraph (2), for purposes of this section, a covered person is one of the following:

''(A) An officer or employee of the Department.

''(B) An expert or consultant under contract to the Department.

''(C) An officer or employee of a contractor of the Department.

''(D) An individual assigned or detailed to the Department.

''(E) An applicant for a position in the Department.

''(2) A person described in paragraph (1) is a covered person for purposes of this section only if the position of the person, or for which the person is applying, under that paragraph is a position in one of the categories of positions listed in section 709.4(a) of title 10, Code of Federal Regulations.''.

(b) HIGH-RISK PROGRAMS.—Subsection (c) of that section is amended to read as follows:

''(c) HIGH-RISK PROGRAMS.—For purposes of this section, high-risk programs are the following:

''(1) Programs using information known as Sensitive Compartmented Information.

''(2) The programs known as Special Access Programs and Personnel Security and Assurance Programs.

''(3) Any other program or position category specified in section 709.4(a) of title 10, Code of Federal Regulations.''.

(c) AUTHORITY TO WAIVE EXAMINATION REQUIREMENT.—Subsection (d) of that section is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

(2) by adding at the end the following new paragraphs:

''(2) Subject to paragraph (3), the Secretary may, after consultation with appropriate security personnel, waive the applicability of paragraph (1) to a covered person—

''(A) if—

''(i) the Secretary determines that the waiver is important to the national security interests of the United States;

''(ii) the covered person has an active security clearance; and

''(iii) the covered person acknowledges in a signed writing that the capacity of the covered person to perform duties under a high-risk program after the expiration of the waiver is conditional upon meeting the requirements of paragraph (1) within the effective period of the waiver;

''(B) if another Federal agency certifies to the Secretary that the covered person has completed successfully a full-scope or counterintelligence-scope polygraph examination during the 5-year period ending on the date of the certification; or

''(C) if the Secretary determines, after consultation with the covered person and appropriate medical personnel, that the treatment of a medical or psychological condition of the covered person should preclude the administration of the examination.

''(3)(A) The Secretary may not commence the exercise of the authority under paragraph (2) to waive the applicability of paragraph (1) to any covered persons until 15 days after the date on which the Secretary submits to the appropriate committees of Congress a report setting forth the criteria to be used by the Secretary for determining when a waiver under paragraph (2)(A) is important to the national security interests of the United States. The criteria shall not include the need to maintain the scientific vitality of the laboratory. The criteria shall include an assessment of counterintelligence risks and programmatic impacts.

''(B) Any waiver under paragraph (2)(A) shall be effective for not more than 120 days, and a person who is subject to a waiver under paragraph (2)(A) may not ever be subject to another waiver under paragraph (2)(A).

''(C) Any waiver under paragraph (2)(C) shall be effective for the duration of the treatment on which such waiver is based.

''(4) The Secretary shall submit to the appropriate committees of Congress on a semi-annual basis a report on any determinations made under paragraph (2)(A) during the 6-month period ending on the date of such report. The report shall include a national security justification for each waiver resulting from such determinations.

''(5) In this subsection, the term 'appropriate committees of Congress' means the following:

''(A) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

''(B) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

''(6) It is the sense of Congress that the waiver authority in paragraph (2) not be used by the Secretary to exempt from the applicability of paragraph (1) any covered persons in the highest risk categories, such as persons who have access to the most sensitive weapons design information and other highly sensitive programs, including special access programs.

''(7) The authority under paragraph (2) to waive the applicability of paragraph (1) to a covered person shall expire on September 30, 2002.''.

(d) SCOPE OF COUNTERINTELLIGENCE POLYGRAPH EXAMINATION.—Subsection (f) of that section is amended—

(1) by inserting ''terrorism,'' after ''sabotage,''; and

(2) by inserting ''deliberate damage to or malicious misuse of a United States Government information or defense system,'' before ''and''.

SEC. 3136. EMPLOYEE INCENTIVES FOR EMPLOYEES AT CLOSURE PROJECT FACILITIES.

(a) AUTHORITY TO PROVIDE INCENTIVES.—Notwithstanding any other provision of law, the Secretary of Energy may provide to any eligible employee of the Department of Energy one or more of the incentives described in subsection (d).

(b) ELIGIBLE EMPLOYEES.—An individual is an eligible employee of the Department of Energy for purposes of this section if the individual—

(1) has worked continuously at a closure facility for at least two years;

(2) is an employee (as that term is defined in section 2105(a) of title 5, United States Code);

(3) has a fully satisfactory or equivalent performance rating during the most recent performance period and is not subject to an adverse notice regarding conduct; and

(4) meets any other requirement or condition under subsection (d) for the incentive which is provided the employee under this section.

(c) CLOSURE FACILITY DEFINED.—For purposes of this section, the term ''closure facility'' means a Department of Energy facility at which the

Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n).

(d) INCENTIVES.—The incentives that the Secretary may provide under this section are the following:

(1) The right to accumulate annual leave provided by section 6303 of title 5, United States Code, for use in succeeding years until it totals not more than 90 days, or not more than 720 hours based on a standard work week, at the beginning of the first full biweekly pay period, or corresponding period for an employee who is not paid on the basis of biweekly pay periods, occurring in a year, except that—

(A) any annual leave that remains unused when an employee transfers to a position in a department or agency of the Federal Government shall be liquidated upon the transfer by payment to the employee of a lump sum for leave in excess of 30 days, or in excess of 240 hours based on a standard work week; and

(B) upon separation from service, annual leave accumulated under this paragraph shall be treated as any other accumulated annual leave is treated.

(2) The right to be paid a retention allowance in a lump sum in compliance with paragraphs (1) and (2) of section 5754(b) of title 5, United States Code, if the employee meets the requirements of section 5754(a) of that title, except that the retention allowance may exceed 25 percent, but may not be more than 30 percent, of the employee's rate of basic pay.

(e) AGREEMENT.—An eligible employee of the Department of Energy provided an incentive under this section shall enter into an agreement with the Secretary to remain employed at the closure facility at which the employee is employed as of the date of the agreement until a specific date or for a specific period of time.

(f) VIOLATION OF AGREEMENT.—(1) Except as provided under paragraph (3), an eligible employee of the Department of Energy who violates an agreement under subsection (e), or is dismissed for cause, shall forfeit eligibility for any incentives under this section as of the date of the violation or dismissal, as the case may be.

(2) Except as provided under paragraph (3), an eligible employee of the Department of Energy who is paid a retention allowance under subsection (d)(2) and who violates an agreement under subsection (e), or is dismissed for cause, before the end of the period or date of employment agreed upon under such agreement shall refund to the United States an amount that bears the same ratio to the aggregate amount so paid to or received by the employee as the unserved part of such employment bears to the total period of employment agreed upon under such agreement.

(3) The Secretary may waive the applicability of paragraph (1) or (2) to an employee otherwise covered by such paragraph if the Secretary determines that there is good and sufficient reason for the waiver.

(g) REPORT.—The Secretary shall include in each report on a closure project under section 3143(h) of the National Defense Authorization Act for Fiscal Year 1997 a report on the incentives, if any, provided under this section with respect to the project for the period covered by such report.

(h) AUTHORITY WITH RESPECT TO HEALTH COVERAGE.—Section 8905a(d)(5)(A) of title 5, United States Code (as added by section 1106 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 113 Stat. 1598)), is amended by inserting after ''readjustment'' the following: '', or a voluntary or involuntary separation from a Department of Energy position at a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n)''.

(i) AUTHORITY WITH RESPECT TO VOLUNTARY SEPARATIONS.—(1) The Secretary may—

(A) separate from service any employee at a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n) who volunteers to be separated under this subparagraph even though the employee is not otherwise subject to separation due to a reduction in force; and

(B) for each employee voluntarily separated under subparagraph (A), retain an employee in a similar position who would otherwise be separated due to a reduction in force.

(2) The separation of an employee under paragraph (1)(A) shall be treated as an involuntary separation due to a reduction in force.

(3) An employee with critical knowledge and skills (as defined by the Secretary) may not participate in a voluntary separation under paragraph (1)(A) if the Secretary determines that such participation would impair the performance of the mission of the Department of Energy.

(j) TERMINATION.—The authority to provide incentives under this section terminates on March 31, 2007.

SEC. 3137. CONTINUATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.

(a) CONTINUATION.—The Secretary of Energy shall continue operations and maintain a high state of readiness at the F–canyon and H–canyon facilities at the Savannah River Site, Aiken, South Carolina, and shall provide technical staff necessary to operate and so maintain such facilities.

(b) LIMITATION ON USE OF FUNDS FOR DECOMMISSIONING OF F–CANYON FACILITY.—No amounts authorized to be appropriated or otherwise made available for the Department of Energy by this or any other Act may be obligated or expended for purposes of commencing the decommissioning of the F–canyon facility at the Savannah River Site until the Secretary and the Defense Nuclear Facilities Safety Board jointly submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the following:

(1) A certification that all materials present in the F–canyon facility as of the date of the certification are safely stabilized.

(2) A certification whether or not the requirements applicable to the F–canyon facility to meet the future needs of the United States for fissile materials disposition can be met through full use of the H–canyon facility at the Savannah River Site.

(3) If the certification required by paragraph (2) is that such requirements cannot be met through such use of the H–canyon facility—

(A) an identification by the Secretary of each such requirement that cannot be met through such use of the H–canyon facility; and

(B) for each requirement identified in subparagraph (A), the reasons why that requirement cannot be met through such use of the H–canyon facility and a description of the alternative capability for fissile materials disposition that is needed to meet that requirement.

(c) PLAN FOR TRANSFER OF LONG-TERM CHEMICAL SEPARATION ACTIVITIES.—Not later than February 15, 2001, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a plan for the transfer of all long-term chemical separation activities at the Savannah River Site from the F–canyon facility to the H–canyon facility commencing in fiscal year 2002.

SEC. 3138. CONTINGENT LIMITATION ON USE OF CERTAIN FUNDS PENDING CERTIFICATIONS OF COMPLIANCE WITH FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM FUNDING PROHIBITION.

(a) CONTINGENT LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN TRAVEL EXPENSES.—Effective November 1, 2001, but subject to subsection (b), no funds authorized to be appropriated or otherwise made available by this or any other Act for the Department of Energy or the Department of the Army may be obligated or expended for travel by—

(1) the Secretary of Energy or any officer or employee of the Office of the Secretary of Energy; or

(2) the Chief of Engineers.

(b) EFFECTIVE DATE.—The limitation in subsection (a) shall not take effect if before November 1, 2001, both of the following certifications are submitted to the congressional defense committees:

(1) A certification by the Secretary of Energy that the Department of Energy is in compliance with the requirements of section 3131 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 925; 10 U.S.C. 2701 note).

(2) A certification by the Chief of Engineers that the Corps of Engineers is in compliance with the requirements of that section.

(c) TERMINATION.—If the limitation in subsection (a) takes effect, the limitation shall cease to be in effect when both certifications referred to in subsection (b) have been submitted to the congressional defense committees.

SEC. 3139. CONCEPTUAL DESIGN FOR SUBSURFACE GEOSCIENCES LABORATORY AT IDAHO NATIONAL ENGINEERING AND ENVIRONMENTAL LABORATORY, IDAHO FALLS, IDAHO.

(a) AUTHORIZATION.—Of the amounts authorized to be appropriated by paragraphs (2) and (3) of section 3102(a), not more than $400,000 may be available to the Secretary of Energy for purposes of carrying out a conceptual design for a Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho.

(b) LIMITATION.—None of the funds authorized to be appropriated by subsection (a) may be obligated until 60 days after the date on which the Secretary submits the report required by subsection (c).

(c) REPORT.—The Secretary of Energy shall submit to the congressional defense committees a report on the proposed Subsurface Geosciences Laboratory. The report shall include the following:

(1) Whether there is a need to conduct mesoscale experiments to meet long-term cleanup requirements at Department of Energy sites.

(2) The possibility of using or modifying an existing structure or facility to house a new capability for conducting mesoscale experiments.

(3) The estimated construction cost of the facility.

(4) The estimated annual operating cost of the facility.

(5) How the facility will use, integrate, and support the technical expertise, capabilities, and requirements at other Department of Energy and non-Department of Energy facilities.

(6) An analysis of costs, savings, and benefits which are unique to the Idaho National Engineering and Environmental Laboratory.

SEC. 3140. REPORT ON NATIONAL IGNITION FACILITY, LAWRENCE LIVERMORE NATIONAL LABORATORY, LIVERMORE, CALIFORNIA.

(a) NEW BASELINE.—(1) Not more than 50 percent of the funds available for the national ignition facility (Project 96–D–111) may be obligated or expended until the Administrator for Nuclear Security submits to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a new baseline plan for the completion of the national ignition facility.

(2) The report shall include—

(A) the funding required for completion of the facility, set forth in detail, year by year; and

(B) projected dates for the completion of program milestones, including the date on which the first laser beams are expected to become operational.

(b) COMPTROLLER GENERAL REVIEW OF NIF PROGRAM.—(1) The Comptroller General shall conduct a thorough review of the national ignition facility program.

(2) Not later than March 31, 2001, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the review conducted under paragraph (1). The report shall include the following:

(A) An analysis of—

(i) the role of the national ignition facility in ensuring the safety and reliability of the nuclear stockpile of the United States;

(ii) the relationship of the national ignition facility program to other significant programs to sustain the nuclear stockpile of the United States; and

(iii) the potential effect of delays in the national ignition facility program, and of a failure to complete significant program objectives of the program, on the other significant programs to sustain the nuclear stockpile of the United States, such as the Accelerated Strategic Computing Initiative Program.

(B) A detailed description and analysis of the funds spent as of the date of the report on the national ignition facility program.

(C) An assessment whether the new baseline plan for the national ignition facility program submitted under subsection (a) includes clear goals for that program, adequate and sustainable funding, and achievable milestones for that program.

SEC. 3141. RIVER PROTECTION PROJECT, RICHLAND, WASHINGTON.

(a) REDESIGNATION OF PROJECT.—The tank waste remediation system environmental project, Richland, Washington, including all programs relating to the retrieval and treatment of tank waste at the site at Hanford, Washington, under the management of the Office of River Protection, shall be known and designated as the ''River Protection Project''. Any reference to that project in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the River Protection Project.

(b) MANAGEMENT AND RESPONSIBILITY OF OFFICE OF RIVER PROTECTION.—Subsection (b) of section 3139 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2250) is amended—

(1) in paragraph (2), by striking ''managing all aspects of the'' and all that follows through the period and inserting ''managing, consistent with the policy direction established by the Department, all aspects of the River Protection Project, Richland, Washington.''; and

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

''(3)(A) The Assistant Secretary of Energy for Environmental Management shall delegate in writing responsibility for the management of the River Protection Project, Richland, Washington, to the head of the Office.

''(B) Such delegation shall include, at a minimum, authorities for contracting, financial management, safety, and general program management that are equivalent to the authorities of managers of other operations offices of the Department of Energy.

''(C) The head of the Office shall, to the maximum extent possible, coordinate all activities of the Office with the manager of the Richland Operations Office of the Department of Energy.''.

(c) DEPARTMENT RESPONSIBILITIES.—Subsection (c) of such section is amended—

(1) by striking ''manager'' and inserting ''head''; and

(2) by striking ''to manage'' and all that follows through the period and inserting ''to carry out the responsibilities specified in subsection (b)(2).''.

(d) REPORTING TO CONGRESS.—Subsection (d) of such section is amended to read as follows:

''(d) REPORT.—The Assistant Secretary of Energy for Environmental Management shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, not later than 30 days after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, a copy of the delegation of authority required by subsection (b)(3).''.

SEC. 3142. REPORT ON TANK WASTE REMEDIATION SYSTEM, HANFORD RESERVATION, RICHLAND, WASHINGTON.

Not later than December 15, 2000, the Secretary of Energy shall submit to Congress a report on the Tank Waste Remediation System project, Hanford Reservation, Richland, Washington. The report shall include the following:

(1) A proposed plan for processing and stabilizing all nuclear waste located in the Hanford Tank Farm.

(2) A proposed schedule for carrying out that proposed plan.

(3) The total estimated cost of carrying out that proposed plan.

(4) A description of any alternative options to that proposed plan and a description of the costs and benefits of each such option.

(5) A description of the volumes and characteristics of any wastes or materials that are not to be treated during phase 1(B) of the project.

(6) A plan for developing, demonstrating, and implementing advanced vitrification system technologies that can be used to treat and stabilize any out-of-specification wastes or materials (such as polychlorinated biphenyls) that cannot be treated and stabilized with the technologies that are to be used during phase 1(B) of the project.

Subtitle D—Matters Relating to Management of National Nuclear Security Administration

SEC. 3151. TERM OF OFFICE OF PERSON FIRST APPOINTED AS UNDER SECRETARY FOR NUCLEAR SECURITY OF THE DEPARTMENT OF ENERGY.

(a) LENGTH OF TERM.—The term of office as Under Secretary for Nuclear Security of the Department of Energy of the person first appointed to that position shall be three years.

(b) EXCLUSIVE REASONS FOR REMOVAL.—The exclusive reasons for removal from office as Under Secretary for Nuclear Security of the person described in subsection (a) shall be inefficiency, neglect of duty, or malfeasance in office.

(c) POSITION DESCRIBED.—The position of Under Secretary for Nuclear Security of the Department of Energy referred to in this section is the position established by subsection (c) of section 202 of the Department of Energy Organization Act (42 U.S.C. 7132), as added by section 3202 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 954).

SEC. 3152. MEMBERSHIP OF UNDER SECRETARY FOR NUCLEAR SECURITY ON THE JOINT NUCLEAR WEAPONS COUNCIL.

(a) MEMBERSHIP.—Section 179 of title 10, United States Code, is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following new paragraph (3):

''(3) The Under Secretary for Nuclear Security of the Department of Energy.''; and

(2) in subsection (b)(2), by striking ''the representative designated under subsection (a)(3)'' and inserting ''the Under Secretary for Nuclear Security of the Department of Energy''.

(b) CONFORMING AMENDMENT.—Section 3212 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2402) is amended by adding at the end the following new subsection:

''(e) MEMBERSHIP ON JOINT NUCLEAR WEAPONS COUNCIL.—The Administrator serves as a member of the Joint Nuclear Weapons Council under section 179 of title 10, United States Code.''.

SEC. 3153. ORGANIZATION PLAN FOR FIELD OFFICES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) PLAN REQUIRED.—Not later than May 1, 2001, the Administrator for Nuclear Security shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a plan for assigning roles and responsibilities to and among the headquarters and field organizational units of the National Nuclear Security Administration.

(b) PLAN ELEMENTS.—The plan shall include the following:

(1) A general description of the organizational structure of the administrative functions of the National Nuclear Security Administration under the plan, including the authorities and responsibilities to be vested in the units of the headquarters, operations offices, and area offices of the Administration.

(2) A description of any downsizing, elimination, or consolidation of units of the headquarters, operations offices, and area offices of the Administration that may be necessary to enhance the efficiency of the Administration.

(3) A description of the modifications of staffing levels of the headquarters, operations offices, and area offices of the Administration, including any reductions in force, employment of additional personnel, or realignments of personnel, that are necessary to implement the plan.

(4) A schedule for the implementation of the plan.

(c) INCLUDED FACILITIES.—The plan shall address any administrative units in the National Nuclear Security Administration, including units in and under the following:

(1) The Department of Energy Headquarters, Washington, District of Columbia, metropolitan area.

(2) The Albuquerque Operations Office, Albuquerque, New Mexico.

(3) The Nevada Operations Office, Las Vegas, Nevada.

(4) The Oak Ridge Operations Office, Oak Ridge, Tennessee.

(5) The Oakland Operations Office, Oakland, California.

(6) The Savannah River Operations Office, Aiken, South Carolina.

(7) The Los Alamos Area Office, Los Alamos, New Mexico.

(8) The Kirtland Area Office, Albuquerque, New Mexico.

(9) The Amarillo Area Office, Amarillo, Texas.

(10) The Kansas City Area Office, Kansas City, Missouri.

SEC. 3154. REQUIRED CONTENTS OF FUTURE-YEARS NUCLEAR SECURITY PROGRAM.

(a) CONTENTS REQUIRED.—Subsection (b) of section 3253 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 966; 50 U.S.C. 2453) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting before paragraph (4) (as redesignated by paragraph (2)) the following new paragraphs:

''(1) A detailed description of the program elements (and the projects, activities, and construction projects associated with each such program element) during the applicable five-fiscal year period for at least each of the following:

''(A) For defense programs—

''(i) directed stockpile work;

''(ii) campaigns;

''(iii) readiness in technical base and facilities; and

''(iv) secure transportation asset.

''(B) For defense nuclear nonproliferation—

''(i) nonproliferation and verification, research, and development;

''(ii) arms control; and

''(iii) fissile materials disposition.

''(C) For naval reactors, naval reactors operations and maintenance.

''(2) A statement of proposed budget authority, estimated expenditures, and proposed appropriations necessary to support each program element specified pursuant to paragraph (1).

''(3) A detailed description of how the funds identified for each program element specified pursuant to paragraph (1) in the budget for the Administration for each fiscal year during that five-fiscal year period will help ensure that the nuclear weapons stockpile is safe and reliable, as determined in accordance with the criteria established under section 3158 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (42 U.S.C. 2121 note).''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(3) in subsection (d), as so redesignated, by striking ''subsection (d)'' and inserting ''subsection (c)''.

SEC. 3155. FUTURE-YEARS NUCLEAR SECURITY PROGRAM FOR FISCAL YEAR 2001.

(a) PROGRAM REQUIRED.—(1) Without regard to any future-years nuclear security program submitted before the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a future-years nuclear security program (including associated annexes) for fiscal year 2001 and the five succeeding fiscal years.

(2) The program shall reflect the estimated expenditures and proposed appropriations included in the budget for fiscal year 2001 that was submitted to Congress under section 1105(a) of title 31, United States Code.

(b) PROGRAM DETAIL.—The level of detail of the program submitted under subsection (a) shall be equivalent to the level of detail in the Project Baseline Summary system of the Department of Energy, if practicable, but in no event below the following:

(1) In the case of directed stockpile work, detail as follows:

(A) Stockpile research and development.

(B) Stockpile maintenance.

(C) Stockpile evaluation.

(D) Dismantlement and disposal.

(E) Production support.

(F) Field engineering, training, and manuals.

(2) In the case of campaigns, detail as follows:

(A) Primary certification.

(B) Dynamic materials properties.

(C) Advanced radiography.

(D) Secondary certification and nuclear system margins.

(E) Enhanced surety.

(F) Weapons system engineering certification.

(G) Certification in hostile environments.

(H) Enhanced surveillance.

(I) Advanced design and production technologies.

(J) Inertial confinement fusion (ICF) ignition and high yield.

(K) Defense computing and modeling.

(L) Pit manufacturing readiness.

(M) Secondary readiness.

(N) High explosive readiness.

(O) Nonnuclear readiness.

(P) Materials readiness.

(Q) Tritium readiness.

(3) In the case of readiness in technical base and facilities, detail as follows:

(A) Operation of facilities.

(B) Program readiness.

(C) Special projects.

(D) Materials recycle and recovery.

(E) Containers.

(F) Storage.

(4) In the case of secure transportation assets, detail as follows:

(A) Operation and maintenance.

(B) Program direction relating to transportation.

(5) Program direction.

(6) Construction (listed by project number).

(7) In the case of safeguards and security, detail as follows:

(A) Operation and maintenance.

(B) Construction.

(c) DEADLINE FOR SUBMITTAL.—The future-years nuclear security program required by subsection (a) shall be submitted not later than November 1, 2000.

(d) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL.—Not more than 65 percent of the funds appropriated pursuant to the authorization of appropriations in section 3101(a)(1)(C) or otherwise made available made available to the Department of Energy for fiscal year 2001 for program direction in carrying out weapons activities may be obligated or expended until 45 days after the date on which the Administrator for Nuclear Security submits to the congressional defense committees the program required by subsection (a).

SEC. 3156. ENGINEERING AND MANUFACTURING RESEARCH, DEVELOPMENT, AND DEMONSTRATION BY PLANT MANAGERS OF CERTAIN NUCLEAR WEAPONS PRODUCTION PLANTS.

(a) AUTHORITY FOR PROGRAMS AT NUCLEAR WEAPONS PRODUCTIONS FACILITIES.—The Administrator for Nuclear Security shall authorize the head of each nuclear weapons production facility to establish an Engineering and Manufacturing Research, Development, and Demonstration Program under this section.

(b) PROJECTS AND ACTIVITIES.—The projects and activities carried out through the program at a nuclear weapons production facility under this section shall support innovative or high-risk design and manufacturing concepts and technologies with potentially high payoff for the nuclear weapons complex. Those projects and activities may include—

(1) replacement of obsolete or aging design and manufacturing technologies;

(2) development of innovative agile manufacturing techniques and processes; and

(3) training, recruitment, or retention of essential personnel in critical engineering and manufacturing disciplines.

(c) FUNDING.—The Administrator may authorize the head of each nuclear weapons production facility to obligate up to $3,000,000 of funds within the Advanced Design and Production Technologies Campaign available for such facility during fiscal year 2001 to carry out projects and activities of the program under this section at that facility.

(d) REPORT.—The Administrator for Nuclear Security shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, not later than September 15, 2001, a report describing, for each nuclear weapons production facility, each project or activity for which funds were obligated under the program, the criteria used in the selection of each such project or activity, the potential benefits of each such project or activity, and the Administrator's recommendation concerning whether the program should be continued.

(e) DEFINITION.—For purposes of this section, the term ''nuclear weapons production facility'' has the meaning given that term in section 3281(2) of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 968; 50 U.S.C. 2471(2)).

SEC. 3157. PROHIBITION ON INDIVIDUALS ENGAGING IN CONCURRENT SERVICE OR DUTIES WITHIN NATIONAL NUCLEAR SECURITY ADMINISTRATION AND OUTSIDE THAT ADMINISTRATION BUT WITHIN DEPARTMENT OF ENERGY.

Section 3213 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 958; 50 U.S.C. 2403) is amended—

(1) in subsection (a), by striking ''Administration,'' and all that follows through ''function of the'';

(2) in subsection (b), by striking '', in carrying out any function of the Administration,''; and

(3) by adding at the end the following new subsection:

''(d) PROHIBITION ON DUAL OFFICE HOLDING.—Except in accordance with sections 3212(a)(2) and 3216(a)(1):

''(1) An individual may not concurrently hold or carry out the responsibilities of—

''(A) a position within the Administration; and

''(B) a position within the Department of Energy not within the Administration.

''(2) No funds appropriated or otherwise made available for any fiscal year may be used to pay, to an individual who concurrently holds or carries out the responsibilities of a position specified in paragraph (1)(A) and a position specified in paragraph (1)(B), the basic pay, salary, or other compensation relating to any such position.''.

SEC. 3158. ANNUAL PLAN FOR OBLIGATION OF FUNDS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) PLAN REQUIRED.—Section 3252 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 966; 50 U.S.C. 2452) is amended—

(1) by inserting ''(a) PROCEDURES REQUIRED.—'' before ''The Administrator shall''; and

(2) by adding at the end the following new subsections:

''(b) ANNUAL PLAN FOR OBLIGATION OF FUNDS.—(1) Each year, the Administrator shall prepare a plan for the obligation of the amounts that, in the President's budget submitted to Congress that year under section 1105(a) of title 31, United States Code, are proposed to be appropriated for the Administration for the fiscal year that begins in that year (in this section referred to as the 'budget year') and the two succeeding fiscal years.

''(2) For each program element and construction line item of the Administration, the plan shall provide the goal of the Administration for the obligation of those amounts for that element or item for each fiscal year of the plan, expressed as a percentage of the total amount proposed to be appropriated in that budget for that element or item.

''(c) SUBMISSION OF PLAN AND REPORT.—The Administrator shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress under section 1105(a) of title 31, United States Code, each of the following:

''(1) The plan required by subsection (b) prepared with respect to that budget.

''(2) A report on the plans prepared with respect to the preceding years' budgets, which shall include, for each goal provided in those plans—

''(A) the assessment of the Administrator as to whether or not that goal was met; and

''(B) if that assessment is that the goal was not met—

''(i) the reasons why that goal was not met; and

''(ii) the plan of the Administrator for meeting or, if necessary, adjusting that goal.''.

(b) EFFECTIVE DATE OF REQUIREMENT TO ASSESS PRIOR PLAN.—The first report submitted under paragraph (2) of subsection (c) of such section (as added by subsection (a)) shall be the report on the plan prepared with respect to the budget submitted in calendar year 2001.

(c) GAO REPORT.—Not later than March 15, 2001, the Comptroller General shall submit to the congressional defense committees an assessment of the adequacy of the planning, programming, and budgeting processes of the National Nuclear Security Administration.

SEC. 3159. AUTHORITY TO REORGANIZE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) REORGANIZATION AUTHORITY.—Section 3212 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2402) is amended by adding at the end the following new subsection:

''(e) REORGANIZATION AUTHORITY.—Except as provided by subsections (b) and (c) of section 3291:

''(1) The Administrator may establish, abolish, alter, consolidate, or discontinue any organizational unit or component of the Administration, or transfer any function of the Administration.

''(2) Such authority does not apply to the abolition of organizational units or components established by law or the transfer of functions vested by law in any organizational unit or component.''.

(b) CONFORMING AMENDMENTS.—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended—

(1) by striking ''The Secretary'' and inserting ''(a) Except as provided in subsection (b), the Secretary''; and

(2) by adding at the end the following new subsection:

''(b) The authority of the Secretary under subsection (a) does not apply to the National Nuclear Security Administration. The corresponding authority that applies to the Administration is set forth in section 3212(e) of the National Nuclear Security Administration Act.''.

Subtitle E—National Laboratories Partnership Improvement

SEC. 3161. TECHNOLOGY INFRASTRUCTURE PILOT PROGRAM.

(a) ESTABLISHMENT.—The Administrator for Nuclear Security shall establish a Technology Infrastructure Pilot Program in accordance with this section.

(b) PURPOSE.—The purpose of the program shall be to explore new methods of collaboration and improvements in the management and effectiveness of collaborative programs carried out by the national security laboratories and nuclear weapons production facilities in partnership with private industry and institutions of higher education and to improve the ability of those laboratories and facilities to support missions of the Administration.

(c) FUNDING.—(1) Except as provided in paragraph (2), funding shall be available for the pilot program only to the extent of specific authorizations and appropriations enacted after the date of the enactment of this Act.

(2) From amounts available in fiscal years 2001 and 2002 for technology partnership programs of the Administration, the Administrator may allocate to carry out the pilot program not more than $5,000,000.

(d) PROJECT REQUIREMENTS.—A project may not be approved for the pilot program unless the project meets the following requirements:

(1) The participants in the project include—

(A) a national security laboratory or nuclear weapons production facility; and

(B) one or more of the following:

(i) A business.

(ii) An institution of higher education.

(iii) A nonprofit institution.

(iv) An agency of a State, local, or tribal government.

(2)(A) Not less than 50 percent of the costs of the project are to be provided by non-Federal sources.

(B)(i) The calculation of the amount of the costs of the project provided by non-Federal sources shall include cash, personnel, services, equipment, and other resources expended on the project.

(ii) No funds or other resources expended before the start of the project or outside the project's scope of work may be credited toward the costs provided by non-Federal sources to the project.

(3) The project (other than in the case of a project under which the participating laboratory or facility receives funding under this section) shall be competitively selected by that laboratory or facility using procedures determined to be appropriate by the Administrator.

(4) No Federal funds shall be made available under this section for—

(A) construction; or

(B) any project for more than five years.

(e) SELECTION CRITERIA.—(1) The projects selected for the pilot program shall—

(A) stimulate the development of technology expertise and capabilities in private industry and institutions of higher education that can support the nuclear weapons and nuclear nonproliferation missions of the national security laboratories and nuclear weapons production facilities on a continuing basis;

(B) improve the ability of those laboratories and facilities benefit from commercial research, technology, products, processes, and services that can support the nuclear weapons and nuclear nonproliferation missions of those laboratories and facilities on a continuing basis; and

(C) encourage the exchange of scientific and technological expertise between those laboratories and facilities and—

(i) institutions of higher education;

(ii) technology-related business concerns;

(iii) nonprofit institutions; and

(iv) agencies of State, tribal, or local governments;

that can support the missions of those laboratories and facilities.

(2) The Administrator may authorize the provision of Federal funds for a project under this section only if the director of the laboratory or facility managing the project determines that the project is likely to improve the ability of that laboratory or facility to achieve technical success in meeting nuclear weapons and nuclear nonproliferation missions of the Administration.

(3) The Administrator shall require the director of the laboratory or facility to consider the following criteria in selecting a project to receive Federal funds:

(A) The potential of the project to succeed, based on its technical merit, team members, management approach, resources, and project plan.

(B) The potential of the project to promote the development of a commercially sustainable technology, determined by considering whether the project will derive sufficient demand for its products or services from the private sector to support the nuclear weapons and nuclear nonproliferation missions of the participating laboratory or facility on a continuing basis.

(C) The potential of the project to promote the use of commercial research, technology, products, processes, and services by the participating laboratory or facility to achieve its nuclear weapons and nuclear nonproliferation missions.

(D) The commitment shown by non-Federal organizations to the project, based primarily on the nature and amount of the financial and other resources they will risk on the project.

(E) The extent to which the project involves a wide variety and number of institutions of higher education, nonprofit institutions, and technology-related business concerns that can support the nuclear weapons and nuclear nonproliferation missions of the participating laboratory or facility on a continuing basis and that will make substantive contributions to achieving the goals of the project.

(F) The extent of participation in the project by agencies of State, tribal, or local governments that will make substantive contributions to achieving the goals of the project.

(G) The extent to which the project focuses on promoting the development of technology-related business concerns that are small business concerns or involves small business concerns substantively in the project.

(f) IMPLEMENTATION PLAN.—No funds may be allocated for the pilot program until 30 days after the date on which the Administrator submits to the congressional defense committees a plan for the implementation of the pilot program. The plan shall, at a minimum—

(1) identify the national security laboratories and nuclear weapons production facilities that have been designated by the Administrator to participate in the pilot program; and

(2) with respect to each laboratory or facility identified under paragraph (1)—

(A) identify the businesses, institutions of higher education, nonprofit institutions, and agencies of State, local, or tribal government that are expected to participate in the pilot program at that laboratory or facility;

(B) identify the technology areas to be addressed by the pilot program at that laboratory or facility and the manner in which the pilot program will support high-priority missions of that laboratory or facility on a continuing basis; and

(C) describe the management controls that have been put into place to ensure that the pilot program as conducted at that laboratory or facility is conducted in a cost-effective manner consistent with the objectives of the pilot program.

(g) REPORT ON IMPLEMENTATION.—(1) Not later than February 1, 2002, the Administrator shall submit to the congressional defense committees a report on the implementation and management of the pilot program. The report shall take into consideration the results of the pilot program to date and the views of the directors of the participating laboratories and facilities. The report shall include any recommendations the Administrator may have concerning the future of the pilot program.

(2) Not later than 30 days after the date on which the Administrator submits the report required by paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing the Comptroller General's assessment of that report.

SEC. 3162. REPORT ON SMALL BUSINESS PARTICIPATION IN NATIONAL NUCLEAR SECURITY ADMINISTRATION ACTIVITIES.

(a) REPORT REQUIRED.—Not later than February 15, 2001, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on small business participation in the activities of the National Nuclear Security Administration.

(b) CONTENTS OF REPORT.—The report shall include the following:

(1) A description of the scope and nature of the efforts of the National Nuclear Security Administration as of the date of the enactment of this Act to encourage or increase participation of small business concerns in procurements, collaborative research, technology licensing, and technology transfer activities carried out by the national security laboratories or nuclear weapons production facilities.

(2) An assessment of the effectiveness of those efforts in securing products and services of value to those laboratories and facilities.

(3) Recommendations on how to improve those efforts.

(4) An identification of legislative changes required to implement those recommendations.

SEC. 3163. STUDY AND REPORT RELATED TO IMPROVING MISSION EFFECTIVENESS, PARTNERSHIPS, AND TECHNOLOGY TRANSFER AT NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES.

(a) STUDY AND REPORT REQUIRED.—The Secretary of Energy shall direct the Secretary of Energy Advisory Board to study and to submit to the Secretary not later than one year after the date of the enactment of this Act a report regarding the following topics:

(1) The advantages and disadvantages of providing the Administrator for Nuclear Security with authority, notwithstanding the limitations otherwise imposed by the Federal Acquisition Regulation, to enter into transactions with public agencies, private organizations, or individuals on terms the Administrator considers appropriate to the furtherance of basic, applied, and advanced research functions. The Advisory Board shall consider, in its assessment of this authority, the management history of the Department of Energy and the effect of this authority on the National Nuclear Security Administration's use of contractors to operate the national security laboratories.

(2) The advantages and disadvantages of establishing and implementing policies and procedures to facilitate the transfer of scientific, technical, and professional personnel among national security laboratories and nuclear weapons production facilities.

(3) The advantages and disadvantages of making changes in—

(A) the indemnification requirements for patents or other intellectual property licensed from a national security laboratory or nuclear weapons production facility;

(B) the royalty and fee schedules and types of compensation that may be used for patents or other intellectual property licensed to a small business concern from a national security laboratory or nuclear weapons production facility;

(C) the licensing procedures and requirements for patents and other intellectual property;

(D) the rights given to a small business concern that has licensed a patent or other intellectual property from a national security laboratory or nuclear weapons production facility to bring suit against third parties infringing such intellectual property;

(E) the advance funding requirements for a small business concern funding a project at a national security laboratory or nuclear weapons production facility through a funds-in agreement;

(F) the intellectual property rights allocated to a business when it is funding a project at a national security laboratory or nuclear weapons production facility through a funds-in agreement; and

(G) policies on royalty payments to inventors employed by a contractor operating a national security laboratory or nuclear weapons production facility, including those for inventions made under a funds-in agreement.

(b) DEFINITION OF FUNDS-IN AGREEMENT.—For the purposes of this section, the term ''funds-in agreement'' means a contract between the Department and a non-Federal organization under which that organization pays the Department to provide a service or material not otherwise available in the domestic private sector.

(c) SUBMISSION TO CONGRESS.—Not later than one month after receiving the report under subsection (a), the Secretary shall submit to Congress that report, along with the Secretary's recommendations for action and proposals for legislation to implement the recommendations.

SEC. 3164. REPORT ON EFFECTIVENESS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION TECHNOLOGY DEVELOPMENT PARTNERSHIPS WITH NON-FEDERAL ENTITIES.

(a) REPORT REQUIRED.—The Administrator for Nuclear Security shall submit to Congress, not later than March 1, 2001, a report on the efficiency and effectiveness with which the National Nuclear Security Administration and its laboratories and facilities carry out technology development activities in partnership with non-Federal entities, including cooperative research and development agreements. The report shall include an examination of the following matters with respect to the carrying out of those activities:

(1) Funding sources available to and used by the Administration.

(2) Types of legal instruments used by the Administration, and the extent to which they are used.

(3) Procedures used for selection of participants.

(4) Intellectual property licensing and royalty provisions.

(5) New technologies developed.

(6) The extent to which those new technologies have—

(A) commercial utility; and

(B) utility to the nuclear weapons and nuclear nonproliferation missions of the Administration.

(b) ADDITIONAL REQUIREMENTS FOR COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—(1) The report required by subsection (a) shall include a section providing the following with respect to cooperative research and development agreements:

(A) An assessment of the advantages and disadvantages of such agreements.

(B) Any recommendations of the Administrator regarding the use of such agreements by the Administration in the future, including any appropriate funding levels.

(C) Any recommendations of the Administrator regarding legislation to make such agreements more effective in supporting the Administration's core nuclear weapons and nuclear non-proliferation missions.

(2) In this subsection, the term ''cooperative research and development agreement'' has the meaning given such term in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)).

(c) GAO REVIEW.—The Comptroller General shall submit to Congress, within 30 days after the submission of the report required by subsection (a), a report containing the Comptroller General's assessment of that report.

SEC. 3165. DEFINITIONS.

For purposes of this subtitle, the terms ''national security laboratory'' and ''nuclear weapons production facility'' have the meanings given such terms in section 3281 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 968; 50 U.S.C. 2471).

Subtitle F—Matters Relating to Defense Nuclear Nonproliferation

SEC. 3171. ANNUAL REPORT ON STATUS OF NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING PROGRAM.

(a) REPORT REQUIRED.—Not later than January 1 of each year, the Secretary of Energy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the status of efforts during the preceding fiscal year under the Nuclear Materials Protection, Control, and Accounting Program of the Department of Energy to secure weapons-usable nuclear materials in Russia that have been identified as being at risk for theft or diversion.

(b) CONTENTS.—Each report under subsection (a) shall include the following:

(1) The number of buildings, including building locations, that received complete and integrated materials protection, control, and accounting systems for nuclear materials described in subsection (a) during the year covered by such report.

(2) The amounts of highly enriched uranium and plutonium in Russia that have been secured under systems described in paragraph (1) as of the date of such report.

(3) The amount of nuclear materials described in subsection (a) that continues to require securing under systems described in paragraph (1) as of the date of such report.

(4) A plan for actions to secure the nuclear materials identified in paragraph (3) under systems described in paragraph (1), including an estimate of the cost of such actions.

(5) The amounts expended through the fiscal year preceding the date of such report to secure nuclear materials described in subsection (a) under systems described in paragraph (1), set forth by total amount and by amount per fiscal year.

(c) LIMITATION ON USE OF CERTAIN FUNDS.—(1) No amounts authorized to be appropriated for the Department of Energy by this Act or any other Act for purposes of the Nuclear Materials Protection, Control, and Accounting Program may be obligated or expended after September 30, 2000, for any project under the program at a site controlled by the Russian Ministry of Atomic Energy (MINATOM) in Russia until the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the access policy established with respect to such project, including a certification that the access policy has been implemented.

(2) The access policy with respect to a project under this subsection shall—

(A) permit appropriate determinations by United States officials regarding security requirements, including security upgrades, for the project; and

(B) ensure verification by United States officials that Department of Energy assistance at the project is being used for the purposes intended.

SEC. 3172. NUCLEAR CITIES INITIATIVE.

(a) IN GENERAL.—(1) The Secretary of Energy may, in accordance with the provisions of this section, expand and enhance the activities of the Department of Energy under the Nuclear Cities Initiative.

(2) In this section, the term ''Nuclear Cities Initiative'' means the initiative arising pursuant to the joint statement dated July 24, 1998, signed by the Vice President of the United States and the Prime Minister of the Russian Federation and the agreement dated September 22, 1998, between the United States and the Russian Federation.

(b) FUNDING FOR FISCAL YEAR 2001.—There is hereby authorized to be appropriated for the Department of Energy for fiscal year 2001 $30,000,000 for purposes of the Nuclear Cities Initiative.

(c) LIMITATION PENDING SUBMISSION OF AGREEMENT.—No amount authorized to be appropriated or otherwise made available for the Department of Energy for fiscal year 2001 for the Nuclear Cities Initiative may be obligated or expended to provide assistance under the Initiative for more than three nuclear cities in Russia and two serial production facilities in Russia until 30 days after the date on which the Secretary of Energy submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of a written agreement between the United States Government and the Government of the Russian Federation which provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work.

(d) LIMITATION PENDING IMPLEMENTATION OF PROJECT REVIEW PROCEDURES.—(1) Not more than $8,750,000 of the amounts referred to in subsection (b) may be obligated or expended for purposes of the Initiative until the Secretary of Energy establishes and implements project review procedures for projects under the Initiative and submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the project review procedures so established and implemented.

(2) The project review procedures established under paragraph (1) shall ensure that any scientific, technical, or commercial project initiated under the Initiative—

(A) will not enhance the military or weapons of mass destruction capabilities of Russia;

(B) will not result in the inadvertent transfer or utilization of products or activities under such project for military purposes;

(C) will be commercially viable; and

(D) will be carried out in conjunction with an appropriate commercial, industrial, or nonprofit entity as partner.

(e) LIMITATION PENDING CERTIFICATION AND REPORT.—No amount in excess of $17,500,000 authorized to be appropriated for the Department of Energy for fiscal year 2001 for the Nuclear Cities Initiative may be obligated or expended for purposes of providing assistance under the Initiative until 30 days after the date on which the Secretary of Energy submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the following:

(1) A copy of the written agreement between the United States and the Russian Federation which provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work within five years of the date of the agreement in exchange for receiving assistance through the Initiative.

(2) A certification by the Secretary—

(A) that project review procedures for all projects under the Initiative have been established and are being implemented; and

(B) that those procedures will ensure that any scientific, technical, or commercial project initiated under the Initiative—

(i) will not enhance the military or weapons of mass destruction capabilities of Russia;

(ii) will not result in the inadvertent transfer or utilization of products or activities under such project for military purposes;

(iii) will be commercially viable within three years after the date of the initiation of the project; and

(iv) will be carried out in conjunction with an appropriate commercial, industrial, or other nonprofit entity as partner.

(3) A report setting forth the following:

(A) A description of the project review procedures process.

(B) A list of the projects under the Initiative that have been reviewed under such project review procedures.

(C) A description for each project listed under subparagraph (B) of the purpose, expected lifecycle costs, out-year budget costs, participants, commercial viability, expected time for income generation, and number of Russian jobs created.

(f) PLAN FOR RESTRUCTURING THE RUSSIAN NUCLEAR COMPLEX.—(1) The President, acting through the Secretary of Energy, is urged to enter into discussions with the Russian Federation for purposes of the development by the Russian Federation of a plan to restructure the Russian nuclear complex in order to meet changes in the national security requirements of Russia by 2010.

(2) The plan under paragraph (1) should include the following:

(A) Mechanisms to consolidate the nuclear weapons production capacity in Russia to a capacity that is consistent with the obligations of Russia under current and future arms control agreements.

(B) Mechanisms to increase transparency regarding the restructuring of the Russian nuclear complex and weapons-surplus nuclear materials inventories in Russia to the levels of transparency for such matters in the United States, including the participation of Department of Energy officials with expertise in transparency of such matters.

(C) Measurable milestones that will permit the United States and the Russian Federation to monitor progress under the plan.

(g) ENCOURAGEMENT OF CAREERS IN NONPROLIFERATION.—(1) In carrying out actions under this section, the Secretary of Energy may carry out a program to encourage students in the United States and in the Russian Federation to pursue careers in areas relating to nonproliferation.

(2) Of the amounts made available under the Initiative for fiscal year 2001 in excess of $17,500,000, up to $2,000,000 shall be available for purposes of the program under paragraph (1).

(3) The Administrator for Nuclear Security shall notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives before any funds are expended pursuant to paragraph (2). Any such notification shall include—

(A) an identification of the amount to be expended under paragraph (2) during fiscal year 2001;

(B) the recipients of the funds; and

(C) specific information on the activities that will be conducted using those funds.

(h) DEFINITIONS.—In this section:

(1) The term ''nuclear city'' means any of the closed nuclear cities within the complex of the Russian Ministry of Atomic Energy as follows:

(A) Sarov (Arzamas–16).

(B) Zarechnyy (Penza–19).

(C) Novoural'sk (Sverdlovsk–44).

(D) Lesnoy (Sverdlovsk–45).

(E) Ozersk (Chelyabinsk–65).

(F) Snezhinsk (Chelyabinsk–70).

(G) Trechgornyy (Zlatoust–36).

(H) Seversk (Tomsk–7).

(I) Zheleznogorsk (Krasnoyarsk–26).

(J) Zelenogorsk (Krasnoyarsk–45).

(2) The term ''Russian nuclear complex'' means all of the nuclear cities.

(3) The term ''serial production facilities'' means the facilities in Russia that are located at the following cities:

(A) Avangard.

(B) Lesnoy (Sverdlovsk–45).

(C) Trechgornyy (Zlatoust–36).

(D) Zarechnyy (Penza–19).

SEC. 3173. DEPARTMENT OF ENERGY NONPROLIFERATION MONITORING.

(a) REPORT REQUIRED.—Not later than March 1, 2001, the Secretary of Energy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the efforts of the Department of Energy to ensure adequate oversight and accountability of the Department's nonproliferation programs in Russia and the potential costs and effects of the use of on-the-ground monitoring for the Department's significant nonproliferation programs in Russia. The report shall include the following:

(1) A detailed discussion of the current management and oversight mechanisms used to ensure that Federal funds are expended for the intended purposes of those programs and that the projects are achieving their intended objectives.

(2) An evaluation of whether those mechanisms are adequate.

(3) A discussion of whether there is a need for additional employees of the Department, or of contractors of the Department, to be stationed in Russia, or to visit nonproliferation project sites in Russia on a regular basis, to monitor the programs carried out at those sites, and an estimate of the practical considerations and costs of such monitoring.

(4) An identification of each nonproliferation program and each site at which an employee referred to in paragraph (3) would be placed to monitor that program.

(5) A description of the costs associated with continued on-the-ground monitoring of those programs, including the costs associated with placing those employees in Russia.

(6) Recommendations regarding the most cost-effective option for the Department to pursue to ensure that Federal funds for those programs are expended for the intended purposes of those programs.

(7) Any recommendations of the Secretary for further improvements in the oversight and accountability of those programs, including any proposed legislation.

(b) GAO REPORT.—Not later than April 15, 2001, the Comptroller General shall submit to the committees referred to in subsection (a) a report setting forth the assessment of the Comptroller General concerning the information contained in the report required by that subsection.

SEC. 3174. SENSE OF CONGRESS ON THE NEED FOR COORDINATION OF NONPROLIFERATION PROGRAMS.

It is the sense of Congress that there should be clear and effective coordination among—

(1) the Nuclear Cities Initiative;

(2) the Initiatives for Proliferation Prevention program;

(3) the Cooperative Threat Reduction programs;

(4) the Nuclear Materials Protection, Control, and Accounting Program; and

(5) the International Science and Technology Center program.

SEC. 3175. LIMITATION ON USE OF FUNDS FOR INTERNATIONAL NUCLEAR SAFETY PROGRAM.

Amounts authorized to be appropriated or otherwise made available by this title for the Department of Energy for fiscal year 2001 for the International Nuclear Safety Program in the former Soviet Union and Eastern Europe shall be available only for purposes of reactor safety upgrades and training relating to nuclear operator and reactor safety.

Subtitle G—Other Matters

SEC. 3191. EXTENSION OF AUTHORITY FOR APPOINTMENT OF CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL PERSONNEL.

Section 3161(c)(1) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 42 U.S.C. 7231 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2002''.

SEC. 3192. BIENNIAL REPORT CONTAINING UPDATE ON NUCLEAR TEST READINESS POSTURES.

Section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 623) is amended—

(1) by inserting ''(a) REPORT.—'' before ''Not later than February 15, 1996,''; and

(2) by adding at the end the following:

''(b) BIENNIAL UPDATE REPORT.—(1) Not later than February 15 of each odd-numbered year, the Secretary shall submit to the congressional defense committees a report containing an update of the report required under subsection (a), as updated by any report previously submitted under this paragraph.

''(2) Each report under paragraph (1) shall include, as of the date of such report, the following:

''(A) A list and description of the workforce skills and capabilities that are essential to carry out underground nuclear tests at the Nevada Test Site.

''(B) A list and description of the infrastructure and physical plant that are essential to carry out underground nuclear tests at the Nevada Test Site.

''(C) A description of the readiness status of the skills and capabilities described in subparagraph (A) and of the infrastructure and physical plant described in subparagraph (B).

''(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.''.

SEC. 3193. FREQUENCY OF REPORTS ON INADVERTENT RELEASES OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.

(a) FREQUENCY OF REPORTS.—Section 3161(f)(2) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2261; 50 U.S.C. 435 note) is amended to read as follows:

''(2) The Secretary of Energy shall, on a quarterly basis, submit a report to the committees and Assistant to the President specified in subsection (d). The report shall state whether any inadvertent releases described in paragraph (1) occurred during the immediately preceding quarter and, if so, shall identify each such release.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) apply with respect to inadvertent releases of Restricted Data and Formerly Restricted Data that are discovered on or after the date of the enactment of this Act.

SEC. 3194. FORM OF CERTIFICATIONS REGARDING THE SAFETY OR RELIABILITY OF THE NUCLEAR WEAPONS STOCKPILE.

Any certification submitted to the President by the Secretary of Defense or the Secretary of Energy regarding confidence in the safety or reliability of a nuclear weapon type in the United States nuclear weapons stockpile shall be submitted in classified form only.

SEC. 3195. AUTHORITY TO PROVIDE CERTIFICATE OF COMMENDATION TO DEPARTMENT OF ENERGY AND CONTRACTOR EMPLOYEES FOR EXEMPLARY SERVICE IN STOCKPILE STEWARDSHIP AND SECURITY.

(a) AUTHORITY TO PRESENT CERTIFICATE OF COMMENDATION.—The Secretary of Energy may present a certificate of commendation to any current or former employee of the Department of Energy, and any current or former employee of a Department contractor, whose service to the Department in matters relating to stockpile stewardship and security assisted the Department in furthering the national security interests of the United States.

(b) CERTIFICATE.—The certificate of commendation presented to a current or former employee under subsection (a) shall include an appropriate citation of the service of the current or former employee described in that subsection, including a citation for dedication, intellect, and sacrifice in furthering the national security interests of the United States by maintaining a strong, safe, and viable United States nuclear deterrent during the Cold War or thereafter.

(c) DEPARTMENT OF ENERGY DEFINED.—For purposes of this section, the term ''Department of Energy'' includes any predecessor agency of the Department of Energy.

SEC. 3196. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS FOR GOVERNMENT-OWNED, CONTRACTOR-OPERATED LABORATORIES.

(a) STRATEGIC PLANS.—Subsection (a) of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended by striking ''joint work statement,'' and inserting ''joint work statement or, if permitted by the agency, in an agency-approved annual strategic plan,''.

(b) EXPERIMENTAL FEDERAL WAIVERS.—Subsection (b) of that section is amended by adding at the end the following new paragraph:

''(6)(A) In the case of a laboratory that is part of the National Nuclear Security Administration, a designated official of that Administration may waive any license retained by the Government under paragraph (1)(A), (2), or (3)(D), in whole or in part and according to negotiated terms and conditions, if the designated official finds that the retention of the license by the Government would substantially inhibit the commercialization of an invention that would otherwise serve an important national security mission.

''(B) The authority to grant a waiver under subparagraph (A) shall expire on the date that is five years after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001. The expiration under the preceding sentence of authority to grant a waiver under subparagraph (A) shall not affect any waiver granted under that subparagraph before the expiration of such authority.

''(C) Not later than February 15 of each year, the Administrator for Nuclear Security shall submit to Congress a report on any waivers granted under this paragraph during the preceding year.''.

(c) TIME REQUIRED FOR APPROVAL.—Subsection (c)(5) of that section is amended—

(1) by striking subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (C); and

(3) in subparagraph (C), as so redesignated—

(A) in clause (i)—

(i) by striking ''with a small business firm''; and

(ii) by inserting ''if'' after ''statement''; and

(B) by adding at the end the following new clauses:

''(iv) Any agency that has contracted with a non-Federal entity to operate a laboratory may develop and provide to such laboratory one or more model cooperative research and development agreements for purposes of standardizing practices and procedures, resolving common legal issues, and enabling review of cooperative research and development agreements to be carried out in a routine and prompt manner.

''(v) A Federal agency may waive the requirements of clause (i) or (ii) under such circumstances as the agency considers appropriate.''.

SEC. 3197. OFFICE OF ARCTIC ENERGY.

(a) ESTABLISHMENT.—The Secretary of Energy may establish within the Department of Energy an Office of Arctic Energy.

(b) PURPOSES.—The purposes of such office shall be as follows:

(1) To promote research, development, and deployment of electric power technology that is cost-effective and especially well suited to meet the needs of rural and remote regions of the United States, especially where permafrost is present or located nearby.

(2) To promote research, development, and deployment in such regions of—

(A) enhanced oil recovery technology, including heavy oil recovery, reinjection of carbon, and extended reach drilling technologies;

(B) gas-to-liquids technology and liquified natural gas (including associated transportation systems);

(C) small hydroelectric facilities, river turbines, and tidal power;

(D) natural gas hydrates, coal bed methane, and shallow bed natural gas; and

(E) alternative energy, including wind, geothermal, and fuel cells.

(c) LOCATION.—The Secretary shall locate such office at a university with expertise and experience in the matters specified in subsection (b).

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2001, $18,500,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3301. Authorized uses of stockpile funds.
Sec. 3302. Increased receipts under prior disposal authority.
Sec. 3303. Disposal of titanium.

SEC. 3301. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2001, the National Defense Stockpile Manager may obligate up to $71,000,000 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3302. INCREASED RECEIPTS UNDER PRIOR DISPOSAL AUTHORITY.

Section 3303(a)(4) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2263; 50 U.S.C. 98d note) is amended by striking ''$590,000,000'' and inserting ''$720,000,000''.

SEC. 3303. DISPOSAL OF TITANIUM.

(a) DISPOSAL REQUIRED.—Notwithstanding any other provision of law, the President shall, by September 30, 2010, dispose of 30,000 short tons of titanium contained in the National Defense Stockpile.

(b) TREATMENT OF RECEIPTS.—Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), of the funds received as a result of the disposal of titanium under subsection (a), $6,000,000 shall be transferred to the American Battle Monuments Commission for deposit in the fund established under section 2113 of title 36, United States Code, for the World War II memorial authorized by section 1 of Public Law 103–32 (107 Stat. 90), and the remainder shall be deposited into the Treasury as miscellaneous receipts.

(c) WORLD WAR II MEMORIAL.—(1) The amount transferred to the American Battle Monuments Commission under subsection (b) shall be used to complete all necessary requirements for the design of, ground breaking for, construction of, maintenance of, and dedication of the World War II memorial. The Commission shall determine how the amount shall be apportioned among such purposes.

(2) Any funds not necessary for the purposes set forth in paragraph (1) shall be transferred to and deposited in the general fund of the Treasury.

(d) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding materials in the National Defense Stockpile.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Minimum price of petroleum sold from certain naval petroleum reserves.
Sec. 3402. Repeal of authority to contract for cooperative or unit plans affecting naval petroleum reserve numbered 1.
Sec. 3403. Disposal of Oil Shale Reserve Numbered 2.

SEC. 3401. MINIMUM PRICE OF PETROLEUM SOLD FROM CERTAIN NAVAL PETROLEUM RESERVES.

Section 7430(b)(2) of title 10, United States Code, is amended—

(1) in the matter before subparagraph (A), by striking ''Naval Petroleum Reserves Numbered 1, 2, and 3'' and inserting ''Naval Petroleum Reserves Numbered 2 and 3''; and

(2) in subparagraph (A), by striking ''90 percent of''.

SEC. 3402. REPEAL OF AUTHORITY TO CONTRACT FOR COOPERATIVE OR UNIT PLANS AFFECTING NAVAL PETROLEUM RESERVE NUMBERED 1.

(a) REPEAL.—Section 7426 of title 10, United States Code, is repealed.

(b) CONFORMING AND CLERICAL AMENDMENTS.—(1) Section 7425 of such title is amended by striking ''for—'' and all that follows through ''he may acquire'' and inserting ''for exchanges of land or agreements for conservation authorized by section 7424 of this title, the Secretary may acquire''.

(2) Section 7428 of such title is amended by striking '', except a plan authorized by section 7426 of this title,''.

(3) The table of sections at the beginning of chapter 641 of such title is amended by striking the item relating to section 7426.

(c) SAVINGS PROVISION.—The repeal of section 7426 of title 10, United States Code, shall not affect the validity of contracts that are in effect under such section on the day before the date of the enactment of this Act. No such contract may be extended or renewed on or after the date of the enactment of this Act.

SEC. 3403. DISPOSAL OF OIL SHALE RESERVE NUMBERED 2.

(a) TRANSFER TO INDIAN TRIBE.—Section 3405 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C.

7420 note; Public Law 105–261) is amended to read as follows:

"SEC. 3405. DISPOSAL OF OIL SHALE RESERVE NUMBERED 2.

''(a) DEFINITIONS.—In this section:

''(1) NOSR–2.—The term 'NOSR–2' means Oil Shale Reserve Numbered 2, as identified on a map on file in the Office of the Secretary of the Interior.

''(2) MOAB SITE.—The term 'Moab site' means the Moab uranium milling site located approximately three miles northwest of Moab, Utah, and identified in the Final Environmental Impact Statement issued by the Nuclear Regulatory Commission in March 1996 in conjunction with Source Materials License No. SUA–917.

''(3) MAP.—The term ''map'' means the map depicting the boundaries of NOSR–2, to be kept on file and available for public inspection in the offices of the Department of the Interior.

''(4) TRIBE.—The term 'Tribe' means the Ute Indian Tribe of the Uintah and Ouray Indian Reservation.

''(5) TRUSTEE.—The term 'Trustee' means the Trustee of the Moab Mill Reclamation Trust.

''(b) CONVEYANCE.—(1) Except as provided in paragraph (2) and subsection (e), all right, title, and interest of the United States in and to all Federal lands within the exterior boundaries of NOSR–2 (including surface and mineral rights) are hereby conveyed to the Tribe in fee simple. The Secretary of Energy shall execute and file in the appropriate office a deed or other instrument effectuating the conveyance made by this section.

''(2) The conveyance under paragraph (1) does not include the following:

''(A) The portion of the bed of Green River contained entirely within NOSR–2, as depicted on the map.

''(B) The land (including surface and mineral rights) to the west of the Green River within NOSR–2, as depicted on the map.

''(C) A ¼ mile scenic easement on the east side of the Green River within NOSR–2.

''(c) CONDITIONS ON CONVEYANCE.—(1) The conveyance under subsection (b) is subject to valid existing rights in effect on the day before the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

''(2) On completion of the conveyance under subsection (b), the United States relinquishes all management authority over the conveyed land, including tribal activities conducted on the land.

''(3) The land conveyed to the Tribe under subsection (b) shall not revert to the United States for management in trust status.

''(4) The reservation of the easement under subsection (b)(2)(C) shall not affect the right of the Tribe to use and maintain access to the Green River through the use of the road within the easement, as depicted on the map.

''(5) Each withdrawal that applies to NOSR–2 and that is in effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 is revoked to the extent that the withdrawal applies to NOSR–2.

''(6) Notwithstanding that the land conveyed to the Tribe under subsection (b) shall not be part of the reservation of the Tribe, such land shall be deemed to be part of the reservation of the Tribe for the purposes of criminal and civil jurisdiction.

''(d) ADMINISTRATION OF UNCONVEYED LAND AND INTERESTS IN LAND.—(1) The land and interests in land excluded by subparagraphs (A) and (B) of subsection (b)(2) from conveyance under subsection (b) shall be administered by the Secretary of the Interior in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

''(2) Not later than three years after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, the Secretary of the Interior shall submit to Congress a land use plan for the management of the land and interests in land referred to in paragraph (1).

''(3) There are authorized to be appropriated to the Secretary of the Interior such sums as are necessary to carry out this subsection.

''(e) ROYALTY.—(1) Notwithstanding the conveyance under subsection (b), the United States retains a nine percent royalty interest in the value of any oil, gas, other hydrocarbons, and all other minerals that are produced, saved, and sold from the conveyed land during the period beginning on the date of the conveyance and ending on the date the Secretary of Energy releases the royalty interest under subsection (i).

''(2) The royalty payments shall be made by the Tribe or its designee to the Secretary of Energy during the period that the oil, gas, hydrocarbons, or minerals are being produced, saved, sold, or extracted. The Secretary of Energy shall retain and use the payments in the manner provided in subsection (i)(3).

''(3) The royalty interest retained by the United States under this subsection does not include any development, production, marketing, and operating expenses.

''(4) The Tribe shall submit to the Secretary of Energy and to Congress an annual report on resource development and other activities of the Tribe concerning the conveyance under subsection (b).

''(5) Not later than five years after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and every five years thereafter, the Tribe shall obtain an audit of all resource development activities of the Tribe concerning the conveyance under subsection (b), as provided under chapter 75 of title 31, United States Code. The results of each audit under this paragraph shall be included in the next annual report submitted under paragraph (4).

''(f) RIVER MANAGEMENT.—(1) The Tribe shall manage, under Tribal jurisdiction and in accordance with ordinances adopted by the Tribe, land of the Tribe that is adjacent to, and within ¼ mile of, the Green River in a manner that—

''(A) maintains the protected status of the land; and

''(B) is consistent with the government-to-government agreement and in the memorandum of understanding dated February 11, 2000, as agreed to by the Tribe and the Secretary of the Interior.

''(2) An ordinance referred to in paragraph (1) shall not impair, limit, or otherwise restrict the management and use of any land that is not owned, controlled, or subject to the jurisdiction of the Tribe.

''(3) An ordinance adopted by the Tribe and referenced in the government-to-government agreement may not be repealed or amended without the written approval of both the Tribe and the Secretary of the Interior.

''(g) PLANT SPECIES.—(1) In accordance with a government-to-government agreement between the Tribe and the Secretary of the Interior, in a manner consistent with levels of legal protection in effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, the Tribe shall protect, under ordinances adopted by the Tribe, any plant species that is—

''(A) listed as an endangered species or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

''(B) located or found on the NOSR–2 land conveyed to the Tribe.

''(2) The protection described in paragraph (1) shall be performed solely under tribal jurisdiction.

''(h) HORSES.—(1) The Tribe shall manage, protect, and assert control over any horse not owned by the Tribe or tribal members that is located or found on the NOSR–2 land conveyed to the Tribe in a manner that is consistent with Federal law governing the management, protection, and control of horses in effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

''(2) The management, control, and protection of horses described in paragraph (1) shall be performed solely—

''(A) under tribal jurisdiction; and

''(B) in accordance with a government-to-government agreement between the Tribe and the Secretary of the Interior.

''(i) REMEDIAL ACTION AT MOAB SITE.—(1)(A) The Secretary of Energy shall prepare a plan for remediation, including ground water restoration, of the Moab site in accordance with title I of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7911 et seq.). The Secretary of Energy shall enter into arrangements with the National Academy of Sciences to obtain the technical advice, assistance, and recommendations of the National Academy of Sciences in objectively evaluating the costs, benefits, and risks associated with various remediation alternatives, including removal or treatment of radioactive or other hazardous materials at the site, ground water restoration, and long-term management of residual contaminants. If the Secretary prepares a remediation plan that is not consistent with the recommendations of the National Academy of Sciences, the Secretary shall submit to Congress a report explaining the reasons for deviation from the National Academy of Sciences' recommendations.

''(B) The remediation plan required by subparagraph (A) shall be completed not later than one year after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and the Secretary of Energy shall commence remedial action at the Moab site as soon as practicable after the completion of the plan.

''(C) The license for the materials at the Moab site issued by the Nuclear Regulatory Commission shall terminate one year after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, unless the Secretary of Energy determines that the license may be terminated earlier. Until the license is terminated, the Trustee, subject to the availability of funds appropriated specifically for a purpose described in clauses (i) through (iii) or made available by the Trustee from the Moab Mill Reclamation Trust, may carry out—

''(i) interim measures to reduce or eliminate localized high ammonia concentrations in the Colorado River, identified by the United States Geological Survey in a report dated March 27, 2000;

''(ii) activities to dewater the mill tailings at the Moab site; and

''(iii) other activities related to the Moab site, subject to the authority of the Nuclear Regulatory Commission and in consultation with the Secretary of Energy.

''(D) As part of the remediation plan for the Moab site required by subparagraph (A), the Secretary of Energy shall develop, in consultation with the Trustee, the Nuclear Regulatory Commission, and the State of Utah, an efficient and legal means for transferring all responsibilities and title to the Moab site and all the materials therein from the Trustee to the Department of Energy.

''(2) The Secretary of Energy shall limit the amounts expended in carrying out the remedial action under paragraph (1) to—

''(A) amounts specifically appropriated for the remedial action in an appropriation Act; and

''(B) other amounts made available for the remedial action under this subsection.

''(3)(A) The royalty payments received by the Secretary of Energy under subsection (e) shall be available to the Secretary, without further appropriation, to carry out the remedial action under paragraph (1) until such time as the Secretary determines that all costs incurred by the United States to carry out the remedial action (other than costs associated with long-term monitoring) have been paid.

''(B) Upon making the determination referred to in subparagraph (A), the Secretary of Energy shall transfer all remaining royalty amounts to the general fund of the Treasury and release to the Tribe the royalty interest retained by the United States under subsection (e).

''(4)(A) Funds made available to the Department of Energy for national security activities shall not be used to carry out the remedial action under paragraph (1), except that the Secretary of Energy may use such funds for program direction directly related to the remedial action.

''(B) There are authorized to be appropriated to the Secretary of Energy to carry out the remedial action under paragraph (1) such sums as are necessary.

''(5) If the Moab site is sold after the date on which the Secretary of Energy completes the remedial action under paragraph (1), the seller shall pay to the Secretary of Energy, for deposit in the general fund of the Treasury, the portion of the sale price that the Secretary determines resulted from the enhancement of the value of the Moab site as a result of the remedial action. The enhanced value of the Moab site shall be equal to the difference between—

''(A) the fair market value of the Moab site on the date of enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, based on information available on that date; and

''(B) the fair market value of the Moab site, as appraised on completion of the remedial action.''.

(b) URANIUM MILL TAILINGS.—Section 102 of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7912) is amended by adding at the end the following new subsection:

''(f) DESIGNATION OF MOAB SITE AS PROCESSING SITE.—

''(1) DESIGNATION.—Notwithstanding any other provision of law, the Moab uranium milling site (referred to in this subsection as the 'Moab site') located approximately three miles northwest of Moab, Utah, and identified in the Final Environmental Impact Statement issued by the Nuclear Regulatory Commission in March 1996 in conjunction with Source Materials License No. SUA–917, is designated as a processing site.

''(2) APPLICABILITY.—This title applies to the Moab site in the same manner and to the same extent as to other processing sites designated under subsection (a), except that—

''(A) sections 103, 104(b), 107(a), 112(a), and 115(a) of this title shall not apply; and

''(B) a reference in this title to the date of the enactment of this Act shall be treated as a reference to the date of the enactment of this subsection.

''(3) REMEDIATION.—Subject to the availability of appropriations for this purpose, the Secretary shall conduct remediation at the Moab site in a safe and environmentally sound manner that takes into consideration the remedial action plan prepared pursuant to section 3405(i) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 7420 note; Public Law 105–261), including—

''(A) ground water restoration; and

''(B) the removal, to a site in the State of Utah, for permanent disposition and any necessary stabilization, of residual radioactive material and other contaminated material from the Moab site and the floodplain of the Colorado River.''.

(c) CONFORMING AMENDMENT.—Section 3406 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 7420 note; Public Law 105–261) is amended by adding at the end the following new subsection:

''(f) OIL SHALE RESERVE NUMBERED 2.—This section does not apply to the transfer of Oil Shale Reserve Numbered 2 under section 3405.''.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for fiscal year 2001.
Sec. 3502. Scrapping of National Defense Reserve Fleet vessels.
Sec. 3503. Authority to convey National Defense Reserve Fleet vessel, GLACIER.
Sec. 3504. Maritime intermodal research.
Sec. 3505. Maritime research and technology development.
Sec. 3506. Reporting of administered and oversight funds.

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2001.

Funds are hereby authorized to be appropriated for fiscal year 2001, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $94,260,000.

(2) For expenses under the loan guarantee program authorized by title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.), $54,179,000, of which—

(A) $50,000,000 is for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $4,179,000 is for administrative expenses related to loan guarantee commitments under the program.

SEC. 3502. SCRAPPING OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

(a) EXTENSION OF SCRAPPING AUTHORITY UNDER NATIONAL MARITIME HERITAGE ACT OF 1994.—Section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) is amended—

(1) in subparagraph (A) by striking ''2001'' and inserting ''2006''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) in the manner that provides the best value to the Government, except in any case in which obtaining the best value would require towing a vessel and such towing poses a serious threat to the environment; and''.

(b) SELECTION OF SCRAPPING FACILITIES.—The Secretary of Transportation may scrap obsolete vessels pursuant to section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) through qualified scrapping facilities, using the most expeditious scrapping methodology and location practicable. Scrapping facilities shall be selected under that section on a best value basis consistent with the Federal Acquisition Regulation, as in effect on the date of the enactment of this Act, without any predisposition toward foreign or domestic facilities taking into consideration, among other things, the ability of facilities to scrap vessels—

(1) at least cost to the Government;

(2) in a timely manner;

(3) giving consideration to worker safety and the environment; and

(4) in a manner that minimizes the geographic distance that a vessel must be towed when towing a vessel poses a serious threat to the environment.

(c) LIMITATION ON SCRAPPING BEFORE PROGRAM.—

(1) IN GENERAL.—Until the report required by subsection (d)(1) is transmitted to the congressional committees referred to in that subsection, the Secretary may not proceed with the scrapping of any vessel in the National Defense Reserve Fleet except the following:

(A) DONNER.
(B) EXPORT COMMERCE.
(C) BUILDER.
(D) ALBERT E. WATTS.
(E) WAYNE VICTORY.
(F) MORMACDAWN.
(G) MORMACMOON.
(H) SANTA ELENA.
(I) SANTA ISABEL.
(J) SANTA CRUZ.
(K) PROTECTOR.
(L) LAUDERDALE.
(N) PVT. FRED C. MURPHY.
(M) BEAUJOLAIS.
(O) MEACHAM.
(P) NEACO.
(Q) WABASH.
(R) NEMASKET.
(S) MIRFAK.
(T) GEN. ALEX M. PATCH.
(U) ARTHUR M. HUDDELL.
(V) WASHINGTON.
(W) SUFFOLK COUNTY.
(X) CRANDALL.
(Y) CRILLEY.
(Z) RIGEL.
(AA) VEGA.
(BB) COMPASS ISLAND.
(CC) EXPORT CHALLENGER.
(DD) PRESERVER.
(EE) MARINE FIDDLER.
(FF) WOOD COUNTY.
(GG) CATAWBA VICTORY.
(HH) GEN. NELSON M. WALKER.
(II) LORAIN COUNTY.
(JJ) LYNCH.
(KK) MISSION SANTA YNEZ.
(LL) CALOOSAHATCHEE.
(MM) CANISTEO.

(2) PRIORITIZATION.—The Secretary shall exercise discretion to prioritize for scrapping those vessels identified in paragraph (1) that pose the most immediate threat to the environment.

(d) SCRAPPING PROGRAM FOR OBSOLETE NATIONAL DEFENSE RESERVE FLEET VESSELS.—

(1) DEVELOPMENT OF PROGRAM; REPORT.—The Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, shall within 6 months after the date of the enactment of this Act—

(A) develop a program for the scrapping of obsolete National Defense Reserve Fleet vessels; and

(B) submit a report on the program to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate.

(2) CONTENTS OF REPORT.—The report shall include information concerning the initial determination of scrapping capacity, both domestically and abroad, appropriate proposed regulations to implement the program, funding and staffing requirements, milestone dates for the disposal of each obsolete vessel, and longterm cost estimates for the program.

(3) ALTERNATIVES.—In developing the program, the Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, shall consider all alternatives and available information, including—

(A) alternative scrapping sites;

(B) vessel donations;

(C) sinking of vessels in deep water;

(D) sinking vessels for development of artificial reefs;

(E) sales of vessels before they become obsolete;

(F) results from the Navy Ship Disposal Program under section 8124 of the Department of Defense Appropriations Act, 1999; and

(G) the Report of the Department of Defense's Interagency Panel on Ship Scrapping issued in April 1998.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, and every 6 months thereafter, the Secretary of Transportation, in coordination with the Secretary of the Navy, shall report to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate on the progress of

the vessel scrapping program developed under subsection (d)(1) and on the progress of any other scrapping of obsolete Government-owned vessels.

(f) PRESIDENTIAL RECOMMENDATION.—The President shall transmit with the report required by subsection (d)(1) a recommendation on—

(1) whether it is necessary to amend the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other environmental statute or regulatory requirements relevant to the disposal of vessels described in section 6(c)(2) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(2)) by September 30, 2006; and

(2) any proposed changes to those requirements to carry out such disposals.

SEC. 3503. AUTHORITY TO CONVEY NATIONAL DEFENSE RESERVE FLEET VESSEL, GLACIER.

(a) AUTHORITY TO CONVEY.—The Secretary of Transportation (in this section referred to as ''the Secretary'') may, subject to subsection (b), convey all right, title, and interest of the United States Government in and to the vessel in the National Defense Reserve Fleet that was formerly the U.S.S. GLACIER (United States official number AGB–4) to the Glacier Society, Inc., a corporation established under the laws of the State of Connecticut that is located in Bridgeport, Connecticut (in this section referred to as the ''recipient'').

(b) TERMS OF CONVEYANCE.—

(1) REQUIRED CONDITIONS.—The Secretary may not convey a vessel under this section unless the recipient—

(A) agrees to use the vessel for the purpose of a monument to the accomplishments of members of the Armed Forces of the United States, civilians, scientists, and diplomats in exploration of the Arctic and the Antarctic;

(B) agrees that the vessel will not be used for commercial purposes;

(C) agrees to make the vessel available to the Government if the Secretary requires use of the vessel by the Government for war or national emergency;

(D) agrees to hold the Government harmless for any claims arising from exposure to asbestos, polychlorinated biphenyls, or lead paint after the conveyance of the vessel, except for claims arising from use of the vessel by the Government pursuant to the agreement under subparagraph (C); and

(E) provides sufficient evidence to the Secretary that it has available for use to restore the vessel, in the form of cash, liquid assets, or a written loan commitment, financial resources of at least $100,000.

(2) DELIVERY OF VESSEL.—If the Secretary conveys the vessel under this section, the Secretary shall deliver the vessel—

(A) at the place where the vessel is located on the date of conveyance;

(B) in its condition on that date; and

(C) at no cost to the United States Government.

(3) ADDITIONAL TERMS.—The Secretary may require such additional terms in connection with the conveyance authorized by this section as the Secretary considers appropriate.

(c) OTHER UNNEEDED EQUIPMENT.—If the Secretary conveys the vessel under this section, the Secretary may also convey to the recipient any unneeded equipment from other vessels in the National Defense Reserve Fleet or Government storage facilities for use to restore the vessel to museum quality or to its original configuration (or both).

(d) RETENTION OF VESSEL IN NDRF.—The Secretary shall retain in the National Defense Reserve Fleet the vessel authorized to be conveyed under this section until the earlier of—

(1) 2 years after the date of the enactment of this Act; or

(2) the date of the conveyance of the vessel under this section.

SEC. 3504. MARITIME INTERMODAL RESEARCH.

Section 8 of Public Law 101–115 (46 U.S.C. App. 1121–2) is amended by adding at the end thereof the following:

''(f) UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—

''(1) IN GENERAL.—The Secretary may make a grant under section 5505 of title 49, United States Code, to an institute designated under subsection (a) for maritime and maritime intermodal research under that section as if the institute were a university transportation center.

''(2) ADVICE AND CONSULTATION OF MARAD.—In making a grant under the authority of paragraph (1), the Secretary, through the Research and Special Programs Administration, shall advise the Maritime Administration concerning the availability of funds for the grants, and consult with the Administration on the making of the grants.''.

SEC. 3505. MARITIME RESEARCH AND TECHNOLOGY DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Transportation shall conduct a study of maritime research and technology development, and report its findings and conclusions, together with any recommendations it finds appropriate, to the Congress within 9 months after the date of enactment of this Act.

(b) REQUIRED AREAS OF STUDY.—The Secretary shall include the following items in the report required by subsection (a):

(1) The approximate dollar values appropriated by the Congress for each of the 5 fiscal years ending before the study is commenced for each of the following modes of transportation:

(A) Highway.

(B) Rail.

(C) Aviation.

(D) Public transit.

(E) Maritime.

(2) A description of how Federal funds appropriated for research in the different transportation modes are utilized.

(3) A summary and description of current research and technology development funds appropriated for each of those fiscal years for maritime research initiatives, with separate categories for funds provided to the Coast Guard for marine safety research purposes.

(4) A description of cooperative mechanisms that could be used to attract and leverage nonfederal investments in United States maritime research and technology development and application programs, including the potential for the creation of maritime transportation research centers and the benefits of cooperating with existing surface transportation research centers.

(5) Proposals for research and technology development funding to facilitate the evolution of Maritime Transportation System.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 3401 for operations and training, $100,000 is authorized to carry out this section.

SEC. 3506. REPORTING OF ADMINISTERED AND OVERSIGHT FUNDS.

The Maritime Administration, in its annual report to the Congress under section 208 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1118), and in its annual budget estimate submitted to the Congress, shall state separately the amount, source, intended use, and nature of any funds (other than funds appropriated to the Administration or to the Secretary of Transportation for use by the Administration) administered, or subject to oversight, by the Administration.

TITLE XXXVI—ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

Sec. 3601. Short title.
Sec. 3602. Findings; sense of Congress.

Subtitle A—Establishment of Compensation Program and Compensation Fund

Sec. 3611. Establishment of Energy Employees Occupational Illness Compensation Program.
Sec. 3612. Establishment of Energy Employees Occupational Illness Compensation Fund.
Sec. 3613. Legislative proposal.
Sec. 3614. Authorization of appropriations.

Subtitle B—Program Administration

Sec. 3621. Definitions for program administration.
Sec. 3622. Expansion of list of beryllium vendors.
Sec. 3623. Exposure in the performance of duty.
Sec. 3624. Advisory Board on Radiation and Worker Health.
Sec. 3625. Responsibilities of Secretary of Health and Human Services.
Sec. 3626. Designation of additional members of Special Exposure Cohort.
Sec. 3627. Separate treatment of chronic silicosis.
Sec. 3628. Compensation and benefits to be provided.
Sec. 3629. Medical benefits.
Sec. 3630. Separate treatment of certain uranium employees.
Sec. 3631. Assistance for claimants and potential claimants.

Subtitle C—Treatment, Coordination, and Forfeiture of Compensation and Benefits

Sec. 3641. Offset for certain payments.
Sec. 3642. Subrogation of the United States.
Sec. 3643. Payment in full settlement of claims.
Sec. 3644. Exclusivity of remedy against the United States and against contractors and subcontractors.
Sec. 3645. Election of remedy for beryllium employees and atomic weapons employees.
Sec. 3646. Certification of treatment of payments under other laws.
Sec. 3647. Claims not assignable or transferable; choice of remedies.
Sec. 3648. Attorney fees.
Sec. 3649. Certain claims not affected by awards of damages.
Sec. 3650. Forfeiture of benefits by convicted felons.
Sec. 3651. Coordination with other Federal radiation compensation laws.

Subtitle D—Assistance in State Workers' Compensation Proceedings

Sec. 3661. Agreements with States.

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Energy Employees Occupational Illness Compensation Program Act of 2000''.

SEC. 3602. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—The Congress finds the following:

(1) Since World War II, Federal nuclear activities have been explicitly recognized under Federal law as activities that are ultra-hazardous. Nuclear weapons production and testing have involved unique dangers, including potential catastrophic nuclear accidents that private insurance carriers have not covered and recurring exposures to radioactive substances and beryllium that, even in small amounts, can cause medical harm.

(2) Since the inception of the nuclear weapons program and for several decades afterwards, a large number of nuclear weapons workers at sites of the Department of Energy and at sites of vendors who supplied the Cold War effort were put at risk without their knowledge and consent for reasons that, documents reveal, were driven by fears of adverse publicity, liability, and employee demands for hazardous duty pay.

(3) Many previously secret records have documented unmonitored exposures to radiation and beryllium and continuing problems at these sites across the Nation, at which the Department of Energy and its predecessor agencies have been, since World War II, self-regulating with respect to nuclear safety and occupational safety and health. No other hazardous Federal activity has been permitted to be carried out under such sweeping powers of self-regulation.

(4) The policy of the Department of Energy has been to litigate occupational illness claims,

which has deterred workers from filing workers' compensation claims and has imposed major financial burdens for such employees who have sought compensation. Contractors of the Department have been held harmless and the employees have been denied workers' compensation coverage for occupational disease.

(5) Over the past 20 years, more than two dozen scientific findings have emerged that indicate that certain of such employees are experiencing increased risks of dying from cancer and non-malignant diseases. Several of these studies have also established a correlation between excess diseases and exposure to radiation and beryllium.

(6) While linking exposure to occupational hazards with the development of occupational disease is sometimes difficult, scientific evidence supports the conclusion that occupational exposure to dust particles or vapor of beryllium can cause beryllium sensitivity and chronic beryllium disease. Furthermore, studies indicate than 98 percent of radiation-induced cancers within the nuclear weapons complex have occurred at dose levels below existing maximum safe thresholds.

(7) Existing information indicates that State workers' compensation programs do not provide a uniform means of ensuring adequate compensation for the types of occupational illnesses and diseases that relate to the employees at those sites.

(8) To ensure fairness and equity, the civilian men and women who, over the past 50 years, have performed duties uniquely related to the nuclear weapons production and testing programs of the Department of Energy and its predecessor agencies should have efficient, uniform, and adequate compensation for beryllium-related health conditions and radiation-related health conditions.

(9) On April 12, 2000, the Secretary of Energy announced that the Administration intended to seek compensation for individuals with a broad range of work-related illnesses throughout the Department of Energy's nuclear weapons complex.

(10) However, as of October 2, 2000, the Administration has failed to provide Congress with the necessary legislative and budget proposals to enact the promised compensation program.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a program should be established to provide compensation to covered employees;

(2) a fund for payment of such compensation should be established on the books of the Treasury;

(3) payments from that fund should be made only after—

(A) the identification of employees of the Department of Energy (including its predecessor agencies), and of contractors of the Department, who may be members of the group of covered employees;

(B) the establishment of a process to receive and administer claims for compensation for disability or death of covered employees;

(C) the submittal by the President of a legislative proposal for compensation of such employees that includes the estimated annual budget resources for that compensation; and

(D) consideration by the Congress of the legislative proposal submitted by the President; and

(4) payments from that fund should commence not later than fiscal year 2002.

Subtitle A—Establishment of Compensation Program and Compensation Fund

SEC. 3611. ESTABLISHMENT OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) PROGRAM ESTABLISHED.—There is hereby established a program to be known as the ''Energy Employees Occupational Illness Compensation Program'' (in this title referred to as the ''compensation program''). The President shall carry out the compensation program through one or more Federal agencies or officials, as designated by the President.

(b) PURPOSE OF PROGRAM.—The purpose of the compensation program is to provide for timely, uniform, and adequate compensation of covered employees and, where applicable, survivors of such employees, suffering from illnesses incurred by such employees in the performance of duty for the Department of Energy and certain of its contractors and subcontractors.

(c) ELIGIBILITY FOR COMPENSATION.—The eligibility of covered employees for compensation under the compensation program shall be determined in accordance with the provisions of subtitle B as may be modified by a law enacted after the date of the submittal of the proposal for legislation required by section 3613.

SEC. 3612. ESTABLISHMENT OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND.

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury a fund to be known as the ''Energy Employees Occupational Illness Compensation Fund'' (in this title referred to as the ''compensation fund'').

(b) AMOUNTS IN COMPENSATION FUND.—The compensation fund shall consist of the following amounts:

(1) Amounts appropriated to the compensation fund pursuant to the authorization of appropriations in section 3614(b).

(2) Amounts transferred to the compensation fund under subsection (c).

(c) FINANCING OF COMPENSATION FUND.—Upon the exhaustion of amounts in the compensation fund attributable to the authorization of appropriations in section 3614(b), the Secretary of the Treasury shall transfer directly to the compensation fund from the General Fund of the Treasury, without further appropriation, such amounts as are further necessary to carry out the compensation program.

(d) USE OF COMPENSATION FUND.—Subject to subsection (e), amounts in the compensation fund shall be used to carry out the compensation program.

(e) ADMINISTRATIVE COSTS NOT PAID FROM COMPENSATION FUND.—No cost incurred in carrying out the compensation program, or in administering the compensation fund, shall be paid from the compensation fund or set off against or otherwise deducted from any payment to any individual under the compensation program.

(f) INVESTMENT OF AMOUNTS IN COMPENSATION FUND.—Amounts in the compensation fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be credited to and become a part of the compensation fund.

SEC. 3613. LEGISLATIVE PROPOSAL.

(a) LEGISLATIVE PROPOSAL REQUIRED.—Not later than March 15, 2001, the President shall submit to Congress a proposal for legislation to implement the compensation program. The proposal for legislation shall include, at a minimum, the specific recommendations (including draft legislation) of the President for the following:

(1) The types of compensation and benefits, including lost wages, medical benefits, and any lump-sum settlement payments, to be provided under the compensation program.

(2) Any adjustments or modifications necessary to appropriately administer the compensation program under subtitle B.

(3) Whether to expand the compensation program to include other illnesses associated with exposure to toxic substances.

(4) Whether to expand the class of individuals who are members of the Special Exposure Cohort (as defined in section 3621(14)).

(b) ASSESSMENT OF POTENTIAL COVERED EMPLOYEES AND REQUIRED AMOUNTS.—The President shall include with the proposal for legislation under subsection (a) the following:

(1) An estimate of the number of covered employees that the President determines were exposed in the performance of duty.

(2) An estimate, for each fiscal year of the compensation program, of the amounts to be required for compensation and benefits anticipated to be provided in such fiscal year under the compensation program.

SEC. 3614. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Pursuant to the authorization of appropriations in section 3103(a), $25,000,000 may be used for purposes of carrying out this title.

(b) COMPENSATION FUND.—There is hereby authorized to be appropriated $250,000,000 to the Energy Employees Occupational Illness Compensation Fund established by section 3612.

Subtitle B—Program Administration

SEC. 3621. DEFINITIONS FOR PROGRAM ADMINISTRATION.

In this title:

(1) The term ''covered employee'' means any of the following:

(A) A covered beryllium employee.

(B) A covered employee with cancer.

(C) To the extent provided in section 3627, a covered employee with chronic silicosis (as defined in that section).

(2) The term ''atomic weapon'' has the meaning given that term in section 11 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(d)).

(3) The term ''atomic weapons employee'' means an individual employed by an atomic weapons employer during a period when the employer was processing or producing, for the use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining and milling.

(4) The term ''atomic weapons employer'' means an entity, other than the United States, that—

(A) processed or produced, for use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining and milling; and

(B) is designated by the Secretary of Energy as an atomic weapons employer for purposes of the compensation program.

(5) The term ''atomic weapons employer facility'' means a facility, owned by an atomic weapons employer, that is or was used to process or produce, for use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining or milling.

(6) The term ''beryllium vendor'' means any of the following:

(A) Atomics International.

(B) Brush Wellman, Incorporated, and its predecessor, Brush Beryllium Company.

(C) General Atomics.

(D) General Electric Company.

(E) NGK Metals Corporation and its predecessors, Kawecki-Berylco, Cabot Corporation, BerylCo, and Beryllium Corporation of America.

(F) Nuclear Materials and Equipment Corporation.

(G) StarMet Corporation and its predecessor, Nuclear Metals, Incorporated.

(H) Wyman Gordan, Incorporated.

(I) Any other vendor, processor, or producer of beryllium or related products designated as a beryllium vendor for purposes of the compensation program under section 3622.

(7) The term ''covered beryllium employee'' means the following, if and only if the employee is determined to have been exposed to beryllium in the performance of duty in accordance with section 3623(a):

(A) A current or former employee (as that term is defined in section 8101(1) of title 5, United States Code) who may have been exposed to beryllium at a Department of Energy facility or at a facility owned, operated, or occupied by a beryllium vendor.

(B) A current or former employee of—

(i) any entity that contracted with the Department of Energy to provide management and operation, management and integration, or environmental remediation of a Department of Energy facility; or

(ii) any contractor or subcontractor that provided services, including construction and maintenance, at such a facility.

(C) A current or former employee of a beryllium vendor, or of a contractor or subcontractor of a beryllium vendor, during a period when the vendor was engaged in activities related to the production or processing of beryllium for sale to, or use by, the Department of Energy.

(8) The term ''covered beryllium illness'' means any of the following:

(A) Beryllium sensitivity as established by an abnormal beryllium lymphocyte proliferation test performed on either blood or lung lavage cells.

(B) Established chronic beryllium disease.

(C) Any injury, illness, impairment, or disability sustained as a consequence of a covered beryllium illness referred to in subparagraph (A) or (B).

(9) The term ''covered employee with cancer'' means any of the following:

(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee).

(B)(i) An individual with cancer specified in subclause (I), (II), or (III) of clause (ii), if and only if that individual is determined to have sustained that cancer in the performance of duty in accordance with section 3623(b).

(ii) Clause (i) applies to any of the following:

(I) A Department of Energy employee who contracted that cancer after beginning employment at a Department of Energy facility.

(II) A Department of Energy contractor employee who contracted that cancer after beginning employment at a Department of Energy facility.

(III) An atomic weapons employee who contracted that cancer after beginning employment at an atomic weapons employer facility.

(10) The term ''Department of Energy'' includes the predecessor agencies of the Department of Energy, including the Manhattan Engineering District.

(11) The term ''Department of Energy contractor employee'' means any of the following:

(A) An individual who is or was in residence at a Department of Energy facility as a researcher for one or more periods aggregating at least 24 months.

(B) An individual who is or was employed at a Department of Energy facility by—

(i) an entity that contracted with the Department of Energy to provide management and operating, management and integration, or environmental remediation at the facility; or

(ii) a contractor or subcontractor that provided services, including construction and maintenance, at the facility.

(12) The term ''Department of Energy facility'' means any building, structure, or premise, including the grounds upon which such building, structure, or premise is located—

(A) in which operations are, or have been, conducted by, or on behalf of, the Department of Energy (except for buildings, structures, premises, grounds, or operations covered by Executive Order No. 12344, dated February 1, 1982 (42 U.S.C. 7158 note), pertaining to the Naval Nuclear Propulsion Program); and

(B) with regard to which the Department of Energy has or had—

(i) a proprietary interest; or

(ii) entered into a contract with an entity to provide management and operation, management and integration, environmental remediation services, construction, or maintenance services.

(13) The term ''established chronic beryllium disease'' means chronic beryllium disease as established by the following:

(A) For diagnoses on or after January 1, 1993, beryllium sensitivity (as established in accordance with paragraph (8)(A)), together with lung pathology consistent with chronic beryllium disease, including—

(i) a lung biopsy showing granulomas or a lymphocytic process consistent with chronic beryllium disease;

(ii) a computerized axial tomography scan showing changes consistent with chronic beryllium disease; or

(iii) pulmonary function or exercise testing showing pulmonary deficits consistent with chronic beryllium disease.

(B) For diagnoses before January 1, 1993, the presence of—

(i) occupational or environmental history, or epidemiologic evidence of beryllium exposure; and

(ii) any three of the following criteria:

(I) Characteristic chest radiographic (or computed tomography (CT)) abnormalities.

(II) Restrictive or obstructive lung physiology testing or diffusing lung capacity defect.

(III) Lung pathology consistent with chronic beryllium disease.

(IV) Clinical course consistent with a chronic respiratory disorder.

(V) Immunologic tests showing beryllium sensitivity (skin patch test or beryllium blood test preferred).

(14) The term ''member of the Special Exposure Cohort'' means a Department of Energy employee, Department of Energy contractor employee, or atomic weapons employee who meets any of the following requirements:

(A) The employee was so employed for a number of work days aggregating at least 250 work days before February 1, 1992, at a gaseous diffusion plant located in Paducah, Kentucky, Portsmouth, Ohio, or Oak Ridge, Tennessee, and, during such employment—

(i) was monitored through the use of dosimetry badges for exposure at the plant of the external parts of employee's body to radiation; or

(ii) worked in a job that had exposures comparable to a job that is or was monitored through the use of dosimetry badges.

(B) The employee was so employed before January 1, 1974, by the Department of Energy or a Department of Energy contractor or subcontractor on Amchitka Island, Alaska, and was exposed to ionizing radiation in the performance of duty related to the Long Shot, Milrow, or Cannikin underground nuclear tests.

(C)(i) Subject to clause (ii), the employee is an individual designated as a member of the Special Exposure Cohort by the President for purposes of the compensation program under section 3626.

(ii) A designation under clause (i) shall, unless Congress otherwise provides, take effect on the date that is 180 days after the date on which the President submits to Congress a report identifying the individuals covered by the designation and describing the criteria used in designating those individuals.

(15) The term ''occupational illness'' means a covered beryllium illness, cancer referred to in section 3621(9)(B), specified cancer, or chronic silicosis, as the case may be.

(16) The term ''radiation'' means ionizing radiation in the form of—

(A) alpha particles;

(B) beta particles;

(C) neutrons;

(D) gamma rays; or

(E) accelerated ions or subatomic particles from accelerator machines.

(17) The term ''specified cancer'' means any of the following:

(A) A specified disease, as that term is defined in section 4(b)(2) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note).

(B) Bone cancer.

(18) The term ''survivor'' means any individual or individuals eligible to receive compensation pursuant to section 8133 of title 5, United States Code.

SEC. 3622. EXPANSION OF LIST OF BERYLLIUM VENDORS.

Not later than December 31, 2002, the President may, in consultation with the Secretary of Energy, designate as a beryllium vendor for purposes of section 3621(6) any vendor, processor, or producer of beryllium or related products not previously listed under or designated for purposes of such section 3621(6) if the President finds that such vendor, processor, or producer has been engaged in activities related to the production or processing of beryllium for sale to, or use by, the Department of Energy in a manner similar to the entities listed in such section 3621(6).

SEC. 3623. EXPOSURE IN THE PERFORMANCE OF DUTY.

(a) BERYLLIUM.—A covered beryllium employee shall, in the absence of substantial evidence to the contrary, be determined to have been exposed to beryllium in the performance of duty for the purposes of the compensation program if, and only if, the covered beryllium employee was—

(1) employed at a Department of Energy facility; or

(2) present at a Department of Energy facility, or a facility owned and operated by a beryllium vendor, because of employment by the United States, a beryllium vendor, or a contractor or subcontractor of the Department of Energy;

during a period when beryllium dust, particles, or vapor may have been present at such facility.

(b) CANCER.—An individual with cancer specified in subclause (I), (II), or (III) of section 3621(9)(B)(ii) shall be determined to have sustained that cancer in the performance of duty for purposes of the compensation program if, and only if, the cancer specified in that subclause was at least as likely as not related to employment at the facility specified in that subclause, as determined in accordance with the guidelines established under subsection (c).

(c) GUIDELINES.—(1) For purposes of the compensation program, the President shall by regulation establish guidelines for making the determinations required by subsection (b).

(2) The President shall establish such guidelines after technical review by the Advisory Board on Radiation and Worker Health under section 3624.

(3) Such guidelines shall—

(A) be based on the radiation dose received by the employee (or a group of employees performing similar work) at such facility and the upper 99 percent confidence interval of the probability of causation in the radioepidemiological tables published under section 7(b) of the Orphan Drug Act (42 U.S.C. 241 note), as such tables may be updated under section 7(b)(3) of such Act from time to time;

(B) incorporate the methods established under subsection (d); and

(C) take into consideration the type of cancer, past health-related activities (such as smoking), information on the risk of developing a radiation-related cancer from workplace exposure, and other relevant factors.

(d) METHODS FOR RADIATION DOSE RECONSTRUCTIONS.—(1) The President shall, through any Federal agency (other than the Department of Energy) or official (other than the Secretary of Energy or any other official within the Department of Energy) that the President may designate, establish by regulation methods for arriving at reasonable estimates of the radiation doses received by an individual specified in subparagraph (B) of section 3621(9) at a facility specified in that subparagraph by each of the following employees:

(A) An employee who was not monitored for exposure to radiation at such facility.

(B) An employee who was monitored inadequately for exposure to radiation at such facility.

(C) An employee whose records of exposure to radiation at such facility are missing or incomplete.

(2) The President shall establish an independent review process using the Advisory Board on Radiation and Worker Health to—

(A) assess the methods established under paragraph (1); and

(B) verify a reasonable sample of the doses established under paragraph (1).

(e) INFORMATION ON RADIATION DOSES.—(1) The Secretary of Energy shall provide, to each covered employee with cancer specified in section 3621(9)(B), information specifying the estimated radiation dose of that employee during each employment specified in section 3621(9)(B), whether established by a dosimetry reading, by a method established under subsection (d), or by both a dosimetry reading and such method.

(2) The Secretary of Health and Human Services and the Secretary of Energy shall each make available to researchers and the general public information on the assumptions, methodology, and data used in establishing radiation doses under subsection (d). The actions taken under this paragraph shall be consistent with the protection of private medical records.

SEC. 3624. ADVISORY BOARD ON RADIATION AND WORKER HEALTH.

(a) ESTABLISHMENT.—(1) Not later than 120 days after the date of the enactment of this Act, the President shall establish and appoint an Advisory Board on Radiation and Worker Health (in this section referred to as the ''Board'').

(2) The President shall make appointments to the Board in consultation with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a balance of scientific, medical, and worker perspectives.

(3) The President shall designate a Chair for the Board from among its members.

(b) DUTIES.—The Board shall advise the President on—

(1) the development of guidelines under section 3623(c);

(2) the scientific validity and quality of dose estimation and reconstruction efforts being performed for purposes of the compensation program; and

(3) such other matters related to radiation and worker health in Department of Energy facilities as the President considers appropriate.

(c) STAFF.—(1) The President shall appoint a staff to facilitate the work of the Board. The staff shall be headed by a Director who shall be appointed under subchapter VIII of chapter 33 of title 5, United States Code.

(2) The President may accept as staff of the Board personnel on detail from other Federal agencies. The detail of personnel under this paragraph may be on a nonreimbursable basis.

(d) EXPENSES.—Members of the Board, other than full-time employees of the United States, while attending meetings of the Board or while otherwise serving at the request of the President, while serving away from their homes or regular places of business, shall be allowed travel and meal expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay.

SEC. 3625. RESPONSIBILITIES OF SECRETARY OF HEALTH AND HUMAN SERVICES.

The Secretary of Health and Human Services shall carry out that Secretary's responsibilities with respect to the compensation program with the assistance of the Director of the National Institute for Occupational Safety and Health.

SEC. 3626. DESIGNATION OF ADDITIONAL MEMBERS OF SPECIAL EXPOSURE COHORT.

(a) ADVICE ON ADDITIONAL MEMBERS.—(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.

(2) The advice of the Advisory Board on Radiation and Worker Health under paragraph (1) shall be based on exposure assessments by radiation health professionals, information provided by the Department of Energy, and such other information as the Advisory Board considers appropriate.

(3) The President shall request advice under paragraph (1) after consideration of petitions by classes of employees described in that paragraph for such advice. The President shall consider such petitions pursuant to procedures established by the President.

(b) DESIGNATION OF ADDITIONAL MEMBERS.—Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

(1) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

(2) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

(c) ACCESS TO INFORMATION.—The Secretary of Energy shall provide, in accordance with law, the Secretary of Health and Human Services and the members and staff of the Advisory Board on Radiation and Worker Health access to relevant information on worker exposures, including access to Restricted Data (as defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

SEC. 3627. SEPARATE TREATMENT OF CHRONIC SILICOSIS.

(a) SENSE OF CONGRESS.—The Congress finds that employees who worked in Department of Energy test sites and later contracted chronic silicosis should also be considered for inclusion in the compensation program. Recognizing that chronic silicosis resulting from exposure to silica is not a condition unique to the nuclear weapons industry, it is not the intent of Congress with this title to establish a precedent on the question of chronic silicosis as a compensable occupational disease. Consequently, it is the sense of Congress that a further determination by the President is appropriate before these workers are included in the compensation program.

(b) CERTIFICATION BY PRESIDENT.—A covered employee with chronic silicosis shall be treated as a covered employee (as defined in section 3621(1)) for the purposes of the compensation program required by section 3611 unless the President submits to Congress not later than 180 days after the date of the enactment of this Act the certification of the President that there is insufficient basis to include such employees. The President shall submit with the certification any recommendations about the compensation program with respect to covered employees with chronic silicosis as the President considers appropriate.

(c) EXPOSURE TO SILICA IN THE PERFORMANCE OF DUTY.—A covered employee shall, in the absence of substantial evidence to the contrary, be determined to have been exposed to silica in the performance of duty for the purposes of the compensation program if, and only if, the employee was present for a number of work days aggregating at least 250 work days during the mining of tunnels at a Department of Energy facility located in Nevada or Alaska for tests or experiments related to an atomic weapon.

(d) COVERED EMPLOYEE WITH CHRONIC SILICOSIS.—For purposes of this title, the term ''covered employee with chronic silicosis'' means a Department of Energy employee, or a Department of Energy contractor employee, with chronic silicosis who was exposed to silica in the performance of duty as determined under subsection (c).

(e) CHRONIC SILICOSIS.—For purposes of this title, the term ''chronic silicosis'' means a nonmalignant lung disease if—

(1) the initial occupational exposure to silica dust preceded the onset of silicosis by at least 10 years; and

(2) a written diagnosis of silicosis is made by a medical doctor and is accompanied by—

(A) a chest radiograph, interpreted by an individual certified by the National Institute for Occupational Safety and Health as a B reader, classifying the existence of pneumoconioses of category 1/1 or higher;

(B) results from a computer assisted tomograph or other imaging technique that are consistent with silicosis; or

(C) lung biopsy findings consistent with silicosis.

SEC. 3628. COMPENSATION AND BENEFITS TO BE PROVIDED.

(a) COMPENSATION PROVIDED.—(1) Except as provided in paragraph (2), a covered employee, or the survivor of that covered employee if the employee is deceased, shall receive compensation for the disability or death of that employee from that employee's occupational illness in the amount of $150,000.

(2) A covered employee shall, to the extent that employee's occupational illness is established beryllium sensitivity, receive beryllium sensitivity monitoring under subsection (c) in lieu of compensation under paragraph (1).

(b) MEDICAL BENEFITS.—A covered employee shall receive medical benefits under section 3629 for that employee's occupational illness.

(c) BERYLLIUM SENSITIVITY MONITORING.—An individual receiving beryllium sensitivity monitoring under this subsection shall receive the following:

(1) A thorough medical examination to confirm the nature and extent of the individual's established beryllium sensitivity.

(2) Regular medical examinations thereafter to determine whether that individual has developed established chronic beryllium disease.

(d) PAYMENT FROM COMPENSATION FUND.—The compensation provided under this section, when authorized or approved by the President, shall be paid from the compensation fund established under section 3612.

(e) SURVIVORS.—(1) Subject to the provisions of this section, if a covered employee dies before the effective date specified in subsection (f), whether or not the death is a result of that employee's occupational illness, a survivor of that employee may, on behalf of that survivor and any other survivors of that employee, receive the compensation provided for under this section.

(2) The right to receive compensation under this section shall be afforded to survivors in the same order of precedence as that set forth in section 8109 of title 5, United States Code.

(f) EFFECTIVE DATE.—This section shall take effect on July 31, 2001, unless Congress otherwise provides in an Act enacted before that date.

SEC. 3629. MEDICAL BENEFITS.

(a) MEDICAL BENEFITS PROVIDED.—The United States shall furnish, to an individual receiving medical benefits under this section for an illness, the services, appliances, and supplies prescribed or recommended by a qualified physician for that illness, which the President considers likely to cure, give relief, or reduce the degree or the period of that illness.

(b) PERSONS FURNISHING BENEFITS.—(1) These services, appliances, and supplies shall be furnished by or on the order of United States medical officers and hospitals, or, at the individual's option, by or on the order of physicians and hospitals designated or approved by the President.

(2) The individual may initially select a physician to provide medical services, appliances, and supplies under this section in accordance with such regulations and instructions as the President considers necessary.

(c) TRANSPORTATION AND EXPENSES.—The individual may be furnished necessary and reasonable transportation and expenses incident to the securing of such services, appliances, and supplies.

(d) COMMENCEMENT OF BENEFITS.—An individual receiving benefits under this section shall be furnished those benefits as of the date on which that individual submitted the claim for those benefits in accordance with this title.

(e) PAYMENT FROM COMPENSATION FUND.—The benefits provided under this section, when authorized or approved by the President, shall be paid from the compensation fund established under section 3612.

(f) EFFECTIVE DATE.—This section shall take effect on July 31, 2001, unless Congress otherwise provides in an Act enacted before that date.

SEC. 3630. SEPARATE TREATMENT OF CERTAIN URANIUM EMPLOYEES.

(a) COMPENSATION PROVIDED.—An individual who receives, or has received, $100,000 under section 5 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) for a claim made under that Act (hereinafter in this section referred to as a ''covered uranium employee''), or the survivor of that covered uranium employee if the employee is deceased, shall receive compensation under this section in the amount of $50,000.

(b) MEDICAL BENEFITS.—A covered uranium employee shall receive medical benefits under section 3629 for the illness for which that employee received $100,000 under section 5 of that Act.

(c) COORDINATION WITH RECA.—The compensation and benefits provided in subsections (a) and (b) are separate from any compensation or benefits provided under that Act.

(d) PAYMENT FROM COMPENSATION FUND.—The compensation provided under this section, when authorized or approved by the President, shall be paid from the compensation fund established under section 3612.

(e) SURVIVORS.—(1) Subject to the provisions of this section, if a covered uranium employee dies before the effective date specified in subsection (g), whether or not the death is a result of the illness specified in subsection (b), a survivor of that employee may, on behalf of that survivor and any other survivors of that employee, receive the compensation provided for under this section.

(2) The right to receive compensation under this section shall be afforded to survivors in the same order of precedence as that set forth in section 8109 of title 5, United States Code.

(f) PROCEDURES REQUIRED.—The President shall establish procedures to identify and notify each covered uranium employee, or the survivor of that covered uranium employee if that employee is deceased, of the availability of compensation and benefits under this section.

(g) EFFECTIVE DATE.—This section shall take effect on July 31, 2001, unless Congress otherwise provides in an Act enacted before that date.

SEC. 3631. ASSISTANCE FOR CLAIMANTS AND POTENTIAL CLAIMANTS.

(a) ASSISTANCE FOR CLAIMANTS.—The President shall, upon the receipt of a request for assistance from a claimant under the compensation program, provide assistance to the claimant in connection with the claim, including—

(1) assistance in securing medical testing and diagnostic services necessary to establish the existence of a covered beryllium illness, chronic silicosis, or cancer; and

(2) such other assistance as may be required to develop facts pertinent to the claim.

(b) ASSISTANCE FOR POTENTIAL CLAIMANTS.—The President shall take appropriate actions to inform and assist covered employees who are potential claimants under the compensation program, and other potential claimants under the compensation program, of the availability of compensation under the compensation program, including actions to—

(1) ensure the ready availability, in paper and electronic format, of forms necessary for making claims;

(2) provide such covered employees and other potential claimants with information and other support necessary for making claims, including—

(A) medical protocols for medical testing and diagnosis to establish the existence of a covered beryllium illness, chronic silicosis, or cancer; and

(B) lists of vendors approved for providing laboratory services related to such medical testing and diagnosis; and

(3) provide such additional assistance to such covered employees and other potential claimants as may be required for the development of facts pertinent to a claim.

(c) INFORMATION FROM BERYLLIUM VENDORS AND OTHER CONTRACTORS.—As part of the assistance program provided under subsections (a) and (b), and as permitted by law, the Secretary of Energy shall, upon the request of the President, require a beryllium vendor or other Department of Energy contractor or subcontractor to provide information relevant to a claim or potential claim under the compensation program to the President.

Subtitle C—Treatment, Coordination, and Forfeiture of Compensation and Benefits

SEC. 3641. OFFSET FOR CERTAIN PAYMENTS.

A payment of compensation to an individual, or to a survivor of that individual, under subtitle B shall be offset by the amount of any payment made pursuant to a final award or settlement on a claim (other than a claim for worker's compensation), against any person, that is based on injuries incurred by that individual on account of the exposure of a covered beryllium employee, covered employee with cancer, covered employee with chronic silicosis (as defined in section 3627), or covered uranium employee (as defined in section 3630), while so employed, to beryllium, radiation, silica, or radiation, respectively.

SEC. 3642. SUBROGATION OF THE UNITED STATES.

Upon payment of compensation under subtitle B, the United States is subrogated for the amount of the payment to a right or claim that the individual to whom the payment was made may have against any person on account of injuries referred to in section 3641.

SEC. 3643. PAYMENT IN FULL SETTLEMENT OF CLAIMS.

The acceptance by an individual of payment of compensation under subtitle B with respect to a covered employee shall be in full satisfaction of all claims of or on behalf of that individual against the United States, against a Department of Energy contractor or subcontractor, beryllium vendor, or atomic weapons employer, or against any person with respect to that person's performance of a contract with the United States, that arise out of an exposure referred to in section 3641.

SEC. 3644. EXCLUSIVITY OF REMEDY AGAINST THE UNITED STATES AND AGAINST CONTRACTORS AND SUBCONTRACTORS.

(a) IN GENERAL.—The liability of the United States or an instrumentality of the United States under this title with respect to a cancer (including a specified cancer), chronic silicosis, covered beryllium illness, or death related thereto of a covered employee is exclusive and instead of all other liability—

(1) of—

(A) the United States;

(B) any instrumentality of the United States;

(C) a contractor that contracted with the Department of Energy to provide management and operation, management and integration, or environmental remediation of a Department of Energy facility (in its capacity as a contractor);

(D) a subcontractor that provided services, including construction, at a Department of Energy facility (in its capacity as a subcontractor); and

(E) an employee, agent, or assign of an entity specified in subparagraphs (A) through (D);

(2) to—

(A) the covered employee;

(B) the covered employee's legal representative, spouse, dependents, survivors and next of kin; and

(C) any other person, including any third party as to whom the covered employee, or the covered employee's legal representative, spouse, dependents, survivors, or next of kin, has a cause of action relating to the cancer (including a specified cancer), chronic silicosis, covered beryllium illness, or death, otherwise entitled to recover damages from the United States, the instrumentality, the contractor, the subcontractor, or the employee, agent, or assign of one of them;

because of the cancer (including a specified cancer), chronic silicosis, covered beryllium illness, or death in any proceeding or action including a direct judicial proceeding, a civil action, a proceeding in admiralty, or a proceeding under a tort liability statute or the common law.

(b) APPLICABILITY.—This section applies to all cases filed on or after the date of the enactment of this Act.

(c) WORKERS' COMPENSATION.—This section does not apply to an administrative or judicial proceeding under a State or Federal workers' compensation law.

SEC. 3645. ELECTION OF REMEDY FOR BERYLLIUM EMPLOYEES AND ATOMIC WEAPONS EMPLOYEES.

(a) ELECTION TO FILE SUIT.—If a tort case is filed after the date of the enactment of this Act, alleging a claim referred to in section 3643 against a beryllium vendor or atomic weapons employer, the plaintiff shall not be eligible for compensation or benefits under subtitle B unless the plaintiff files such case within the applicable time limits in subsection (b).

(b) APPLICABLE TIME LIMITS.—A case described in subsection (a) shall be filed not later than the later of—

(1) the date that is 30 months after the date of the enactment of this Act; or

(2) the date that is 30 months after the date the plaintiff first becomes aware that an illness covered by subtitle B of a covered employee may be connected to the exposure of the covered employee in the performance of duty.

(c) DISMISSAL OF CLAIMS.—Unless a case filed under subsection (a) is dismissed prior to the time limits in subsection (b), the plaintiff shall not be eligible for compensation under subtitle B.

(d) DISMISSAL OF PENDING SUIT.—If a tort case was filed on or before the date of the enactment of this Act, alleging a claim referred to in section 3643 against a beryllium vendor or atomic weapons employer, the plaintiff shall not be eligible for compensation or benefits under subtitle B unless the plaintiff dismisses such case not later than December 31, 2003.

(e) WORKERS' COMPENSATION.—This section does not apply to an administrative or judicial proceeding under a State or Federal workers' compensation law.

SEC. 3646. CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.

Compensation or benefits provided to an individual under subtitle B—

(1) shall be treated for purposes of the internal revenue laws of the United States as damages for human suffering; and

(2) shall not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

SEC. 3647. CLAIMS NOT ASSIGNABLE OR TRANSFERABLE; CHOICE OF REMEDIES.

(a) CLAIMS NOT ASSIGNABLE OR TRANSFERABLE.—No claim cognizable under subtitle B shall be assignable or transferable.

(b) CHOICE OF REMEDIES.—No individual may receive more than one payment of compensation under subtitle B.

SEC. 3648. ATTORNEY FEES.

(a) GENERAL RULE.—Notwithstanding any contract, the representative of an individual may not receive, for services rendered in connection with the claim of an individual under subtitle B, more than that percentage specified in subsection (b) of a payment made under subtitle B on such claim.

(b) APPLICABLE PERCENTAGE LIMITATIONS.—The percentage referred to in subsection (a) is—

(1) 2 percent for the filing of an initial claim; and

(2) 10 percent with respect to any claim with respect to which a representative has made a contract for services before the date of the enactment of this Act.

(c) PENALTY.—Any such representative who violates this section shall be fined not more than $5,000.

SEC. 3649. CERTAIN CLAIMS NOT AFFECTED BY AWARDS OF DAMAGES.

A payment under subtitle B shall not be considered as any form of compensation or reimbursement for a loss for purposes of imposing liability on any individual receiving such payment, on the basis of such receipt, to repay any insurance carrier for insurance payments, or to repay any person on account of worker's compensation payments; and a payment under subtitle B shall not affect any claim against an insurance carrier with respect to insurance or against any person with respect to worker's compensation.

SEC. 3650. FORFEITURE OF BENEFITS BY CONVICTED FELONS.

(a) FORFEITURE OF COMPENSATION.—Any individual convicted of a violation of section 1920 of title 18, United States Code, or any other Federal or State criminal statute relating to fraud in the application for or receipt of any benefit under subtitle B or under any other Federal or State workers' compensation law, shall forfeit (as of the date of such conviction) any entitlement to any compensation or benefit under subtitle B such individual would otherwise be awarded for any injury, illness or death covered by subtitle B for which the time of injury was on or before the date of the conviction.

(b) INFORMATION.—Notwithstanding section 552a of title 5, United States Code, or any other Federal or State law, an agency of the United States, a State, or a political subdivision of a State shall make available to the President, upon written request from the President and if the President requires the information to carry out this section, the names and Social Security account numbers of individuals confined, for conviction of a felony, in a jail, prison, or other penal institution or correctional facility under the jurisdiction of that agency.

SEC. 3651. COORDINATION WITH OTHER FEDERAL RADIATION COMPENSATION LAWS.

Except in accordance with section 3630, an individual may not receive compensation or benefits under the compensation program for cancer and also receive compensation under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) or section 1112(c) of title 38, United States Code.

Subtitle D—Assistance in State Workers' Compensation Proceedings

SEC. 3661. AGREEMENTS WITH STATES.

(a) AGREEMENTS AUTHORIZED.—The Secretary of Energy (hereinafter in this section referred to as the ''Secretary'') may enter into agreements with the chief executive officer of a State to provide assistance to a Department of Energy contractor employee in filing a claim under the appropriate State workers' compensation system.

(b) PROCEDURE.—Pursuant to agreements under subsection (a), the Secretary may—

(1) establish procedures under which an individual may submit an application for review and assistance under this section; and

(2) review an application submitted under this section and determine whether the applicant submitted reasonable evidence that—

(A) the application was filed by or on behalf of a Department of Energy contractor employee or employee's estate; and

(B) the illness or death of the Department of Energy contractor employee may have been related to employment at a Department of Energy facility.

(c) SUBMITTAL OF APPLICATIONS TO PANELS.—If provided in an agreement under subsection (a), and if the Secretary determines that the applicant submitted reasonable evidence under subsection (b)(2), the Secretary shall submit the application to a physicians panel established under subsection (d). The Secretary shall assist the employee in obtaining additional evidence within the control of the Department of Energy and relevant to the panel's deliberations.

(d) COMPOSITION AND OPERATION OF PANELS.—(1) The Secretary shall inform the Secretary of Health and Human Services of the number of physicians panels the Secretary has determined to be appropriate to administer this section, the number of physicians needed for each panel, and the area of jurisdiction of each panel. The Secretary may determine to have only one panel.

(2)(A) The Secretary of Health and Human Services shall appoint panel members with experience and competency in diagnosing occupational illnesses under section 3109 of title 5, United States Code.

(B) Each member of a panel shall be paid at the rate of pay payable for level III of the Executive Schedule for each day (including travel time) the member is engaged in the work of a panel.

(3) A panel shall review an application submitted to it by the Secretary and determine, under guidelines established by the Secretary, by regulation, whether the illness or death that is the subject of the application arose out of and in the course of employment by the Department of Energy and exposure to a toxic substance at a Department of Energy facility.

(4) At the request of a panel, the Secretary and a contractor who employed a Department of Energy contractor employee shall provide additional information relevant to the panel's deliberations. A panel may consult specialists in relevant fields as it determines necessary.

(5) Once a panel has made a determination under paragraph (3), it shall report to the Secretary its determination and the basis for the determination.

(6) A panel established under this subsection shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) ASSISTANCE.—If provided in an agreement under subsection (a)—

(1) the Secretary shall review a panel's determination made under subsection (d), information the panel considered in reaching its determination, any relevant new information not reasonably available at the time of the panel's deliberations, and the basis for the panel's determination;

(2) as a result of the review under paragraph (1), the Secretary shall accept the panel's determination in the absence of significant evidence to the contrary; and

(3) if the panel has made a positive determination under subsection (d) and the Secretary accepts the determination under paragraph (2), or the panel has made a negative determination under subsection (d) and the Secretary finds significant evidence to the contrary—

(A) the Secretary shall assist the applicant to file a claim under the appropriate State workers' compensation system based on the health condition that was the subject of the determination;

(B) the Secretary thereafter—

(i) may not contest such claim;

(ii) may not contest an award made regarding such claim; and

(iii) may, to the extent permitted by law, direct the Department of Energy contractor who employed the applicant not to contest such claim or such award,

unless the Secretary finds significant new evidence to justify such contest; and

(C) any costs of contesting a claim or an award regarding the claim incurred by the contractor who employed the Department of Energy contractor employee who is the subject of the claim shall not be an allowable cost under a Department of Energy contract.

(f) INFORMATION.—At the request of the Secretary, a contractor who employed a Department of Energy contractor employee shall make available to the Secretary and the employee information relevant to deliberations under this section.

(g) GAO REPORT.—Not later than February 1, 2002, the Comptroller General shall submit to Congress a report on the implementation by the Department of Energy of the provisions of this section and of the effectiveness of the program under this section in assisting Department of Energy contractor employees in obtaining compensation for occupational illness.

Following is explanatory language on H.R. 5408, as introduced on October 6, 2000.

References in the following to a provision of the conference agreement refer to that provision in H.R. 5408.

SUMMARY STATEMENT OF CONFERENCE ACTION

The conferees recommend authorization for the Department of Defense for procurement, research, and development, test and evaluation, operation and maintenance, working capital funds, military construction and family housing, weapons programs of the Department of Energy, and the civil defense that have budget authority implications of $309.9 billion.

SUMMARY TABLE OF AUTHORIZATIONS

The defense authorization act provides authorizations for appropriations but does not generally provide budget authority. Budget authority is provided in appropriations acts.

In order to relate the conference recommendations to the Budget Resolution, matter in addition to the dollar authorizations contained in this bill must be taken into account. A number of programs in the defense function are authorized permanently or, in certain instances, authorized in other annual legislation. In addition, this authorization bill would establish personnel levels and include a number of legislative provisions affecting military compensation.

The following table summarizes authorizations included in the bill for fiscal year 2001 and, in addition, summarizes the implications of the conference action for the budget totals for national defense (budget function 050).

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement	Budget Authority Implications Request	House	Senate	Conference
DIVISION A									
TITLE I									
PROCUREMENT									
Aircraft Procurement, Army	1,323,262	1,542,762	1,749,662	226,750	1,550,012	1,323,262	1,542,762	1,749,662	1,550,012
Missile Procurement, Army	1,295,728	1,367,681	1,382,328	24,953	1,320,681	1,295,728	1,367,681	1,382,328	1,320,681
Procurement of Weapons and Tracked Combat Vehicles, Army	1,874,638	2,167,938	2,115,138	561,686	2,436,324	1,874,638	2,167,938	2,115,138	2,436,324
Procurement of Ammunition, Army	1,131,323	1,199,323	1,224,323	48,593	1,179,916	1,131,323	1,199,323	1,224,323	1,179,916
Other Procurement, Army	3,795,870	4,095,270	4,027,170	439,849	4,235,719	3,795,870	4,095,270	4,027,170	4,235,719
Chemical Agents and Munitions Destruction, Army									
Research, Development, Test & Evaluation	274,400	0	0	0	274,400	274,400	0	0	274,400
Procurement	121,900	0	0	(16,200)	105,700	121,900	0	0	105,700
Operation & Maintenance	607,200	0	0	(7,200)	600,000	607,200	0	0	600,000
Aircraft Procurement, Navy	7,963,858	8,205,758	8,685,958	430,480	8,394,338	7,963,858	8,205,758	8,685,958	8,394,338
Weapons Procurement, Navy	1,434,250	1,562,250	1,539,950	9,350	1,443,600	1,434,250	1,562,250	1,539,950	1,443,600
Procurement of Ammunition, Navy and Marine Corps	429,649	481,349	500,749	58,100	487,749	429,649	481,349	500,749	487,749
Shipbuilding and Conversion, Navy	12,296,919	11,981,968	12,900,076	530,000	12,826,919	12,296,919	11,981,968	12,900,076	12,826,919
Other Procurement, Navy	3,334,611	3,432,011	3,378,311	46,069	3,380,680	3,334,611	3,432,011	3,378,311	3,380,680
Procurement, Marine Corps	1,171,935	1,254,735	1,191,035	40,833	1,212,768	1,171,935	1,254,735	1,191,035	1,212,768
Aircraft Procurement, Air Force	9,539,602	10,267,153	9,966,271	384,266	9,923,868	9,539,602	10,267,153	9,966,271	9,923,868
Procurement of Ammunition, Air Force	638,808	638,808	666,808	8,000	646,808	638,808	638,808	666,808	646,808
Missile Procurement, Air Force	3,061,715	3,046,715	3,008,015	(197,937)	2,863,778	3,061,715	3,046,715	3,008,015	2,863,778
Other Procurement, Air Force	7,699,127	7,869,903	7,717,527	12,520	7,711,647	7,699,127	7,869,903	7,717,527	7,711,647
Procurement, Defense-wide	2,275,308	2,309,074	2,210,508	3,100	2,278,408	2,275,308	2,309,074	2,210,508	2,278,408
Chemical Agents and Munitions Destruction, Defense-Wide									
Operation & Maintenance	0	607,200	607,200	0	0	0	607,200	607,200	0
Procurement	0	105,700	121,900	0	0	0	105,700	121,900	0
Research, Development, Test & Evaluation	0	164,200	274,400	0	0	0	164,200	274,400	0
Procurement, Defense Health Program	290,006	290,006	290,006	0	290,006	0	0	0	0
Procurement, Office of the Inspector General	3,300	3,300	3,300	0	3,300	0	0	0	0
Total Procurement	60,563,409	62,593,104	63,560,635	2,603,212	63,166,621	60,270,103	62,299,798	63,267,329	62,873,315
TITLE II									
RESEARCH, DEVELOPMENT, TEST & EVALUATION									
Research, Development, Test & Evaluation, Army	5,260,346	5,500,246	5,501,446	308,136	5,568,482	5,260,346	5,500,246	5,501,446	5,568,482
Research, Development, Test & Evaluation, Navy	8,476,677	8,834,477	8,665,865	238,658	8,715,335	8,476,677	8,834,477	8,665,865	8,715,335

Summary of
National Defense Authorization for FY 2001
(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement	Budget Authority Implications Request	House	Senate	Conference
Research, Development, Test & Evaluation, Air Force	13,685,576	13,677,108	13,897,336	93,568	13,779,144	13,685,576	13,677,108	13,897,336	13,779,144
Research, Development, Test & Evaluation, Defense-wide	10,238,242	11,077,763	11,043,142	443,410	10,681,652	10,238,242	11,077,763	11,043,142	10,681,652
Operational Test & Evaluation, Defense	201,560	219,560	223,060	(9,500)	192,060	201,560	219,560	223,060	192,060
Total Research, Development, Test & Evaluation	37,862,401	39,309,154	39,330,849	1,074,272	38,936,673	37,862,401	39,309,154	39,330,849	38,936,673
TITLE III									
OPERATION & MAINTENANCE & WORKING CAPITAL FUNDS									
Operation and Maintenance, Army	19,123,731	19,489,617	19,031,031	156,650	19,280,381	19,123,731	19,489,617	19,031,031	19,280,381
Operation and Maintenance, Navy	23,300,154	23,324,809	23,276,154	466,456	23,766,610	23,300,154	23,324,809	23,276,154	23,766,610
Operation and Maintenance, Marine Corps	2,705,658	2,851,678	2,746,558	120,633	2,826,291	2,705,658	2,851,678	2,746,558	2,826,291
Operation and Maintenance, Air Force	22,346,977	22,351,164	22,389,077	48,244	22,395,221	22,346,977	22,351,164	22,389,077	22,395,221
Operation and Maintenance, Defense-wide	11,920,069	11,673,852	11,912,069	(179,500)	11,740,569	11,920,069	11,673,852	11,912,069	11,740,569
Operation and Maintenance, Army Reserve	1,521,418	1,565,918	1,526,418	40,000	1,561,418	1,521,418	1,565,918	1,526,418	1,561,418
Operation and Maintenance, Navy Reserve	960,946	967,646	965,946	18,000	978,946	960,946	967,646	965,946	978,946
Operation and Maintenance, Marine Corps Reserve	133,959	150,469	138,959	10,200	144,159	133,959	150,469	138,959	144,159
Operation and Maintenance, Air Force Reserve	1,885,859	1,890,859	1,890,859	18,000	1,903,859	1,885,859	1,890,859	1,890,859	1,903,859
Operation and Maintenance, Army National Guard	3,182,335	3,236,835	3,222,335	51,500	3,233,835	3,182,335	3,236,835	3,222,335	3,233,835
Operation and Maintenance, Air National Guard	3,446,375	3,461,875	3,450,875	22,000	3,468,375	3,446,375	3,461,875	3,450,875	3,468,375
Office of the Inspector General	144,245	144,245	144,245	0	144,245	147,545	147,545	147,545	147,545
United States Court of Appeals for the Armed Forces	8,574	8,574	8,574	0	8,574	8,574	8,574	8,574	8,574
Environmental Restoration, Army	389,932	389,932	389,932	0	389,932	389,932	389,932	389,932	389,932
Environmental Restoration, Navy	294,038	294,038	294,038	0	294,038	294,038	294,038	294,038	294,038
Environmental Restoration, Air Force	376,300	376,300	376,300	0	376,300	376,300	376,300	376,300	376,300
Environmental Restoration, Defense-Wide	23,412	23,412	23,412	(2,000)	21,412	23,412	23,412	23,412	21,412
Environmental Restoration, Formerly Used Defense Sites	186,499	186,499	231,499	45,000	231,499	186,499	186,499	231,499	231,499
Drug Interdiction and Counter-drug Activities, Defense	836,300	841,500	845,300	32,700	869,000	836,300	841,500	845,300	869,000
Defense Health Program	11,310,423	11,571,523	11,401,723	169,700	11,480,123	11,600,429	11,861,529	11,691,729	11,770,129
Former Soviet Union Threat Reduction	458,400	433,400	458,400	(15,000)	443,400	458,400	433,400	458,400	443,400
Overseas Humanitarian, Disaster, & Civic Aid	64,900	55,800	55,400	(9,000)	55,900	64,900	55,800	55,400	55,900
Payment to Kaho' Olawe Island Fund	25,000	25,000	25,000	0	25,000	25,000	25,000	25,000	25,000
Overseas Contingency Operation Transfer Fund	4,100,577	4,100,577	4,100,577	0	4,100,577	4,100,577	4,100,577	4,100,577	4,100,577
Quality of Life Enhancement	0	0	0	10,500	10,500	0	0	0	10,500
Subtotal Operation and Maintenance	108,746,081	109,415,522	108,904,681	1,004,083	109,750,164	109,039,387	109,708,828	109,197,987	110,043,470
REVOLVING FUNDS									
Defense Working Capital Fund	916,276	916,276	916,276	0	916,276	916,276	916,276	916,276	916,276

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement		Budget Authority Implications Request	House	Senate	Conference
National Defense Sealift Fund	388,158	737,109	388,158	0	388,158		388,158	737,109	388,158	388,158
National Defense Stockpile Transaction Fund (Routine & Ongoing Sales)	(150,000)	(150,000)	(150,000)	0	(150,000)		(150,000)	(150,000)	(150,000)	(150,000)
National Defense Stockpile Transaction Fund (Excess of Routine Sales)	0	0	0	0	0		(210,000)	(219,000)	(210,000)	(210,000)
Subtotal Working Capital Funds	1,154,434	1,503,385	1,154,434	0	1,154,434		944,434	1,284,385	944,434	944,434
Total Operation and Maintenance & Working Capital Funds	109,900,515	110,918,907	110,059,115	1,004,083	110,904,598		109,983,821	110,993,213	110,142,421	110,987,904
TITLES IV-V-VI										
MILITARY PERSONNEL										
Military Personnel	75,801,666	75,801,666	75,632,266	0	75,801,666		75,801,666	75,801,666	75,632,266	75,801,666
DIVISION B										
MILITARY CONSTRUCTION										
Military Construction, Army	897,938	672,391	781,079	(160,343)	737,595	*	897,938	672,391	781,079	737,595
Military Construction, Navy	753,422	887,810	817,371	174,851	928,273		753,422	887,810	817,371	928,273
Military Construction, Air Force	530,969	703,873	763,491	339,239	870,208		530,969	703,873	763,491	870,208
Military Construction, Defense-wide	784,753	815,504	686,333	29,894	814,647	**	784,753	815,504	686,333	814,647
Military Construction, Army National Guard	59,130	129,139	181,629	207,401	266,531		59,130	129,139	181,629	266,531
Military Construction, Air National Guard	50,179	110,885	161,806	144,750	194,929		50,179	110,885	161,806	194,929
Military Construction, Army Reserve	81,713	104,854	92,497	27,025	108,738		81,713	104,854	92,497	108,738
Military Construction, Naval Reserve	16,103	56,574	38,091	45,970	62,073		16,103	56,574	38,091	62,073
Military Construction, Air Force Reserve	14,851	41,748	32,673	21,740	36,591		14,851	41,748	32,673	36,591
Base Realignment and Closure II, III, IV	1,174,369	1,174,369	1,174,369	(150,000)	1,024,369		1,174,369	1,174,369	1,174,369	1,024,369
NATO Infrastructure	190,000	177,500	190,000	(18,000)	172,000		190,000	177,500	190,000	172,000
Total Military Construction	4,553,427	4,874,647	4,919,339	662,527	5,215,954		4,553,427	4,874,647	4,919,339	5,215,954
FAMILY HOUSING										
Family Housing Construction, Army	162,106	198,505	218,306	73,850	235,956		162,106	198,505	218,306	235,956
Family Housing Support, Army	978,275	953,744	958,364	(26,482)	951,793		978,275	953,744	958,364	951,793
Family Housing Construction, Navy and Marine Corps	362,822	417,225	386,874	55,333	418,155		362,822	417,225	386,874	418,155
Family Housing Support, Navy and Marine Corps	882,638	882,638	881,567	(1,071)	881,567		882,638	882,638	881,567	881,567
Family Housing Construction, Air Force	223,483	241,384	247,147	28,499	251,982		223,483	241,384	247,147	251,982
Family Housing Support, Air Force	826,271	820,879	807,425	(5,392)	820,879		826,271	820,879	807,425	820,879
Family Housing Support, Defense-wide	44,886	44,886	44,886	0	44,886		44,886	44,886	44,886	44,886
Total Family Housing	3,480,481	3,559,261	3,544,569	124,737	3,605,218		3,480,481	3,559,261	3,544,569	3,605,218

* *Reflects projects previously authorized in PL 106-65 (Fiscal Year 2000, Defense Authorization Act)*

** *Reflects reduction of FOLs proposed in the FY 00 Congressional Emergency Supplemental*

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement	Budget Authority Implications Request	House	Senate	Conference
DIVISION C									
TITLE XXXI-XXXII									
ATOMIC ENERGY DEFENSE ACTIVITIES (053)									
National Nuclear Security Administration									
Weapons Activities	4,594,000	4,677,800	4,747,800	246,289	4,840,289	4,594,000	4,677,800	4,747,800	4,840,289
Other Nuclear Security Activities	1,583,635	914,035	1,554,535	(706,168)	877,467	1,583,635	914,035	1,554,535	877,467
Naval Reactors	0	677,600	0	694,600	694,600	0	677,600	0	694,600
Office of the Administrator	0	0	0	10,000	10,000	0	0	0	10,000
Defense Environmental Restoration and Waste Management	4,551,527	4,591,527	5,576,824	1,422,165	5,973,692	4,551,527	4,591,527	5,576,824	5,973,692
Defense Facilities Closure Projects	1,082,297	1,082,297	0	(1,082,297)	0	1,082,297	1,082,297	0	0
Defense Environmental Management Privatization	515,000	259,000	365,000	(515,000)	0	515,000	259,000	365,000	0
Other Defense Activities	555,122	557,122	466,322	(31,300)	523,822	555,122	557,122	466,322	523,822
Defense Nuclear Waste Disposal	112,000	112,000	112,000	0	112,000	112,000	112,000	112,000	112,000
Energy Employees Compensation Initiative	17,000	0	17,000	(17,000)	0	17,000	0	17,000	0
Interim Storage Activities	0	0	0	0	0	(85,000)	(85,000)	(85,000)	(85,000)
Formerly Utilized Site Remediation	140,000	0	0	(140,000)	0	140,000	0	0	0
Defense Nuclear Facilities Safety Board	18,500	17,000	18,500	0	18,500	18,500	17,000	18,500	18,500
Total Atomic Energy Defense Activities (053)	13,169,081	12,888,381	12,857,981	(118,711)	13,050,370	13,084,081	12,803,381	12,772,981	12,965,370
Recapitulation									
Department of Defense (Division A)	284,127,991	288,622,831	288,582,865	4,681,567	288,809,558	283,917,991	288,403,831	288,372,865	288,599,558
Department of Defense (Division B)	8,033,908	8,433,908	8,463,908	787,264	8,821,172	8,033,908	8,433,908	8,463,908	8,821,172
Net Other Funds	5,000	0	0	(5,000)	0	532,451	536,331	527,181	527,451
Division A Rescission (PL 106-259)	0	0	0	0	0	0	0	0	(546,980)
Division B Rescission (PL 106-259)	0	0	0	0	0	0	0	0	(183,000)
Transfer Authority sec 1001 [Memo Entry]	2,000,000	2,000,000	2,000,000	0	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Offsetting Receipts	0	0	0	0	0	(1,485,000)	(1,485,000)	(1,485,000)	(1,485,000)
Total Department of Defense Military (051)	292,166,899	297,056,739	297,046,773	5,463,831	297,630,730	290,999,350	295,889,070	295,878,954	295,733,201
Total Atomic Energy Defense Activities (053)	13,169,081	12,888,381	12,857,981	(118,711)	13,050,370	13,084,081	12,803,381	12,772,981	12,965,370
Total Defense Related Activities (054)	48,000	0	0	(48,000)	0	1,249,749	1,201,749	1,201,749	1,201,749
TOTAL NATIONAL DEFENSE FUNCTION (050)	305,383,980	309,945,120	309,904,754	5,297,120	310,681,100	305,333,180	309,894,200	309,853,684	309,900,320

CONGRESSIONAL DEFENSE COMMITTEES

The term ''congressional defense committees'' is often used in this statement of managers. It means the Defense Authorization and Appropriations Committee of the Senate and House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Procurement Overview

The budget request for fiscal year 2001 included an authorization of $60,563.4 million for Procurement in the Department of Defense.

The House bill would authorize $62,593.1 million.

The Senate amendment would authorize $63,560.6 million.

The conferees recommended an authorization of $63,166.6 million. The conference agreement reflects reductions reflected in the fiscal year 2001 Department of Defense Appropriations Act (Public Law 106–259). Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE I					
PROCUREMENT					
Aircraft Procurement, Army	1,323,262	1,542,762	1,749,662	226,750	1,550,012
Missile Procurement, Army	1,295,728	1,367,681	1,382,328	24,953	1,320,681
Procurement of Weapons and Tracked Combat Vehicles, Army	1,874,638	2,167,938	2,115,138	561,686	2,436,324
Procurement of Ammunition, Army	1,131,323	1,199,323	1,224,323	48,593	1,179,916
Other Procurement, Army	3,795,870	4,095,270	4,027,170	439,849	4,235,719
Chemical Agents and Munitions Destruction, Army					
Research, Development, Test & Evaluation	274,400	0	0	0	274,400
Procurement	121,900	0	0	(16,200)	105,700
Operation & Maintenance	607,200	0	0	(7,200)	600,000
Aircraft Procurement, Navy	7,963,858	8,205,758	8,685,958	430,480	8,394,338
Weapons Procurement, Navy	1,434,250	1,562,250	1,539,950	9,350	1,443,600
Procurement of Ammunition, Navy and Marine Corps	429,649	481,349	500,749	58,100	487,749
Shipbuilding and Conversion, Navy	12,296,919	11,981,968	12,900,076	530,000	12,826,919
Other Procurement, Navy	3,334,611	3,432,011	3,378,311	46,069	3,380,680
Procurement, Marine Corps	1,171,935	1,254,735	1,191,035	40,833	1,212,768
Aircraft Procurement, Air Force	9,539,602	10,267,153	9,966,271	384,266	9,923,868
Procurement of Ammunition, Air Force	638,808	638,808	666,808	8,000	646,808
Missile Procurement, Air Force	3,061,715	3,046,715	3,008,015	(197,937)	2,863,778
Other Procurement, Air Force	7,699,127	7,869,903	7,717,527	12,520	7,711,647
Procurement, Defense-wide	2,275,308	2,309,074	2,210,508	3,100	2,278,408
Chemical Agents and Munitions Destruction, Defense-Wide					

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
Operation & Maintenance	0	607,200	607,200	0	0
Procurement	0	105,700	121,900	0	0
Research, Development, Test & Evaluation	0	164,200	274,400	0	0
Procurement, Defense Health Program	290,006	290,006	290,006	0	290,006
Procurement, Office of the Inspector General	3,300	3,300	3,300	0	3,300
Total Procurement	60,563,409	62,593,104	63,560,635	2,603,212	63,166,621

Overview

The budget request for fiscal year 2001 included an authorization of $1,323.3 million for Aircraft Procurement, Army in the Department of Defense.

The House bill would authorize $1,542.8 million.

The Senate amendment would authorize $1,749.7 million.

The conferees recommended an authorization of $1,550.0 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT PROCUREMENT, ARMY										
	AIRCRAFT										
	FIXED WING										
1	ARL (TIARA)	-	-	1	31,000	-	-	-	-	-	-
2	UTILITY F/W (MR) AIRCRAFT	-	-	1	7,600	3	24,300	1	7,600	1	7,600
3	GUARDRAIL COMMON SENSOR/ACS (TIARA)	-	-	-	-	-	-	-	-	-	-
	ROTARY										
4	UH-60 BLACKHAWK (MYP)	6	81,205	12	152,305	26	277,505	12	124,950	18	206,155
4	LESS: ADVANCE PROCUREMENT (PY)	-	(16,554)	-	(16,554)	-	(16,554)	-	-	-	(16,554)
5	ADVANCE PROCUREMENT (CY)	-	22,127	-	22,127	-	22,127	-	-	-	22,127
	TH-67 TRAINING HELICOPTER			19	24,000			19	24,000	19	24,000
	MODIFICATION OF AIRCRAFT										
	MODIFICATION OF AIRCRAFT										
6	GUARDRAIL MODS (TIARA)	-	22,626	-	22,626	-	22,626	-	-	-	22,626
7	ARL MODS	-	6,553	-	6,553	-	6,553	-	-	-	6,553
8	AH1F MODS	-	423	-	423	-	423	-	-	-	423
9	AH-64 MODS	-	18,516	-	30,516	-	18,516	-	17,500	-	36,016
10	CH-47 CARGO HELICOPTER MODS (MYP)	-	117,083	-	122,083	-	117,083	-	-	-	117,083
11	CH-47 ICH	-	57,630	-	57,630	-	57,630	-	-	-	57,630
12	ADVANCE PROCUREMENT (CY)	-	26,200	-	26,200	-	26,200	-	-	-	26,200
13	UTILITY/CARGO AIRPLANE MODS	-	11,903	-	11,903	-	11,903	-	-	-	11,903
14	OH-58 MODS	-	462	-	462	-	462	-	-	-	462
15	AIRCRAFT LONG RANGE MODS	-	752	-	752	-	752	-	-	-	752
16	LONGBOW	-	744,846	-	744,846	-	902,846	-	17,500	-	762,346
16	LESS: ADVANCE PROCUREMENT (PY)	-	(35,392)	-	(35,392)	-	(35,392)	-	-	-	(35,392)
17	ADVANCE PROCUREMENT (CY)	-	35,000	-	35,000	-	35,000	-	-	-	35,000
18	UH-1 MODS	-	4,297	-	4,297	-	4,297	-	-	-	4,297
19	UH-60 MODS	-	3,021	-	12,021	-	3,021	-	6,000	-	9,021
20	KIOWA WARRIOR	-	41,816	-	41,816	-	76,816	-	(1,200)	-	40,616
21	EH-60 QUICKFIX MODS	-	-	-	-	-	-	-	-	-	-
22	AIRBORNE AVIONICS	-	60,042	-	60,042	-	60,042	-	-	-	60,042

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
23	ASE MODS (SIRFC)	-	4,487	-	24,487	-	4,487	-	-	-	4,487
24	ASE MODS (ATIRCM)	-	-	-	-	-	-	-	-	-	-
25	GATM	-	10,073	-	10,073	-	10,073	-	-	-	10,073
26	MODIFICATIONS < $5.0M	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
27	SPARE PARTS (AIR)	-	15,167	-	15,167	-	15,167	-	-	-	15,167
	SUPPORT EQUIPMENT AND FACILITIES										
	GROUND SUPPORT AVIONICS										
28	AIRCRAFT SURVIVABILITY EQUIPMENT	-	-	-	8,000	-	-	-	10,000	-	10,000
	OTHER SUPPORT										
29	AVIONICS SUPPORT EQUIPMENT	-	-	-	-	-	13,900	-	10,000	-	10,000
30	COMMON GROUND EQUIPMENT	-	11,926	-	11,926	-	11,926	-	-	-	11,926
31	AIRCREW INTEGRATED SYSTEMS	-	3,490	-	3,490	-	9,390	-	2,400	-	5,890
32	AIR TRAFFIC CONTROL	-	74,144	-	74,144	-	74,144	-	-	-	74,144
33	INDUSTRIAL FACILITIES	-	1,419	-	1,419	-	1,419	-	-	-	1,419
34	AIRBORNE COMMUNICATIONS	-	-	-	31,800	-	-	-	8,000	-	8,000
35	CLOSED ACCOUNT ADJUSTMENT	-	-	-	-	-	-	-	-	-	-
	ECONOMIC ADJUSTMENT						(7,000)			-	-
	TOTAL, AIRCRAFT PROCUREMENT, ARMY		1,323,262		1,542,762		1,749,662		226,750		1,550,012

UH–60 Blackhawk

The budget request included $81.2 million to procure six UH–60L Blackhawk helicopters for the Army National Guard (ARNG).

The House bill would authorize an increase of $27.9 million to procure an additional three UH–60L Blackhawks, $40.2 million to procure three UH–60Q medical evacuation helicopters, and $3.0 million to procure two Firehawk conversion kits, a total increase of $71.1 million to meet additional UH–60 Blackhawk requirements for the ARNG.

The Senate amendment would authorize an increase of $196.3 million to procure an additional 20 UH–60L Blackhawk aircraft identified on the Army's unfunded requirements list.

The conferees agree to authorize $179.4 million for 16 UH–60L aircraft for the reserve components and $26.8 million for two UH–60Q aircraft for the ARNG, a total authorization of $206.2 million for UH–60 Blackhawk helicopters.

TH–67 training helicopter

The budget request included no funding for TH–67 training helicopter requirements.

The House bill would authorize an increase of $24.0 million to procure 19 TH–67 training helicopters.

The Senate amendment would authorize an increase of $35.0 million to procure 19 TH–67 aircraft.

The conferees agree to authorize an increase of $24.0 million to procure 19 TH–67 aircraft.

Longbow

The budget request included $744.8 million for AH–64 Apache Longbow modifications.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $141.1 million for Apache recapitalization requirements.

The conferees agree to authorize an increase of $17.5 million, a total authorization of $762.3 million to address AH–64 Apache recapitalization requirements.

AH–64 modifications

The budget request included $18.5 million for AH–64 modifications, but included no funding to continue procurement of the oil debris detection system (ODDS) or the vibration management enhancement program (VMEP).

The House bill would authorize an increase of $5.0 million to continue procurement of ODDS and $7.0 million for the procurement of VMEP for the Army National Guard (ARNG) AH–64 fleet, a total increase of $12.0 million to meet outstanding AH–64 modification requirements.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $5.0 million for ODDS, $5.0 million for VMEP for the ARNG AH–64 fleet, and $7.5 million to support critical component upgrades, as identified in the Army's unfunded requirements list, a total authorization of $36.0 million to address AH–64 modification requirements.

UH–60 modifications

The budget request included $3.0 million for UH–60 modifications.

The House bill would authorize an increase of $9.0 million for extended range fuel system modifications for Army National Guard (ARNG) UH–60 Blackhawks.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for UH–60 modifications, including $3.0 million for extended range fuel system modifications and $3.0 million for Firehawk kits, both for the ARNG.

Aircraft Survivability Equipment (ASE)

The budget request contained no funding for the procurement of Aircraft Survivability Equipment (ASE).

The House bill would authorize an increase of $8.0 million to upgrade the Aircraft Survivability Equipment Trainer (ASET) IV systems with current IR SAM threat simulators.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $10.0 million for aircraft survivability equipment. Of this amount, $4.0 million is for ASET IV systems upgrades and $6.0 million is for laser detection kits.

Aircrew integrated systems

The budget request included $3.5 million for aircrew integrated system equipment requirements.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.9 million for aircrew integrated systems to procure 12,640 advanced laser eye protection visors.

The conferees agree to authorize an increase of $2.4 million for aircrew laser eye protection requirements, a total authorization of $5.9 million for aircrew system equipment requirements.

Overview

The budget request for fiscal year 2001 included an authorization of $1,295.7 million for Missile Procurement, Army in the Department of Defense.

The House bill would authorize $1,367.7 million.

The Senate amendment would authorize $1,382.3 million.

The conferees recommended an authorization of $1,320.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	MISSILE PROCUREMENT, ARMY										
	OTHER MISSILES										
	SURFACE-TO-AIR MISSILE SYSTEM										
1	AVENGER SYSTEM SUMMARY	7	29,801	7	29,801	7	29,801	-	-	7	29,801
	AIR-TO-SURFACE MISSILE SYSTEM										
2	HELLFIRE SYS SUMMARY (MYP)	2,200	296,962	2,200	296,962	2,200	296,962	-	-	2,200	296,962
2	LESS: ADVANCE PROCUREMENT (PY)	-	(11,599)	-	(11,599)	-	(11,599)	-	-	-	(11,599)
3	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
	ANTI-TANK/ASSAULT MISSILE SYSTEM										
4	JAVELIN (AAWS-M) SYSTEM SUMMARY (MYP)	3,754	387,959	3,754	387,959	3,754	387,959	-	(51,000)	3,754	336,959
4	LESS: ADVANCE PROCUREMENT (PY)	-	(15,711)	-	(15,711)	-	(15,711)	-	-	-	(15,711)
5	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
6	MLRS ROCKET	-	9,413	-	9,413	-	9,413	-	-	-	9,413
7	MLRS LAUNCHER SYSTEMS	66	188,689	66	188,689	66	188,689	-	-	66	188,689
8	ARMY TACTICAL MSL SYS (ATACMS) - SYS SUM	-	15,044	51	25,044	100	92,444	-	83,000	-	98,044
9	ATACMS BLKII SYSTEM SUMMARY	55	230,334	55	230,334	55	230,334	-	(15,000)	55	215,334
10	ADVANCE PROCUREMENT (CY)	-	3,547	-	-	-	3,547	-	(3,547)	-	-
	MODIFICATION OF MISSILES										
	MODIFICATIONS										
11	PATRIOT MODS	-	22,929	-	88,429	-	22,929	-	-	-	22,929
12	STINGER MODS	-	21,838	-	21,838	-	37,038	-	11,500	-	33,338
13	AVENGER MODS	-	6,828	-	6,828	-	6,828	-	-	-	6,828
14	ITAS/TOW MODS (MYP)	-	64,562	-	64,562	-	64,562	-	-	-	64,562
15	MLRS MODS	-	16,499	-	16,499	-	16,499	-	-	-	16,499
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
16	SPARES AND REPAIR PARTS	-	20,785	-	20,785	-	20,785	-	-	-	20,785
	SUPPORT EQUIPMENT AND FACILITIES										
	SUPPORT EQUIPMENT AND FACILITIES										
17	AIR DEFENSE TARGETS	-	2,394	-	2,394	-	2,394	-	-	-	2,394
18	ITEMS LESS THAN $5.0M (MISSILES)	-	969	-	969	-	969	-	-	-	969

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
19	MISSILE DEMILITARIZATION	-	1,341	-	1,341	-	1,341	-	-	-	1,341
20	PRODUCTION BASE SUPPORT	-	3,144	-	3,144	-	3,144	-	-	-	3,144
21	CLOSED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	ECONOMIC ADJUSTMENT			-	-		(6,000)			-	-
	TOTAL, MISSILE PROCUREMENT, ARMY		1,295,728		1,367,681		1,382,328		24,953		1,320,681

Army tactical missile system

The budget request included $15.0 million for Army tactical missile system (ATACMS) fielding and production line shutdown.

The House bill would authorize an increase of $10.0 million for the procurement of 51 ATACMS Block IV missiles.

The Senate amendment would authorize an increase of $77.4 million to procure 100 ATACMS block IA missiles.

The conferees agree to authorize an increase of $83.0 million, of which $6.0 million is for ATACMS block IV missiles and $77.0 million is to procure 100 ATACMS block IA missiles, a total authorization of $98.0 million.

Overview

The budget request for fiscal year 2001 included an authorization of $1,874.6 million for Weapons and Tracked Combat Vehicles Procurement, Army in the Department of Defense.

The House bill would authorize $2,167.9 million.

The Senate amendment would authorize $2,115.1 million.

The conferees recommended an authorization of $2,436.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF W&TCV, ARMY										
	TRACKED COMBAT VEHICLES										
	TRACKED COMBAT VEHICLES										
1	ABRAMS TRNG DEV MOD	-	5,331	-	5,331	-	5,331	-	-	-	5,331
2	BRADLEY BASE SUSTAINMENT	-	359,389	65	440,689	-	359,389	-	72,300	-	431,689
3	ADVANCE PROCUREMENT (CY)	-	20,006	-	20,006	-	20,006	-	-	-	20,006
4	BRADLEY FVS TRAINING DEVICES	-	12,098	-	12,098	-	12,098	-	-	-	12,098
5	HAB TRAINING DEVICES	-	-	-	-	-	-	-	-	-	-
6	BRADLEY FVS TRAINING DEVICES (MOD)	-	14,038	-	14,038	-	14,038	-	-	-	14,038
7	ABRAMS TANK TRAINING DEVICES	-	10,504	-	10,504	-	10,504	-	-	-	10,504
8	MEDIUM ARMORED VEHICLE FAMILY: MAVF	-	537,077	-	537,077	-	537,077	-	99,930	-	637,007
9	COMMAND & CONTROL VEHICLE	-	-	-	-	-	-	-	-	-	-
	MODIFICATION OF TRACKED COMBAT VEHICLES										
10	CARRIER, MOD	-	45,111	-	95,111	-	95,111	-	10,000	-	55,111
11	FIST VEHICLE (MOD)	-	31,898	-	31,898	-	31,898	-	-	-	31,898
12	BFVS SERIES (MOD)	-	37,142	-	57,142	-	37,142	-	-	-	37,142
13	HOWITZER, MED SP FT 155MM M109A6 (MOD)	-	8,060	-	8,060	-	8,060	-	-	-	8,060
14	FAASV PIP TO FLEET	-	5	-	5	-	5	-	-	-	5
15	IMPROVED RECOVERY VEHICLE (M88 MOD)	-	68,385	-	76,685	-	68,385	-	6,000	-	74,385
16	BREACHER SYSTEM (MOD)	-	-	-	20,000	-	108,000	-	-	-	-
17	HEAVY ASSAULT BRIDGE (HAB) SYS (MOD)	-	-	12	59,200	-	77,000	-	77,000	-	77,000
17A	ADVANCE PROCUREMENT (CY)			-	13,100						
18	ARMORED VEH LAUNCH BRIDGE (AVLB) (MOD)	-	1,692	-	1,692	-	1,692	-	(1,692)	-	-
19	AVLB SLEP	-	15,252	-	4,952	-	52	-	(15,252)	-	-
20	M1 ABRAMS TANK (MOD)	-	36,098	-	54,998	-	36,098	-	15,900	-	51,998
21	M1A1D RETROFIT	-	891	-	891	-	891	-	-	-	891
22	SYSTEM ENHANCEMENT PGM: SEP M1A2	16	36,149	16	36,149	16	36,149	-	22,500	16	58,649
23	ABRAMS UPGRADE PROGRAM	-	551,828	-	551,828	-	551,828	-	(44,500)	-	507,328
24	LESS: ADVANCE PROCUREMENT (PY)	-	(213,406)	-	(213,406)	-	(213,406)	-	-	-	(213,406)
24	ADVANCE PROCUREMENT (CY)	-	174,445	-	174,445	-	174,445	-	-	-	174,445
25	MODIFICATIONS LESS THAN $5.0M (TCV-WTCV)	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SUPPORT EQUIPMENT AND FACILITIES										
26	ITEMS LESS THAN $5.0M (TCV-WTCV)	-	135	-	135	-	135	-	-	-	135
27	PRODUCTION BASE SUPPORT (TCV-WTCV)	-	9,250	-	9,250	-	9,250	-	-	-	9,250
	ARMY TRANSFORMATION: MEDIUM ARMORED VEHICLE							-	300,000	-	300,000
	WEAPONS AND OTHER COMBAT VEHICLES										
	WEAPONS AND OTHER COMBAT VEHICLES										
28	ARMOR MACHINE GUN, 7.62MM M240 SERIES	1,196	12,449	1,196	12,449	1,196	12,449	-	-	1,196	12,449
29	MACHINE GUN, 5.56MM (SAW)	-	-	-	18,300	4,280	18,300	-	17,000	-	17,000
30	GRENADE LAUNCHER, AUTO, 40MM, MK19-3	581	11,835	581	14,335	967	19,935	-	2,500	581	14,335
31	M16 RIFLE	10,314	4,793	10,314	4,793	10,314	4,793	-	-	10,314	4,793
32	XM107, CAL. 50, SNIPER RIFLE	230	3,085	230	3,085	230	3,085	-	-	230	3,085
33	5.56 CARBINE M4	8,309	5,190	8,309	5,190	8,309	5,190	-	-	8,309	5,190
	MOD OF WEAPONS AND OTHER COMBAT VEH										
34	MARK-19 MODIFICATIONS	-	1,813	-	1,813	-	1,813	-	-	-	1,813
35	M4 CARBINE MODS	-	2,504	-	2,504	-	3,804	-	-	-	2,504
36	SQUAD AUTOMATIC WEAPON (MOD)	-	9,956	-	9,956	-	9,956	-	-	-	9,956
37	MEDIUM MACHINE GUNS (MODS)	-	495	-	495	-	495	-	-	-	495
38	HOWITZER, TOWED, 155MM, M198 (MODS)	-	3,507	-	3,507	-	3,507	-	-	-	3,507
39	M119 MODIFICATIONS	-	4,705	-	4,705	-	4,705	-	-	-	4,705
40	M16 RIFLE MODS	-	9,592	-	9,592	-	9,592	-	-	-	9,592
41	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	-	787	-	787	-	787	-	-	-	787
	SUPPORT EQUIPMENT AND FACILITIES										
42	ITEMS LESS THAN $5.0M (WOCV-WTCV)	-	1,182	-	1,182	-	1,182	-	-	-	1,182
43	PRODUCTION BASE SUPPORT (WOCV-WTCV)	-	5,152	-	5,152	-	5,152	-	-	-	5,152
44	INDUSTRIAL PREPAREDNESS	-	3,604	-	15,604	-	3,604	-	-	-	3,604
45	SMALL ARMS (SOLDIER ENH PROG)	-	3,506	-	3,506	-	3,506	-	-	-	3,506
	SPARE AND REPAIR PARTS										
	SPARES										
46	SPARES AND REPAIR PARTS (WTCV)	-	29,105	-	29,105	-	29,105	-	-	-	29,105
	ECONOMIC ADJUSTMENT			-	-		(7,000)			-	-
	TOTAL, PROCUREMENT OF W&TCV, ARMY		1,874,638		2,167,938		2,115,138		561,686		2,436,324

Bradley base sustainment

The budget request included $359.4 million for the procurement of Bradley A3 fighting vehicle upgrades, of which $6.1 million was included for fielding Army National Guard (ARNG) A2 Operation Desert Storm (ODS) variants.

The House bill would authorize an increase of $81.3 million for upgrading an additional 65 Bradley A0 vehicles to the A2ODS variant for ARNG.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $72.3 million for ARNG Bradley A2ODS conversions.

Improved recovery vehicle

The budget request included $68.4 million to procure improved recovery vehicles (IRVs) but included no funding for the procurement of IRVs for the Army Reserve.

The House bill would authorize an increase of $8.3 million for additional M88A2 IRV upgrades for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for additional M88A2 IRV upgrades for the Army Reserve, a total authorization of $74.4 million.

Heavy assault bridge system modifications

The budget request included no funding to continue procurement of the heavy assault bridge system (HAB).

The House bill would authorize an increase of $59.2 million for 12 vehicles and an increase of $13.1 million in advanced procurement for fiscal year 2002 to maintain HAB production.

The Senate amendment would authorize an increase of $77.0 million to restore the Wolverine heavy assault bridge program and a corresponding decrease of $15.2 million to the AVLB SLEP program.

The conferees agree to authorize an increase of $77.0 million for the heavy assault bridge program, a total authorization of $77.0 million. Accordingly, the conferees expect the Secretary of the Army to budget for the HAB through the future years defense program.

Army Transformation

The budget request included $537.1 million, sufficient funds to procure equipment and to field the first interim brigade combat team as part of the Army transformation initiative.

The House bill and Senate amendment would authorize the budget request.

The conferees agree to authorize a total increase of $600.0 million for the Army transformation initiative, which includes:

(1) $100.0 million for medium armored vehicle procurement;

(2) $300.0 million for medium armored vehicles for a second interim brigade combat team; and

(3) $200.0 million for other support equipment for a second interim brigade combat team.

Machine gun, squad automatic weapon

The budget request included no funding for the squad automatic weapon (SAW).

The House bill would authorize an increase of $18.3 million to complete the procurement of the M249 SAW system.

The Senate amendment would authorize an increase of $18.3 million to procure 4,280 weapons and complete the acquisition of the SAW system.

The conferees agree to authorize an increase of $17.0 million for the procurement of 4,280 weapons and complete the acquisition of the SAW system, a total authorization of $17.0 million.

Overview

The budget request for fiscal year 2001 included an authorization of $1,131.3 million for Ammunition Procurement, Army in the Department of Defense.

The House bill would authorize $1,199.3 million.

The Senate amendment would authorize $1,224.3 million.

The conferees recommended an authorization of $1,179.9 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF AMMUNITION, ARMY										
	AMMUNITION										
	SMALL/MEDIUM CAL AMMUNITION										
1	CTG, 5.56MM, ALL TYPES	-	97,758	-	97,758	-	97,758	-	-	-	97,758
2	CTG 5.56MM ARMOR PIERCING M995	873	1,337	873	1,337	873	1,337	-	-	873	1,337
3	CTG, 7.62MM, ALL TYPES	-	8,990	-	8,990	-	8,990	-	-	-	8,990
4	CTG 7.62MM ARMOR PIERCING XM993	-	-	-	-	-	-	-	-	-	-
5	CTG, 9MM, ALL TYPES	-	2,487	-	2,487	-	2,487	-	-	-	2,487
6	CTG, .45 CAL, ALL TYPES	-	-	-	-	-	-	-	-	-	-
7	CTG, .50 CAL, ALL TYPES	-	10,646	-	16,646	-	10,646	-	6,000	-	16,646
8	CTG CAL .50 API MK211 MOD 0	254	1,987	254	3,987	254	1,987	-	1,000	254	2,987
9	CTG, 20MM, ALL TYPES	-	2,004	-	2,004	-	2,004	-	-	-	2,004
10	CTG, 25MM, ALL TYPES	-	57,780	-	57,780	-	57,780	-	-	-	57,780
11	CTG, 30MM, ALL TYPES	-	9,517	-	9,517	-	15,517	-	5,000	-	14,517
12	CTG, 40MM, ALL TYPES	-	60,788	-	60,788	-	60,788	-	-	-	60,788
13	NONLETHAL WEAPONS CAPABILITY SET	5	8,397	5	8,397	5	8,397	-	-	5	8,397
	MORTAR AMMUNITION										
14	60MM MORTAR, ALL TYPES	-	28,673	-	36,673	-	33,673	-	5,000	-	33,673
15	CTG 81MM INFRARED (IR) ILLUM XM816	-	-	-	-	-	-	-	-	-	-
16	CTG MORTAR 81MM PRAC 1/10 RANGE M880	24	930	24	930	24	930	-	-	24	930
17	CTG MORTAR 120MM FULL RANGE PRACTICE M931	-	-	-	-	-	-	-	-	-	-
18	CTG MORTAR 120MM HE M934 W/MO FUZE	62	45,031	62	50,431	70	51,031	-	3,000	62	48,031
19	CTG MORTAR 120MM ILLUM XM930 W/MTSQ FZ	-	-	-	6,600	-	-	-	5,000	-	5,000
20	CTG MORTAR 120MM SMOKE M929 W/MO FUZE	-	-	-	-	-	-	-	-	-	-
21	CTG 120MM WP SMOKE M929A1	26	24,969	26	24,969	26	24,969	-	-	26	24,969
	TANK AMMUNITION										
22	CTG 120MM APFSDS-T M829A2/M829E3	-	-	-	-	-	-	-	-	-	-
23	CTG 120MM HEAT-MP-T M830A1	-	-	-	-	-	-	-	-	-	-
24	CTG TANK 120MM TP-T M831/M831A1	87	48,477	87	48,477	87	48,477	-	-	87	48,477
25	CTG TANK 120MM TPCSDS-T M865	199	101,512	199	101,512	199	101,512	-	-	199	101,512
	ARTILLERY AMMUNITION										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
26	CTG ARTY 75MM BLANK M337A1	40	1,807	40	1,807	40	1,807	-	-	40	1,807
27	CTG ARTY 105MM BLANK M395	-	-	-	-	-	-	-	-	-	-
28	CTG ARTY 105MM DPICM XM915	-	-	-	-	-	15,000	-	7,000	-	7,000
29	CTG ARTY 105MM HERA M913	-	-	-	-	-	-	-	-	-	-
30	CTG ARTY 105MM M927	-	-	-	-	-	-	-	-	-	-
31	CTG ARTY 105MM ILLUM M314 SERIES	-	130	-	130	-	130	-	-	-	130
32	PROJ ARTY 155MM SMOKE WP M825	-	14,682	-	14,682	-	14,682	-	-	-	14,682
33	PROJ ARTY 155MM HE M795	-	-	-	-	-	-	-	-	-	-
34	PROJ ARTY 155MM SADARM M898	-	14,907	-	14,907	-	14,907	-	(14,907)	-	-
35	REMOTE AREA DENIAL ARTILLERY MUNITION (RADA)	117	47,674	117	47,674	117	47,674	-	(20,000)	117	27,674
36	PROJ ARTY 155MM HE M107	175	35,178	175	35,178	175	45,178	-	5,000	175	40,178
37	MODULAR ARTILLERY CHARGE SYSTEM (MACS)	164	27,432	164	47,432	164	47,432	-	12,500	164	39,932
	ARTILLERY FUZES										
38	ARTILLERY FUZES, ALL TYPES	-	67,005	-	67,005	-	67,005	-	-	-	67,005
	MINES										
39	MINE, TRAINING, ALL TYPES	-	3,892	-	3,892	-	3,892	-	-	-	3,892
40	MINE AT M87 (VOLCANO)	-	-	-	-	-	-	-	-	-	-
41	WIDE AREA MUNITIONS	58	7,284	58	7,284	185	23,284	-	12,000	58	19,284
	ROCKETS										
42	BUNKER DEFEATING MUNITION (BDM)	-	-	-	10,000	-	-	-	6,000	-	6,000
43	ROCKET, HYDRA 70, ALL TYPES	-	152,767	-	152,767	-	152,767	-	-	-	152,767
	OTHER AMMUNITION										
44	DEMOLITION MUNITIONS, ALL TYPES	-	16,603	-	18,603	-	16,603	-	1,000	-	17,603
45	GRENADES, ALL TYPES	-	20,260	-	20,260	-	20,260	-	-	-	20,260
46	SIGNALS, ALL TYPES	-	13,067	-	13,067	-	13,067	-	-	-	13,067
47	SIMULATORS, ALL TYPES	-	3,053	-	3,053	-	3,053	-	-	-	3,053
	MISCELLANEOUS										
48	AMMO COMPONENTS, ALL TYPES	-	6,750	-	6,750	-	6,750	-	-	-	6,750
49	CAD/PAD ALL TYPES	-	4,298	-	4,298	-	4,298	-	-	-	4,298
50	ITEMS LESS THAN $5 MILLION	-	10,145	-	10,145	-	10,145	-	-	-	10,145
51	AMMUNITION PECULIAR EQUIPMENT	-	9,476	-	9,476	-	9,476	-	-	-	9,476

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
52	FIRST DESTINATION TRANSPORTATION (AMMO)	-	5,118	-	5,118	-	5,118	-	-	-	5,118
53	CLOSEOUT LIABILITIES	-	5,764	-	5,764	-	5,764	-	-	-	5,764
	AMMUNITION PRODUCTION BASE SUPPORT										
	PRODUCTION BASE SUPPORT										
54	PROVISION OF INDUSTRIAL FACILITIES	-	47,748	-	47,748	-	47,748	-	-	-	47,748
55	LAYAWAY OF INDUSTRIAL FACILITIES	-	3,215	-	3,215	-	3,215	-	-	-	3,215
56	MAINTENANCE OF INACTIVE FACILITIES	-	12,267	-	12,267	-	12,267	-	-	-	12,267
57	CONVENTIONAL AMMO DEMILITARIZATION	-	84,799	-	84,799	-	84,799	-	-	-	84,799
58	ARMS INITIATIVE	-	4,719	-	12,719	-	24,719	-	15,000	-	19,719
	ECONOMIC ADJUSTMENT			-	-		(5,000)			-	-
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY		1,131,323		1,199,323		1,224,323		48,593		1,179,916

155MM Sense and Destroy Armor Munition M898

The budget request included $14.9 million for the Sense and Destroy Armor Munition.

The House bill and the Senate amendment would authorize the budget request for this program.

Consistent with the outcome of the Department of Defense Appropriations Act, 2001 (Public Law 106–259), the conferees agree to authorize a decrease of $14.9 million for this program.

If the Secretary of the Army determines that it is important for the Army to continue this program, the conferees encourage the Secretary to submit a reprogramming request.

Overview

The budget request for fiscal year 2001 included an authorization of $3,795.9 million for Other Procurement, Army in the Department of Defense.

The House bill would authorize $4,095.3 million.

The Senate amendment would authorize $4,027.2 million.

The conferees recommended an authorization of $4,235.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER PROCUREMENT, ARMY										
	TACTICAL AND SUPPORT VEHICLES										
	TACTICAL VEHICLES										
1	TACTICAL TRAILERS/DOLLY SETS	-	-	-	-	-	-	-	3,800	-	3,800
2	SEMITRAILER FB BB/CONT TRANS 22 1/2 T	374	12,135	374	12,135	374	12,135	-	(7,100)	374	5,035
3	SEMITRAILER LB 40T M870A1 (CCE)	24	1,912	24	1,912	24	1,912	-	-	24	1,912
4	SEMITRAILER, TANK, 5000G	-	30,213	-	30,213	-	30,213	-	-	-	30,213
5	SEMITRAILER, TANK, 7500G, BULKHAUL	376	20,010	376	20,010	376	20,010	-	-	376	20,010
6	SEMITRAILER VAN CGO SUPPLY 12T 4WHL M129A2C	67	6,147	67	6,147	67	6,147	-	-	67	6,147
7	HI MOB MULTI-PURP WHLD VEH (HMMWV)	1,002	110,746	1,002	115,746	1,002	110,746	-	3,000	1,002	113,746
8	TRUCK, DUMP, 20T (CCE)	19	5,208	19	5,208	19	5,208	-	-	19	5,208
9	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	-	438,256	-	473,256	-	481,256	-	37,300	-	475,556
10	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPM	-	14,830	-	14,830	-	14,830	-	1,200	-	16,030
11	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	-	166,119	-	171,119	-	166,119	-	-	-	166,119
12	ARMORED SECURITY VEHICLES (ASV)	20	13,453	20	13,453	20	13,453	-	-	20	13,453
13	TRUCK, TRACTOR, LINE HAUL, M915/M916	-	42,989	-	44,589	-	42,989	-	1,000	-	43,989
14	TRUCK, TRACTOR, YARD TYPE, M878 (C/S)	-	-	-	-	-	-	-	-	-	-
15	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	94	17,233	94	17,233	94	17,233	-	-	94	17,233
16	MEDIUM TRUCK EXTENDED SVC PGM(ESP) (PREV SL)	-	-	-	-	-	-	-	-	-	-
17	LINE HAUL ESP	362	27,054	362	27,054	362	27,054	-	-	362	27,054
18	MODIFICATION OF IN SVC EQUIP	-	28,910	-	28,910	-	28,910	-	-	-	28,910
19	ITEMS LESS THAN $5.0M (TAC VEH)	-	1,853	-	1,853	-	1,853	-	-	-	1,853
	NON-TACTICAL VEHICLES										
20	HEAVY ARMORED SEDAN	12	2,263	12	2,263	12	2,263	-	(1,100)	12	1,163
21	PASSENGER CARRYING VEHICLES	35	834	35	834	35	834	-	(134)	35	700
22	GENERAL PURPOSE VEHICLES	-	989	-	989	-	989	-	-	-	989
23	SPECIAL PURPOSE VEHICLES	-	1,021	-	1,021	-	13,521	-	5,650	-	6,671
	SUPPORT EQUIPMENT AND FACILITIES										
24	SYSTEM FIELDING SUPPORT PEO	-	-	-	-	-	-	-	-	-	-
25	PROJECT MANAGEMENT SUPPORT	-	-	-	-	-	-	-	-	-	-
26	SYSTEM FIELDING SUPPORT (TACOM)	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT										
	COMM - JOINT COMMUNICATIONS										
27	COMBAT IDENTIFICATION PROGRAM	-	13,096	-	13,096	-	13,096	-	-	-	13,096
28	JCSE EQUIPMENT (USREDCOM)	-	5,553	-	5,553	-	5,553	-	-	-	5,553
	COMM - SATELLITE COMMUNICATIONS										
29	DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SP)	-	72,034	-	72,034	-	72,034	-	-	-	72,034
30	SHF TERM	-	38,307	-	38,307	-	38,307	-	(10,307)	-	28,000
31	SAT TERM, EMUT (SPACE)	-	3,475	-	3,475	-	3,475	-	-	-	3,475
32	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	-	21,439	-	21,439	-	21,439	-	-	-	21,439
33	SMART-T (SPACE)	-	48,594	-	48,594	-	28,594	-	(16,500)	-	32,094
34	SCAMP (SPACE)	-	4,261	-	4,261	-	4,261	-	-	-	4,261
35	GLOBAL BRDCST SVC - GBS	-	9,286	-	9,286	-	9,286	-	(5,000)	-	4,286
36	MOD OF IN-SVC EQUIP (TAC SAT)	-	1,489	-	1,489	-	1,489	-	-	-	1,489
	COMM - C3 SYSTEM										
37	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	-	10,355	-	10,355	-	10,355	-	-	-	10,355
	COMM - COMBAT COMMUNICATIONS										
38	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	-	32,675	-	51,175	-	65,275	-	37,500	-	70,175
39	SINCGARS FAMILY	-	18,340	-	49,040	-	18,340	-	30,000	-	48,340
40	JOINT TACTICAL AREA COMMAND SYSTEMS	-	972	-	972	-	972	-	-	-	972
41	ACUS MOD PROGRAM (WIN T/T)	-	113,951	-	113,951	-	187,951	-	60,000	-	173,951
42	COMMS-ELEC EQUIP FIELDING	-	3,348	-	3,348	-	3,348	-	-	-	3,348
43	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONIC	-	4,374	-	4,374	-	4,374	-	-	-	4,374
44	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	-	2,459	-	2,459	-	2,459	-	-	-	2,459
	COMM - INTELLIGENCE COMM										
45	CI AUTOMATION ARCHITECTURE	-	1,744	-	1,744	-	1,744	-	-	-	1,744
	INFORMATION SECURITY										
46	TSEC - ARMY KEY MGT SYS (AKMS)	-	11,051	-	11,051	-	11,051	-	-	-	11,051
47	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	-	54,374	-	58,374	-	54,374	-	4,000	-	58,374
	COMM - LONG HAUL COMMUNICATIONS										
48	TERRESTRIAL TRANSMISSION	-	2,025	-	2,025	-	2,025	-	-	-	2,025
49	BASE SUPPORT COMMUNICATIONS	-	3,945	-	3,945	-	3,945	-	-	-	3,945

Title I- Procurement

(Dollars in Thousands)

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50	ARMY DISN ROUTER	-	4,339	-	4,339	-	4,339	-	-	-	4,339
51	ELECTROMAG COMP PROG (EMCP)	-	431	-	431	-	431	-	-	-	431
52	WW TECH CON IMP PROG (WWTCIP)	-	2,865	-	2,865	-	2,865	-	-	-	2,865
	COMM - BASE COMMUNICATIONS										
53	INFORMATION SYSTEMS	-	57,779	-	57,779	-	57,779	-	-	-	57,779
54	DEFENSE MESSAGE SYSTEM (DMS)	-	18,836	-	18,836	-	18,836	-	-	-	18,836
55	LOCAL AREA NETWORK (LAN)	-	65,975	-	65,975	-	65,975	-	-	-	65,975
56	PENTAGON INFORMATION MGT AND TELECOM	-	65,412	-	65,412	-	65,412	-	(33,200)	-	32,212
	ELECT EQUIP - NAT FOR INT PROG (NFIP)										
57	FOREIGN COUNTERINTELLIGENCE PROG (FCI)	-	869	-	869	-	869	-	-	-	869
58	GENERAL DEFENSE INTELL PROG (GDIP)	-	19,604	-	19,604	-	19,604	-	-	-	19,604
	ELECT EQUIP - TACT INT REL ACT (TIARA)										
59	ALL SOURCE ANALYSIS SYS (ASAS) (TIARA)	-	66,671	-	66,671	-	66,671	-	-	-	66,671
60	JTT/CIBS-M (TIARA)	183	26,753	183	26,753	183	26,753	-	-	183	26,753
61	PROPHET GROUND (TIARA)	-	9,571	-	9,571	-	9,571	-	-	-	9,571
62	TACTICAL UNMANNED AERIAL VEHICLE (TUAV)	4	37,789	4	37,789	4	37,789	-	-	4	37,789
63	JOINT STARS (ARMY) (TIARA)	-	66,415	-	66,415	-	66,415	-	-	-	66,415
64	INTEGRATED BROADCAST TERMINAL MODS (TIARA)	-	-	-	-	-	-	-	-	-	-
65	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (TIARA)	44	20,030	44	20,030	44	20,030	-	-	44	20,030
66	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	-	-	-	-	-	-	-	-	-	-
67	TACTICAL EXPLOITATION OF NATIONAL CAPABILIT	-	12,853	-	12,853	-	12,853	-	-	-	12,853
68	COMMON IMAGERY GROUND/SURFACE SYSTEM (CIGSS	-	2,833	-	2,833	-	2,833	-	-	-	2,833
69	JOINT TACTICAL GROUND STATION MODS (JTAGS)	-	-	-	-	-	-	-	-	-	-
70	TROJAN (TIARA)	-	4,264	-	4,264	-	4,264	-	-	-	4,264
71	MOD OF IN-SVC EQUIP (INTEL SPT) (TIARA)	-	224	-	224	-	224	-	-	-	224
72	CI HUMINT AUTOMATED TOOL SET (CHATS) (TIARA	404	1,939	404	1,939	404	1,939	-	-	404	1,939
73	ITEMS LESS THAN $5.0M (TIARA)	-	484	-	484	-	484	-	-	-	484
	ELECT EQUIP - ELECTRONIC WARFARE (EW)										
74	SHORTSTOP	-	-	-	-	-	-	-	-	-	-
75	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURE	-	2,311	-	2,311	-	2,311	-	-	-	2,311
	ELECT EQUIP - TACTICAL SURV. (TAC SURV)										

Title I- Procurement

(Dollars in Thousands)

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76	FAAD GBS	2	24,188	2	24,188	2	31,488	-	-	2	24,188
77	TARGET LOCATION OBSERVATION SYSTEM (TLOS)	-	-	-	-	-	-	-	-	-	-
78	NIGHT VISION DEVICES	-	34,146	-	54,546	-	82,146	-	32,000	-	66,146
79	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYST	77	46,156	77	46,156	77	46,156	-	-	77	46,156
80	LTWT VIDEO RECON SYSTEM (LWVRS)	-	1,199	-	1,199	-	1,199	-	-	-	1,199
81	NIGHT VISION, THERMAL WPN SIGHT	1,664	35,348	1,664	35,348	1,664	35,348	-	-	1,664	35,348
82	COMBAT IDENTIFICATION / AIMING LIGHT	-	8,040	-	8,040	-	8,040	-	3,000	-	11,040
83	ARTILLERY ACCURACY EQUIP	-	14,405	-	14,405	-	14,405	-	-	-	14,405
84	PORTABLE INDUCTIVE ARTILLERY FUZE SETTER	-	-	-	-	-	-	-	-	-	-
85	MOD OF IN-SVC EQUIP (TAC SURV)	-	18,530	-	18,530	-	18,530	-	-	-	18,530
86	DIGITIZATION APPLIQUE	1,660	60,802	1,660	60,802	1,660	60,802	-	-	1,660	60,802
87	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	29	7,093	29	7,093	29	7,093	-	-	29	7,093
88	COMPUTER BALLISTICS: MORTAR M-30	73	1,652	73	1,652	73	1,652	-	-	73	1,652
89	MORTAR FIRE CONTROL SYSTEM	36	7,341	36	7,341	36	7,341	-	-	36	7,341
90	INTEGRATED MET SYS SENSORS (IMETS) - TIARA	7	7,018	7	7,018	7	7,018	-	-	7	7,018
	ELECT EQUIP - TACTICAL C2 SYSTEMS										
91	TACTICAL OPERATIONS CENTERS	-	17,260	-	17,260	-	17,260	-	-	-	17,260
92	ADV FIELD ARTILLERY TACT DATA SYS (AFATDS)	456	54,452	456	54,452	456	54,452	-	-	456	54,452
93	FIRE SUPPORT ADA CONVERSION	-	972	-	972	-	972	-	-	-	972
94	CMBT SVC SUPT CONTROL SYS (CSSCS)	333	27,411	333	27,411	333	27,411	-	-	333	27,411
95	FAAD C2	2	17,868	2	17,868	2	32,168	-	12,000	2	29,868
96	FAADC2I MODIFICATIONS	-	-	-	-	-	-	-	-	-	-
97	AIR & MSL DEFENSE PLANNING & CONTROL SYS	-	4,859	-	4,859	-	4,859	-	-	-	4,859
98	FORWARD ENTRY DEVICE (FED)	-	17,153	-	17,153	-	17,153	-	-	-	17,153
99	STRIKER-COMMAND AND CONTROL SYSTEM	33	19,084	33	19,084	50	27,084	-	5,000	33	24,084
100	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	-	1,010	-	1,010	-	1,010	-	-	-	1,010
101	LOGTECH	-	7,505	-	7,505	-	7,505	-	-	-	7,505
102	TC AIMS II	-	10,376	-	10,376	-	10,376	-	-	-	10,376
103	GUN LAYING AND POS SYS (GLPS)	92	8,410	92	8,410	92	8,410	-	-	92	8,410
104	ISYSCON EQUIPMENT	-	26,558	-	26,558	-	26,558	-	-	-	26,558
105	MANEUVER CONTROL SYSTEM (MCS)	176	22,935	176	22,935	176	22,935	-	-	176	22,935

Title I- Procurement

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106	STAMIS TACTICAL COMPUTERS (STACOMP)	-	40,015	-	40,015	-	40,015	-	-	-	40,015
107	STANDARD INTEGRATED CMD POST SYSTEM	-	35,971	-	40,971	-	53,471	-	11,500	-	47,471
	ELECT EQUIP - AUTOMATION										
108	ARMY TRAINING MODERNIZATION	-	35,960	-	43,960	-	35,960	-	-	-	35,960
109	AUTOMATED DATA PROCESSING EQUIP	-	172,051	-	178,051	-	172,051	-	8,000	-	180,051
110	RESERVE COMPONENT AUTOMATION SYS (RCAS)	-	91,495	-	91,495	-	91,495	-	-	-	91,495
	ELECT EQUIP - AUDIO VISUAL SYS (A/V)										
111	AFRTS	-	1,519	-	1,519	-	1,519	-	-	-	1,519
112	ITEMS LESS THAN $5.0M (A/V)	-	3,217	-	3,217	-	3,217	-	-	-	3,217
	ELECT EQUIP - SUPPORT										
113	PRODUCTION BASE SUPPORT (C-E)	-	374	-	374	-	374	-	-	-	374
	OTHER SUPPORT EQUIPMENT										
	CHEMICAL DEFENSIVE EQUIPMENT										
114	GEN SMK MECH:MTRZD DUAL PURP M56	48	11,369	96	22,769	48	11,369	-	3,000	48	14,369
115	GENERATOR, SMOKE, MECH M58	-	5,585	-	5,585	-	5,585	-	-	-	5,585
116	M6 DISCHARGER	-	-	-	-	-	-	-	-	-	-
117	ITEMS LESS THAN $5.0M (SMOKE/OBSCURANT)	-	-	-	-	-	-	-	-	-	-
	BRIDGING EQUIPMENT										
118	HEAVY DRY SUPT BRIDGE SYSTEM	4	19,224	4	19,224	4	19,224	-	-	4	19,224
119	RIBBON BRIDGE	-	15,669	-	42,669	-	15,669	-	14,500	-	30,169
120	FLOAT BRIDGE PROPULSION	5	1,942	5	1,942	5	1,942	-	-	5	1,942
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT										
121	KIT, STANDARD TELEOPERATING	2	688	2	10,688	2	688	-	6,000	2	6,688
122	METALLIC MINE DETECTOR, VEHICLE MOUNTED	-	-	-	-	-	-	-	-	-	-
123	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPM)	-	5,206	-	5,206	-	5,206	-	-	-	5,206
124	< $5M, COUNTERMINE EQUIPMENT	-	993	-	993	-	993	-	-	-	993
125	BN COUNTERMINE SIP	-	7,442	-	7,442	-	7,442	-	-	-	7,442
	COMBAT SERVICE SUPPORT EQUIPMENT										
126	ENVIRONMENTAL CONTROL UNITS (ECU)	150	6,348	150	6,348	150	6,348	-	-	150	6,348
127	FIRETRUCKS	-	-	-	-	-	-	-	-	-	-
128	LAUNDRIES, SHOWERS AND LATRINES	-	12,580	-	21,580	-	12,580	-	4,000	-	16,580

Title I- Procurement

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129	FLOODLIGHT SET, ELEC, TRL MTD, 3 LIGHTS	-	-	-	-	-	-	-	-	-	-
130	SOLDIER ENHANCEMENT	-	3,984	-	3,984	-	3,984	-	-	-	3,984
131	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	160	1,999	160	6,599	418	6,599	-	3,600	160	5,599
132	FORCE PROVIDER	3	22,263	3	22,263	3	22,263	-	-	3	22,263
133	FIELD FEEDING AND REFRIGERATION	-	11,976	-	11,976	-	11,976	-	-	-	11,976
134	AIR DROP PROGRAM	-	3,971	-	3,971	-	3,971	-	-	-	3,971
135	CAMOUFLAGE: ULCANS	-	-	-	-	-	-	-	-	-	-
136	ITEMS LESS THAN $5.0M (CSS-EQ)	-	1,909	-	1,909	-	1,909	-	-	-	1,909
	PETROLEUM EQUIPMENT										
137	FAMILY OF TANK ASSEMBLIES	-	2,489	-	2,489	-	2,489	-	-	-	2,489
138	QUALITY SURVEILLANCE EQUIPMENT	-	7,120	-	7,120	-	7,120	-	-	-	7,120
139	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	-	13,516	-	13,516	-	13,516	-	-	-	13,516
140	PUMPS, WATER AND FUEL	-	-	-	-	-	-	-	-	-	-
141	HOSELINE OUTFIT FUEL HANDLING	50	5,878	50	5,878	50	5,878	-	-	50	5,878
142	INLAND PETROLEUM DISTRIBUTION SYSTEM	-	5,618	-	5,618	-	5,618	-	-	-	5,618
143	ITEMS LESS THAN $5.0M (POL)	-	-	-	-	-	-	-	-	-	-
	WATER EQUIPMENT										
144	WATER PURIFICATION SYSTEMS	-	40,727	-	40,727	-	40,727	-	-	-	40,727
145	ITEMS LESS THAN $5.0M (WATER EQ)	-	-	-	-	-	-	-	-	-	-
	MEDICAL EQUIPMENT										
146	COMBAT SUPPORT MEDICAL	-	31,567	-	45,567	-	37,567	-	5,000	-	36,567
	MAINTENANCE EQUIPMENT										
147	SHOP EQ CONTACT MAINTENANCE TRK MTD (MYP)	169	9,650	169	9,650	169	9,650	-	-	169	9,650
148	WELDING SHOP, TRAILER MTD	144	6,042	144	6,042	144	6,042	-	-	144	6,042
149	ITEMS LESS THAN $5.0M (MAINT EQ)	-	5,078	-	5,078	-	5,078	-	-	-	5,078
150	STEAM CLEANER, TRAILER MOUNTED	-	-	-	-	-	-	-	-	-	-
	CONSTRUCTION EQUIPMENT										
151	MISSION MODULES - ENGINEERING	-	1,489	-	1,489	-	1,489	-	-	-	1,489
152	ROLLER, VIBRATORY, SELF-PROPELLED (CCE)	70	4,671	166	11,671	150	9,671	-	7,000	70	11,671
153	COMPACTOR, HIGH SPEED	-	-	-	-	-	-	-	-	-	-
154	LOADERS	5	1,444	5	1,444	5	1,444	-	-	5	1,444

Title I- Procurement

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155	HYDRAULIC EXCAVATOR	35	8,282	48	10,582	35	8,282	-	1,500	35	9,782
156	DEPLOYABLE UNIVERSAL COMBAT EARTH MOVERS	34	14,146	34	24,346	52	21,146	30	10,200	64	24,346
157	CRANES	-	6,089	-	16,089	-	6,089	-	-	-	6,089
158	TRUCK, DUMP, 20T (CCE)	-	-	-	-	-	-	-	-	-	-
159	CRUSHING/SCREENING PLANT, 150 TPH	-	89	-	89	-	89	-	-	-	89
160	CONST EQUIP SLEP	-	1,986	-	11,986	-	1,986	-	10,000	-	11,986
161	ITEMS LESS THAN $5.0M (CONST EQUIP)	-	2,635	-	2,635	-	2,635	-	-	-	2,635
	RAIL FLOAT CONTAINERIZATION EQUIPMENT										
162	SMALL TUG	-	-	3	9,000	-	-	3	9,000	3	9,000
163	FLOATING CRANE, 100-250 TON	-	-	-	-	-	-	-	-	-	-
164	LOGISTIC SUPPORT VESSEL (LSV)	-	-	-	-	-	-	-	-	-	-
165	LOGISTICS SUPPORT VESSEL (ESP)	1	6,638	1	6,638	1	6,638	-	-	1	6,638
166	CONTAINERIZED MAINTENANCE FACILITY	-	-	-	-	-	-	-	-	-	-
167	CAUSEWAY SYSTEMS	-	17,227	-	17,227	-	17,227	-	-	-	17,227
168	RAILWAY CAR, FLAT, 89 FOOT	-	-	-	-	-	-	-	-	-	-
169	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	-	6,722	-	6,722	-	6,722	-	-	-	6,722
	GENERATORS										
170	GENERATORS AND ASSOCIATED EQUIP	-	85,886	-	85,886	-	85,886	-	-	-	85,886
	MATERIAL HANDLING EQUIPMENT										
171	ROUGH TERRAIN CONTAINER HANDLER, 53,000 LBS	77	40,031	77	40,031	77	40,031	-	-	77	40,031
172	ALL TERRAIN LIFTING ARMY SYSTEM	196	24,407	196	24,407	196	24,407	-	-	196	24,407
173	ROUGH TERRAIN CONTAINER CRANE	4	2,056	4	2,056	4	2,056	-	-	4	2,056
174	ITEMS LESS THAN $5.0M (MHE)	-	1,231	-	1,231	-	1,231	-	-	-	1,231
	TRAINING EQUIPMENT										
175	CTC INSTRUMENTATION SUPPORT	-	81,845	-	95,545	-	81,845	-	11,600	-	93,445
176	TRAINING DEVICES, NONSYSTEM	-	91,937	-	108,937	-	91,937	-	9,000	-	100,937
177	CLOSE COMBAT TACTICAL TRAINER	-	81,160	-	81,160	-	68,660	-	(39,160)	-	42,000
178	AVIATION COMBINED ARMS TACTICAL TRAINER (AV)	-	14,744	-	14,744	-	14,744	-	-	-	14,744
179	FIRE SUPPORT COMBINED ARMS TACTICAL TRAINER	-	1,457	-	1,457	-	1,457	-	-	-	1,457
	TEST MEASURE AND DIG EQUIPMENT (TMD)										
180	CALIBRATION SETS EQUIPMENT	-	18,828	-	18,828	-	18,828	-	-	-	18,828

Title I- Procurement

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181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	-	65,381	-	70,381	-	65,381	-	3,000	-	68,381
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	-	18,738	-	18,738	-	18,738	-	-	-	18,738
183	ARMY DIAGNOSTICS IMPROVEMENT PGM (ADIP)	-	17,300	-	17,300	-	17,300	-	-	-	17,300
	OTHER SUPPORT EQUIPMENT										
184	RECONFIGURABLE SIMULATORS	-	2,330	-	2,330	-	2,330	-	-	-	2,330
185	PHYSICAL SECURITY SYSTEMS (OPA3)	-	18,856	-	18,856	-	18,856	-	-	-	18,856
186	SYSTEM FIELDING SUPPORT (OPA-3)	-	-	-	-	-	-	-	-	-	-
187	BASE LEVEL COM'L EQUIPMENT	-	7,399	-	7,399	-	7,399	-	-	-	7,399
188	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	-	28,008	-	28,008	-	28,008	-	-	-	28,008
189	PRODUCTION BASE SUPPORT (OTH)	-	2,367	-	2,367	-	2,367	-	-	-	2,367
190	BUILDING, PRE-FAB, RELOCATABLE	-	-	-	-	-	-	-	-	-	-
191	SPECIAL EQUIPMENT FOR USER TESTING	-	24,344	-	24,344	-	24,344	-	-	-	24,344
192	MA8975	-	2,332	-	2,332	-	2,332	-	-	-	2,332
193	CLOSED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	SPARE AND REPAIR PARTS										
	OPA1										
194	INITIAL SPARES - TSV	-	-	-	-	-	-	-	-	-	-
	OPA2										
195	INITIAL SPARES - C&E	-	42,401	-	42,401	-	42,401	-	-	-	42,401
	OPA3										
196	INITIAL SPARES - OTHER SUPPORT EQUIP	-	639	-	639	-	639	-	-	-	639
	ARMY TRANSFORMATION: OTHER SUPPORT EQUIPMENT	-	-	-	-	-	-	-	200,000	-	200,000
	ECONOMIC ADJUSTMENT			-	-		(16,000)			-	-
	TOTAL, OTHER PROCUREMENT, ARMY		3,795,870		4,095,270		4,027,170		439,849		4,235,719

Tactical trailers/dolly sets

The budget request included no funding for tactical trailers and dolly sets.

The House bill would authorize an increase of $3.8 million for heavy tactical vehicle requirements for Army National Guard (ARNG) multiple launch rocket system (MLRS) battalion conversions.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.8 million for heavy expanded mobility ammunition trailers for ARNG MLRS battalion conversions.

High mobility multipurpose-wheeled vehicle

The budget request included $110.7 million for 1,002 A2 model high mobility multipurpose-wheeled vehicle (HMMWVA2s), which incorporates upgraded electrical, braking, engine and transmission improvements, as well as a 15-year corrosion prevention program, but included no funding for HMMWVs to fill critical shortages in Army Reserve combat support and combat service support units.

The House bill would authorize an increase of $5.0 million for 100 Army Reserve HMMWVA2s.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million for the procurement of 60 HMMWVA2s for the Army Reserve, a total authorization of $113.7 million for 1,062 HMMWVs.

Family of medium tactical vehicles

The budget request included $438.3 million to procure family of medium tactical vehicle (FMTV) trucks to replace an aging fleet of medium trucks found in the Army today.

The House bill would authorize an increase of $35.0 million for additional Army Reserve trucks.

The Senate amendment would authorize an increase of $43.0 million to procure additional FMTV trucks necessary to accelerate the fielding of these trucks to reserve component units.

The conferees agree to authorize an increase of $37.3 million to procure additional FMTV trucks for the reserve components, a total authorization of $475.6 million.

Fire trucks and associated firefighting equipment

The budget request included $14.8 million for fire trucks and associated firefighting equipment.

The House bill would authorize an increase of $1.2 million for heavy expanded mobility tactical truck (HEMTT) fire trucks for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.2 million for procurement of additional HEMTT fire trucks for the Army Reserve, a total authorization of $16.0 million.

M915/M916 line haul truck tractor

The budget request included $43.0 million for M915A3 line haul tractors, of which $3.4 million was included for M915A3s for the Army Reserve.

The House bill would authorize an increase of $1.6 million for the procurement of 12 additional upgraded M915A3 tractors for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.0 million for the procurement of additional upgraded M915A3 tractors for the Army Reserve, a total authorization of $44.0 million.

Weapons of Mass Destruction Civil Support Teams

The budget request included $76.4 million to sustain 27 Weapons of Mass Destruction Civil Support Teams (WMD–CSTs).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $25.0 million for the WMD–CST program. This funding would establish five additional WMD–CSTs and provide additional equipment for the WMD–CST program, as follows: $3.2 million in military personnel; $7.5 million in Operations and Maintenance, Army; $1.8 million in Contamination Avoidance, Chemical Biological Defense Program, Procurement, Defense-Wide; and $12.5 million in Special Purpose Vehicles, Other Procurement, Army. Of the amounts included in the categories specified, $4.0 million of the $12.5 million in Special Purpose Vehicles, Other Procurement, Army would be for the purchase of two additional Unified Command Suites (UCS) and Mobile Analytical Labs (MALS) and for the purchase of 35 tactical mobility systems for use by the WMD–CSTs. The remainder of the funding would be for the five additional WMD–CSTs.

The conferees agree to authorize an increase of $15.7 million for the establishment of five additional WMD–CSTs, as follows: $3.2 million in military personnel; $5.9 million in Operations and Maintenance, Army; $900,000 in Contamination Avoidance, Chemical Biological Defense Program, Procurement, Defense-Wide; and $5.7 million in Special Purpose Vehicles, Other Procurement, Army.

Army data distribution system

The budget request included $32.7 million for Army data distribution system (ADDS) requirements.

The House bill would authorize an increase of $18.5 million to procure Enhanced Position Reporting System (EPLRS) radios for an Army National Guard (ARNG) enhanced brigade.

The Senate amendment would authorize an increase of $5.3 million to support EPLRS software development requirements and $27.3 million to procure 634 EPLRS systems and accelerate efforts to meet the Army acquisition objective for this system, a total increase of $32.6 million.

The conferees agree to authorize an increase of $37.5 million for ADDS requirements, including $24.2 million for the procurement of EPLRS to be allocated according to Army priorities, $8.0 million for ARNG EPLRS, and $5.3 million for EPLRS software development, a total authorization of $70.2 million for ADDS requirements.

Single channel ground and airborne radio systems family

The budget request included $18.3 million for the procurement and the fielding of airborne single channel ground and airborne radio systems (SINCGARS), but included no funding to procure SINCGARS advanced system improvement program (ASIP) radios for the Army National Guard (ARNG).

The House bill would authorize an increase of $30.7 million to procure SINCGARS ASIP radios for one ARNG division.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $20.0 million for ARNG requirements and $10.0 million for active Army requirements, a total authorization of $48.3 million for the procurement of SINCGARS.

Area common user system modification program

The budget request included $114.0 million for area common user system (ACUS) modification program requirements.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $60.0 million to procure 27 downsized communications switches and 229 high mobility DGM assemblages (HMDA) devices and an increase of $14.0 million to accelerate the fielding of 2,901 TS–21 Blackjack secure facsimile machines.

The conferees agree to authorize an increase of $60.0 million for ACUS, a total authorization of $174.0 million. Of this amount, $51.0 million is for down-sized communications switches and HMDA equipment and $9.0 million is for TS–21 Blackjack secure facsimile machines.

Night vision devices

The budget request included $34.1 million for Army night vision devices, of which $29.5 million was included for AN/PVS–7 night vision goggles. However, no funding was included for third generation, 25 millimeter (mm) image intensification tube upgrades.

The House bill would authorize an increase of $12.0 million for AN/PVS–7 night vision goggles. Of this amount, $400,000 would be used to procure goggles for Army Reserve combat support units and $8.4 million would be used to procure third generation, 25mm image intensification tube upgrades.

The Senate amendment would authorize an increase of $48.0 million for the procurement of night vision devices, as follows:

(1) an increase of $18.1 million to procure 5,000 AN/PEQ–2A and 10,000 AN/PAC–4C target pointer/aiming lights;

(2) an increase of $14.9 million to procure 18,600 AN/PVS–7 night vision binoculars; and

(3) an increase of $15.0 million to procure 25mm image intensification tubes for AN/PVS–4 and AN/TVS–5 night vision weapon scopes.

The conferees agree to authorize an increase of $32.0 million for night vision devices, as follows:

(1) an increase of $8.0 million to procure AN/PVS–7;

(2) an increase of $6.0 million to procure 25mm image intensification tubes;

(3) an increase of $15.0 million to procure AN/PEQ–2A and AN/PAC–4C; and

(4) an increase of $3.0 million to procure miniature eyesafe lasers.

Combat identification/aiming light

The budget request included $8.0 million for combat identification/aiming light requirements.

The House bill would authorize an increase of $3.0 million for combat identification/aiming light engineering and manufacturing development requirements.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million to support outstanding combat identification/aiming light requirements.

Standard integrated command post system

The budget request included $36.0 million to procure standard integrated command post systems (SICPS), of which $1.3 million was included for modular command post system (MCPS) tents.

The House bill would authorize an increase of $2.0 million and $3.0 million respectively, to procure MCPS for active and Army National Guard units.

The Senate amendment would authorize an increase of $17.5 million to procure additional SICPS.

The conferees agree to authorize an increase of $11.5 million, a total authorization of $47.5 million for SICPS/MCPS procurement.

Automated data processing equipment

The budget request included $172.1 million for procurement of automated data processing equipment (ADPE), of which $485,000

was included for automatic identification technology (AIT).

The House bill would authorize an increase of $6.0 million for maintenance AIT implementation.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.0 million for Army National Guard distance learning courseware and an increase of $4.0 million for maintenance AIT implementation, a total authorization of $180.1 million for ADPE.

Ribbon bridge

The budget request included $15.7 million for ribbon bridge equipment but included no funding to procure this equipment for Army National Guard (ARNG) multi-role bridge companies (MRBC).

The House bill would authorize an increase of $27.0 million to accelerate the fielding of two ARNG MRBC.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $14.5 million to procure ribbon bridge equipment for reserve component requirements, a total authorization of $30.2 million.

Laundries, showers, and latrines

The budget request included $12.6 million to procure the laundry advanced system (LADS).

The House bill would authorize an increase of $9.0 million to accelerate procurement of LADS.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.0 million for LADS, a total authorization of $16.6 million.

Combat support medical

The budget request included $31.6 million to procure deployable medical systems and field medical equipment, but included no funding for rapid intravenous (IV) infusion pumps or for life support trauma and transport (LSTAT) units. The budget request also contained $6.3 million in PE 64807A, but included no funds for LSTAT.

The House bill would authorize an increase of $18.0 million for the procurement of combat support medical, as follows:

(1) an increase of $8.0 million to procure rapid IV infusion pumps;

(2) an increase of $6.0 million to begin procurement of LSTAT units; and

(3) an increase of $4.0 million in PE64807A for development of expanded LSTAT capabilities.

The Senate amendment would authorize an increase of $6.0 million for rapid IV pumps.

The conferees agree to authorize an increase of $5.0 million for rapid IV pumps, a total authorization of $36.6 million for combat support medical equipment.

Roller, vibratory, self-propelled

The budget request included $4.7 million for self-propelled vibratory roller systems.

The House bill would authorize an increase of $7.0 million to procure 96 additional vibratory self-propelled rollers, including $3.0 million for active Army units and $4.0 million for Army Reserve units.

The Senate amendment would authorize an increase of $5.0 million to procure 80 vehicles necessary to meet the requirements of Army engineer units.

The conferees agree to authorize an increase of $4.0 million for Army Reserve units and an increase of $3.0 million for active component units, a total authorization of $11.7 million for the procurement of roller, vibratory, self-propelled vehicles.

Hydraulic excavator

The budget request included $8.3 million for procurement of hydraulic excavator (HYEX) equipment.

The House bill would authorize an increase of $2.3 million for 13 additional Type I HYEX systems for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.5 million for the procurement of HYEX systems for the Army Reserve, a total authorization of $9.8 million.

Deployable universal combat earth mover

The budget request included $14.1 million to procure deployable universal combat earth mover (DEUCE) equipment.

The House bill would authorize an increase of $10.2 million to begin fielding DEUCE systems for the Army's interim brigade.

The Senate amendment would authorize an increase of $7.0 million to procure 18 DEUCE vehicles.

The conferees agree to authorize an increase of $10.2 million for the procurement of 30 additional DEUCE vehicles, a total authorization of $24.3 million.

Construction equipment service life extension program

The budget request included $2.0 million for service life extensions to various types of construction equipment, but included no funding to conduct an Army National Guard (ARNG) D–7 dozer and Army Reserve heavy grader and scraper service life extension program (SLEP).

The House bill would authorize an increase of $10.0 million, of which $5.0 million is for an ARNG D–7 dozer SLEP and $5.0 million is for an Army Reserve heavy scraper and grader SLEP.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $10.0 million, of which $5.0 million is for an ARNG D–7 dozer SLEP and $5.0 million is for an Army Reserve heavy scraper and grader SLEP, a total authorization of $12.0 million.

Small tug

The budget request included no funding to procure small tugs for the Army to tow general cargo barges in harbors, inland waterways and along coastlines.

The House bill would authorize an increase of $9.0 million to accelerate procurement of three vessels towards completion of the requirement of 15 small tugs.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.0 million for the procurement of three vessels towards completion of the requirement of 15 small tugs.

Combat training center instrumentation support

The budget request included $81.8 million for combat training center support, but included no funding for either the Army National Guard (ARNG) deployable force-on-force instrumented range system (DFIRST) or the multi-purpose range complex-heavy (MPRC–H).

The House bill would authorize an increase of $3.2 million for MPRC–H targetry electronic upgrades and $10.5 million for three additional DFIRST systems to continue force-on-force simulation-based training at regional training centers, a total increase of $12.7 million.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $11.6 million for combat training centers. Of this amount, $9.6 million would be for additional DFIRST systems for the ARNG and $2.0 million would be for MPRC–H upgrades, a total authorization of $93.4 million.

Nonsystem training devices

The budget request included $91.9 million for procurement of training device and range modernization requirements.

The House bill would authorize an increase of $8.0 million to procure 30 engagement skills trainer (EST) 2000 systems and an increase of $9.0 million for the first increment of a three-year Abrams full-crew interactive skills trainer (A–FIST) XXI conversion program, both for the Army National Guard (ARNG), a total increase of $17.0 million for non-system training devices.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.0 million for the procurement of training device and range modernization requirements. Of this amount, $5.0 million would be for the procurement of ARNG EST 2000 systems and $4.0 million would be for the first increment of a three year ARNG A–FIST XXI conversion program, a total authorization of $100.9 million.

Overview

The budget request for fiscal year 2001 included an authorization of $1,003.5 million for Chemical Agents and Munitions Destruction, Army.

The House bill would authorize no funding for Chemical Agents and Munitions Destruction, Army, but would transfer the authorization of $877.1 million for Chemical Agents and Munitions Destruction, Defense.

The Senate amendment would authorize no funding for Chemical Agents and Munitions Destruction, Army but would transfer the authorization of $1,003.5 million for Chemical Agents and Munitions Destruction, Defense.

The conferees agree to authorize $980.1 million for Chemical Agents and Munitions Destruction, Army. Unless noted explicitly in the conference agreement, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	CHEM AGENTS & MUNITIONS DESTRUCTION, ARMY										
	CHEM AGENTS & MUNITIONS DESTRUCT-RDT&E										
	RESEARCH AND DEVELOPMENT										
1	CHEM DEMILITARIZATION - RDTE	-	274,400	-	-	-	-	-	-	-	274,400
	CHEM AGENTS & MUNITIONS DESTRUCT-PROC										
	PROCUREMENT										
2	CHEM DEMILITARIZATION - PROC	-	121,900	-	-	-	-	-	(16,200)	-	105,700
	CHEM AGENTS & MUNITIONS DESTRUCT-O&M										
	OPERATION AND MAINTENANCE										
3	CHEM DEMILITARIZATION - O&M	-	607,200	-	-	-	-	-	(7,200)	-	600,000
	TOTAL, CHEM AGENTS & MUNITIONS DEST, ARMY		1,003,500		-		-		(23,400)		980,100

Chemical Agents and Munitions Destruction, Army

The budget request for the Army included $1.0 billion for Chemical Agents and Munitions Destruction, Army.

The House bill would authorize no funding for Chemical Agents and Munitions Destruction, Army, but contained a provision (sec. 106) that would authorize $877.1 million for Chemical Agents and Munitions Destruction, Defense, for destruction of the lethal chemical agents and munitions stockpile pursuant to section 1412 of the Department of Defense Authorization Act for Fiscal Year 1986 (Public Law 99–45) and destruction of chemical warfare materiel not covered by section 1412 of the Act, a decrease of $126.4 million.

The Senate amendment would authorize no funding for Chemical Agents and Munitions Destruction, Army, but contained a provision (sec. 106) that would authorize $1.0 billion for Chemical Agents and Munitions Destruction, Defense.

The conferees agree to authorize $980.1 million for Chemical Agents and Munitions Destruction, Army, including $274.4 million for research and development, $105.7 million for procurement, and $600.0 million for operations and maintenance.

Section 1521(f) of title 50, United States Code, requires that funding for the chemical agents and munitions destruction program, including funds for military construction projects, shall be set forth in the budget of the Department of Defense as a separate account, and shall not be included in the budget accounts for any military department. The conferees expect that the Secretary of Defense will comply with these requirements in any future budget request for the chemical agents and munitions destruction program.

The conferees recognize that uncertainties in program requirements and execution create the potential for additional funding requirements that may have to be addressed during fiscal year 2001. The conferees encourage the Secretary to identify requirements for additional funds that may be required in fiscal year 2001 to ensure execution of the program and to make appropriate recommendations for reprogramming or other actions necessary to provide those funds at the earliest opportunity.

Chemical stockpile emergency preparedness project

The budget request for the chemical agents and munitions destruction program included $600,000 in procurement funds for minor equipment replacement and $66.7 million for chemical stockpile emergency preparedness program (CSEPP) operations and maintenance. The conferees note that funds provided for CSEPP in fiscal years 1999 and 2000 were subject to a decrease of approximately nine percent and eight percent, respectively, as a pro-rata share of the decrease to the chemical agents and munitions destruction account. Because of the potential impact of such reductions on the safety of those living and working near or on the chemical stockpile storage and destructions sites, the conferees direct that funding for CSEPP shall be at the requested level.

Non-stockpile chemical materiel project

The House report accompanying H.R. 4205 (H. Rept. 106–616) noted that an independent assessment of the non-stockpile project had raised several issues with respect to the project and recommended examination of project schedule and cost risks to quantify the potential risks, ultimate costs, and time required to complete the project. The report expressed the belief that these issues must be addressed before proceeding further with development and acquisition of integrated transportable treatment systems for non-stockpile chemical materiel. The conferees note that following submission of the fiscal year 2001 budget request, the project manager for chemical demilitarization, conducted a major review of the non-stockpile project, rebaselined the current project, and is considering the results of on-going analysis and non-stockpile cost containment efforts that could result in significant further changes to the project that would have both cost and schedule implications. The conferees direct that these issues, and planned and recommended changes to the non-stockpile chemical materiel project, schedule, and funding requirements be addressed in an addendum to the fiscal year 2000 annual report to Congress on the chemical demilitarization program to be submitted with the fiscal year 2002 budget request.

Destruction of non-stockpile chemical materiel in stockpile facilities

Section 141 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) amended subsection 1412(c) of the National Defense Authorization Act for Fiscal Year 1986 (Public Law 99–45) to allow non-stockpile chemical agents, munitions, or related materials specifically designated by the Secretary of Defense to be destroyed at stockpile facilities if the affected states have issued the appropriate permits. In the statement of managers accompanying the National Defense Authorization Act for Fiscal Year 2000, the conferees stated the expectation that site specific decisions relative to the issue of such permits would be arrived at in accordance with review processes that permit the views of the local jurisdictions to be considered.

The conferees note that federal, state, and local environmental laws and regulations require the Army to obtain permits for construction and the conduct of operations at each of the chemical weapons destruction facilities that are specific to the particular disposal site and the proposed chemical destruction operations to be conducted at the site. The conferees also note that established procedures for the review and approval of such statements, assessments, and permits provide for periods of public review and comment, and opportunities for consideration of the views of the local jurisdictions.

The conferees further note that the Environmental Protection Agency has delegated to the individual states the authority to administer and enforce the hazardous waste disposal requirements relative to those sites, and consequently decisions to approve permits required for the construction and operation of the chemical stockpile demilitarization facilities and for destruction of non-stockpile material are reserved to the states in which those sites are located. The conferees reiterate that it is the intent of Congress that the views of local jurisdictions in which the sites are located are a major factor to be considered in the permit and review process and in any decision by state authorities regarding such permits.

Overview

The budget request for fiscal year 2001 included an authorization of $7,963.9 million for Aircraft Procurement, Navy in the Department of Defense.

The House bill would authorize $8,205.8 million.

The Senate amendment would authorize $8,686.0 million.

The conferees recommended an authorization of $8,394.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT PROCUREMENT, NAVY										
	COMBAT AIRCRAFT										
	COMBAT AIRCRAFT										
1	AV-8B (V/STOL)HARRIER (MYP)	10	282,132	10	282,132	14	374,132	2	35,550	12	317,682
1	LESS: ADVANCE PROCUREMENT (PY)	-	(55,486)	-	(55,486)	-	(55,486)	-	-	-	(55,486)
2	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
3	F/A-18E/F (FIGHTER) HORNET (MYP)	42	2,923,960	39	2,718,160	42	2,923,960	-	(13,000)	42	2,910,960
3	LESS: ADVANCE PROCUREMENT (PY)	-	(105,407)	-	(105,407)	-	(105,407)	-	-	-	(105,407)
4	ADVANCE PROCUREMENT (CY)	-	101,068	-	101,068	-	101,068	-	-	-	101,068
5	V-22 (MEDIUM LIFT)	16	1,199,181	16	1,199,181	16	1,199,181	-	-	16	1,199,181
5	LESS: ADVANCE PROCUREMENT (PY)	-	(70,589)	-	(70,589)	-	(70,589)	-	-	-	(70,589)
6	ADVANCE PROCUREMENT (CY)	-	79,858	-	79,858	-	79,858	-	-	-	79,858
7	AH-1W (HELICOPTER) SEA COBRA	-	2,452	-	2,452	-	2,452	-	-	-	2,452
8	SH-60R	4	162,327	4	162,327	7	250,427	2	47,330	6	209,657
9	E-2C (EARLY WARNING) HAWKEYE (MYP)	5	364,882	5	364,882	5	364,882	-	(5,000)	5	359,882
9	LESS: ADVANCE PROCUREMENT (PY)	-	(112,092)	-	(112,092)	-	(112,092)	-	-	-	(112,092)
10	ADVANCE PROCUREMENT (CY)	-	68,082	-	68,082	-	68,082	-	-	-	68,082
	AIRLIFT AIRCRAFT										
	AIRLIFT AIRCRAFT										
11	CH-60S (MYP)	15	238,457	17	280,357	18	301,457	2	41,850	17	280,307
11	LESS: ADVANCE PROCUREMENT (PY)	-	(73,386)	-	(73,386)	-	(73,386)	-	-	-	(73,386)
12	ADVANCE PROCUREMENT (CY)	-	80,411	-	80,411	-	80,411	-	-	-	80,411
13	UC-35	-	-	2	15,200	2	15,200	1	7,600	1	7,600
14	C-40A	-	-	1	54,000	2	117,200	1	55,000	1	55,000
15	VP-3 REPLACEMENT AIRCRAFT	1	50,276	1	50,276	1	50,276	-	-	1	50,276
	TRAINER AIRCRAFT										
	TRAINER AIRCRAFT										
16	T-45TS (TRAINER) GOSHAWK	12	278,070	14	310,870	15	327,270	2	32,800	14	310,870
16	LESS: ADVANCE PROCUREMENT (PY)	-	(9,491)	-	(9,491)	-	(9,491)	-	-	-	(9,491)
17	ADVANCE PROCUREMENT (CY)	-	5,142	-	5,142	-	5,142	-	-	-	5,142
18	JPATS	21	74,372	21	74,372	24	81,372	3	7,000	24	81,372

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER AIRCRAFT										
	OTHER AIRCRAFT										
19	KC-130J	2	154,818	3	231,118	3	229,418	1	74,600	3	229,418
	HH/UH-1N RECLAIMATION AND CONVERSION			-	17,500						
	MODIFICATION OF AIRCRAFT										
	MODIFICATION OF AIRCRAFT										
20	EA-6 SERIES	-	203,102	-	226,102	-	206,402	-	(16,800)	-	186,302
21	AV-8 SERIES	-	40,639	-	40,639	-	120,039	-	79,400	-	120,039
22	F-14 SERIES	-	30,481	-	30,481	-	30,481	-	-	-	30,481
23	ADVERSARY	-	6,947	-	6,947	-	6,947	-	-	-	6,947
24	F-18 SERIES	-	212,614	-	316,314	-	258,614	-	51,600	-	264,214
25	H-46 SERIES	-	16,556	-	21,556	-	16,556	-	3,000	-	19,556
26	AH-1W SERIES	-	9,758	-	9,758	-	13,758	-	4,000	-	13,758
27	H-53 SERIES	-	19,919	-	34,919	-	19,919	-	1,800	-	21,719
28	SH-60 SERIES	-	21,088	-	29,088	-	21,088	-	-	-	21,088
29	H-1 SERIES	-	2,642	-	2,642	-	21,142	-	13,000	-	15,642
30	H-3 SERIES	-	61	-	61	-	61	-	-	-	61
31	EP-3 SERIES	-	25,833	-	25,833	-	25,833	-	(25,300)	-	533
32	P-3 SERIES	-	60,710	-	60,710	-	104,810	-	22,050	-	82,760
33	S-3 SERIES	-	79,050	-	79,050	-	79,050	-	(10,000)	-	69,050
34	E-2 SERIES	-	18,485	-	57,485	-	18,485	-	24,000	-	42,485
35	TRAINER A/C SERIES	-	19,422	-	19,422	-	19,422	-	-	-	19,422
36	C-2A	-	2,596	-	2,596	-	2,596	-	-	-	2,596
37	C-130 SERIES	-	7,921	-	7,921	-	7,921	-	-	-	7,921
38	FEWSG	-	605	-	605	-	605	-	-	-	605
39	CARGO/TRANSPORT A/C SERIES	-	7,936	-	7,936	-	7,936	-	-	-	7,936
40	E-6 SERIES	-	60,687	-	60,687	-	60,687	-	-	-	60,687
41	EXECUTIVE HELICOPTERS SERIES	-	7,632	-	7,632	-	7,632	-	-	-	7,632
42	SPECIAL PROJECT AIRCRAFT	-	4,134	-	4,134	-	4,134	-	-	-	4,134
43	T-45 SERIES	-	9,057	-	9,057	-	9,057	-	-	-	9,057
44	POWER PLANT CHANGES	-	17,062	-	17,062	-	17,062	-	-	-	17,062

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
45	COMMON ECM EQUIPMENT	-	41,889	-	41,889	-	41,889	-	-	-	41,889
46	COMMON AVIONICS CHANGES	-	71,620	-	80,920	-	80,920	-	-	-	71,620
	AIRCRAFT SPARES AND REPAIR PARTS										
	AIRCRAFT SPARES AND REPAIR PARTS										
47	SPARES AND REPAIR PARTS	-	941,553	-	941,553	-	952,753	-	-	-	941,553
	AIRCRAFT SUPPORT EQUIPMENT & FACILITIES										
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES										
48	COMMON GROUND EQUIPMENT	-	312,411	-	312,411	-	312,411	-	-	-	312,411
49	AIRCRAFT INDUSTRIAL FACILITIES	-	8,642	-	8,642	-	8,642	-	-	-	8,642
50	WAR CONSUMABLES	-	13,015	-	13,015	-	13,015	-	-	-	13,015
51	OTHER PRODUCTION CHARGES	-	37,088	-	44,088	-	37,088	-	-	-	37,088
52	SPECIAL SUPPORT EQUIPMENT	-	12,158	-	12,158	-	12,158	-	-	-	12,158
53	FIRST DESTINATION TRANSPORTATION	-	1,508	-	1,508	-	1,508	-	-	-	1,508
54	CANCELLED ACCOUNT ADJUSTMENTS (M)	-	-	-	-	-	-	-	-	-	-
	TOTAL, AIRCRAFT PROCUREMENT, NAVY		7,963,858		8,205,758		8,685,958		430,480		8,394,338

F/A–18E/F aircraft

The budget request included $2.819 billion for the procurement of 42 F/A–18E/F aircraft on a multiyear contract.

The House bill would authorize a decrease of $205.8 million, a total authorization of $2.613 billion for the procurement of 39 F/A–18E/F aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $13.0 million due to production engineering support cost growth, a total authorization of $2.806 billion for the procurement of 42 F/A–18E/F aircraft.

SH–60R helicopter

The budget request included $162.3 million for the procurement of four remanufactured SH–60R helicopters, including the airborne low frequency sonar system (ALFS).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $82.1 million for the procurement of three additional remanufactured SH–60R helicopters and an increase of $6.0 million for ALFS, a total increase of $88.1 million.

The conferees agree to authorize an increase of $47.3 million, as follows:

(1) an increase of $52.4 million for the procurement of two additional remanufactured SH–60R helicopters;

(2) an increase of $4.9 million for ALFS;

(3) a decrease of $5.0 million due to cost growth in non-recurring items; and

(4) a decrease of $5.0 million due to avionics support equipment that can be deferred.

UC–35 aircraft

The budget request included no funding for the procurement of UC–35 medium range operational support aircraft.

The House bill would authorize an increase of $15.2 million for the procurement of two UC–35 aircraft.

The Senate amendment would authorize an identical increase.

The conferees agree to authorize an increase of $7.6 million for the procurement of one UC–35 aircraft for the Marine Corps.

F–18 series modifications

The budget request included $212.6 million for F–18 modifications.

The House bill would authorize an increase of $103.7 million for F–18 modifications, as follows:

(1) an increase of $86.9 million to procure additional ECP–583 upgrade kits for Marine Corps F/A–18A active and reserve component aircraft;

(2) an increase of $31.0 million to procure ECP–560 upgrade kits for Naval Reserve F/A–18A aircraft;

(3) an increase of $9.6 million to procure advanced targeting forward-looking infrared (ATFLIR) pods for the Marine Corps Reserve F/A–18 aircraft; and

(4) a decrease of $23.8 million due to test results of the advanced tactical airborne reconnaissance system (ATARS).

The Senate amendment would authorize an increase of $46.0 million to upgrade F/A–18A aircraft with ECP–583.

The conferees agree to authorize an increase of $51.6 million for F–18 modifications, as follows:

(1) $46.0 million for ECP–583 for the Marine Corps active and reserve components;

(2) $7.0 million for ATFLIR for the Marine Corps Reserve;

(3) $3.0 million for tactical aircraft moving map capability (TAMMAC); and

(4) a decrease of $4.4 million for premature ATFLIR modifications and installation equipment.

AH–1 series modifications

The budget request included $9.8 million for Marine Corps AH–1 aircraft modifications.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.0 million to procure four night targeting systems (NTS) for reserve component AH–1 series aircraft.

The conferees agree to authorize an increase of $4.0 million to procure four night targeting systems for AH–1 aircraft.

H–53 series modifications

The budget request included $19.9 million for Marine Corps H–53 aircraft modification requirements.

The House bill would authorize an increase of $15.0 million for AN/AAQ–29 forward looking infrared (FLIR) system modifications. Of this amount, $12.4 million would be for modifying active component H–53 aircraft and $2.6 million would be for modifying Marine Corps Reserve H–53 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.8 million, a total authorization of $21.7 million for AN/AAQ–29 FLIR modifications for Marine Corps Reserve aircraft.

H–1 series modifications

The budget request included $2.6 million for Marine Corps H–1 aircraft requirements.

The House bill would authorize an increase of $17.5 million for the H–1 reclamation and conversion program.

The Senate amendment would authorize an increase of $27.5 million for H–1 aircraft requirements. Of this amount, $10.0 million would be for thermal imaging systems for fielded aircraft to support flight operations at night and $17.5 million would be for the H–1 reclamation and conversion program.

The conferees agree to authorize a total of $15.6 million for H–1 series aircraft requirements. This includes an increase of $7.0 million for thermal imaging systems and an increase of $6.0 million for the H–1 reclamation and conversion program.

EP–3 aircraft modifications

The budget request included $25.8 million for modifications to the EP–3 aircraft.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $25.3 million to reflect funds that were provided for EP–3 modifications to the Department of Defense in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246), a total authorization of $533,000.

Overview

The budget request for fiscal year 2001 included an authorization of $1,434.3 million for Weapons Procurement, Navy in the Department of Defense.

The House bill would authorize $1,562.3 million.

The Senate amendment would authorize $1,540.0 million.

The conferees recommended an authorization of $1,443.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	WEAPONS PROCUREMENT, NAVY										
	BALLISTIC MISSILES										
	BALLISTIC MISSILES										
1	TRIDENT II	12	472,859	12	472,859	12	472,859	-	-	12	472,859
1	LESS: ADVANCE PROCUREMENT (PY)	-	(38,927)	-	(38,927)	-	(38,927)	-	-	-	(38,927)
2	ADVANCE PROCUREMENT (CY)	-	28,801	-	28,801	-	28,801	-	(19,300)	-	9,501
	SUPPORT EQUIPMENT AND FACILITIES							-	-	-	-
3	MISSILE INDUSTRIAL FACILITIES	-	1,232	-	1,232	-	1,232	-	-	-	1,232
	OTHER MISSILES										
	STRATEGIC MISSILES										
4	TOMAHAWK	-	-	-	-	-	-	-	-	-	-
5	ESSM	36	40,001	36	40,001	36	40,001	-	-	36	40,001
	TACTICAL MISSILES										
6	AMRAAM	75	38,943	75	38,943	75	38,943	-	-	75	38,943
7	JSOW	636	171,624	811	206,624	816	207,624	54	13,950	690	185,574
8	SLAM-ER	30	27,859	90	57,859	30	27,859	-	-	30	27,859
9	STANDARD MISSILE	86	170,365	86	170,365	86	170,365	-	-	86	170,365
10	RAM	-	23,067	-	23,067	-	23,067	-	-	-	23,067
11	HELLFIRE	-	-	-	55,000	-	-	-	20,000	-	20,000
12	PENGUIN	-	-	-	-	-	-	-	-	-	-
13	AERIAL TARGETS	-	58,891	-	68,891	-	58,891	-	-	-	58,891
14	DRONES AND DECOYS	-	-	-	-	-	-	-	10,000	-	10,000
15	OTHER MISSILE SUPPORT	-	14,902	-	14,902	-	14,902	-	-	-	14,902
	MODIFICATION OF MISSILES										
16	SIDEWINDER MODS	63	27,532	63	27,532	63	27,532	-	-	63	27,532
17	HARM MODS	-	-	-	-	-	-	-	-	-	-
18	STANDARD MISSILES MODS	-	50,690	-	50,690	-	50,690	-	-	-	50,690
	SUPPORT EQUIPMENT AND FACILITIES										
19	WEAPONS INDUSTRIAL FACILITIES	-	21,269	-	20,269	-	28,969	-	7,700	-	28,969
20	FLEET SATELLITE COMM FOLLOW-ON	-	180,291	-	180,291	-	180,291	-	(75,000)	-	105,291
20	LESS: ADVANCE PROCUREMENT (PY)	-	(9,754)	-	(9,754)	-	(9,754)	-	-	-	(9,754)

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
21	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
	ORDNANCE SUPPORT EQUIPMENT										
22	ORDNANCE SUPPORT EQUIPMENT	-	2,723	-	2,723	-	2,723	-	-	-	2,723
	TORPEDOES AND RELATED EQUIPMENT										
	TORPEDOES AND RELATED EQUIP.										
23	ASW TARGETS	-	3,180	-	3,180	-	3,180	-	-	-	3,180
	MOD OF TORPEDOES AND RELATED EQUIP										
24	MK-46 TORPEDO MODS	-	7,141	-	7,141	-	7,141	-	-	-	7,141
25	MK-48 TORPEDO ADCAP MODS	-	38,926	-	37,926	-	40,926	-	2,000	-	40,926
26	QUICKSTRIKE MINE	-	1,960	-	1,960	-	1,960	-	-	-	1,960
	SUPPORT EQUIPMENT										
27	TORPEDO SUPPORT EQUIPMENT	-	23,740	-	23,740	-	23,740	-	-	-	23,740
28	ASW RANGE SUPPORT	-	14,955	-	14,955	-	14,955	-	-	-	14,955
	DESTINATION TRANSPORTATION										
29	FIRST DESTINATION TRANSPORTATION	-	1,842	-	1,842	-	1,842	-	-	-	1,842
	OTHER WEAPONS										
	GUNS AND GUN MOUNTS										
30	SMALL ARMS AND WEAPONS	-	909	-	909	-	909	-	-	-	909
	MODIFICATION OF GUNS AND GUN MOUNTS										
31	CIWS MODS	-	964	-	964	-	30,964	-	25,000	-	25,964
32	5/54 GUN MOUNT MODS	-	-	-	-	-	-	-	-	-	-
33	MK-75 76MM GUN MOUNT MODS	-	-	-	-	-	-	-	-	-	-
34	GUN MOUNT MODS	-	4,779	-	4,779	-	34,779	-	25,000	-	29,779
35	MODS UNDER $2 MILLION	-	-	-	-	-	-	-	-	-	-
	OTHER										
36	PIONEER	-	-	-	-	-	-	-	-	-	-
37	CANCELLED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
38	SPARES AND REPAIR PARTS	-	53,486		53,486	-	53,486	-	-	-	53,486
	TOTAL, WEAPONS PROCUREMENT, NAVY		1,434,250		1,562,250		1,539,950		9,350		1,443,600

Trident II advance procurement

The budget request included $28.8 million for Trident II advance procurement.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $19.3 million for Trident II advance procurement, a total authorization of $9.5 million.

The conferees note that a significant part of the budget request was for the purchase of missile parts that will not be needed until the later years of the current Future Years Defense Program. However, the conferees are aware that the supplier base for the Trident II ballistic missile program is rapidly declining and that certain suppliers may no longer be available in the outyears. Therefore, the conferees direct the Secretary of the Navy to evaluate the Trident II supplier base to determine if any additional advance procurement funds are required in fiscal year 2001. If the Secretary determines that additional advance procurement funds are necessary during fiscal year 2001 to purchase parts that will not be available in subsequent years, the conferees invite the Secretary to seek a reprogramming for this purpose.

Drones and decoys

The budget request included no funding for drones and decoys.

The House bill would authorize an increase of $10.0 million for aerial targets for the procurement of improved tactical air-launched decoys (ITALDs).

The Senate amendment would authorize the budget request.

The conferees agree to authorize $10.0 million in drones and decoys for the procurement of ITALDs.

Weapons industrial facilities

The budget request included $21.3 million for various activities at government-owned and contractor-operated weapons industrial facilities.

The House bill would authorize a decrease of $1.0 million for weapons industrial facilities.

The Senate amendment would authorize an increase of $7.7 million to accelerate the facilities restoration program at the Allegany Ballistics Laboratory.

The conferees agree to authorize an increase of $7.7 million for the facilities restoration program at the Allegany Ballistics Laboratory.

Mark 48 advanced capability torpedo modifications

The budget request included $16.4 million for Mark 48 advanced capability (ADCAP) torpedo modifications.

The House bill would authorize a decrease of $1.0 million for Mark 48 ADCAP torpedo.

The Senate amendment would authorize an increase of $2.0 million for Mark 48 ADCAP modifications to field improved capability for littoral operations in the submarine fleet as soon as possible.

The conferees agree to authorize an increase of $2.0 million for Mark 48 ADCAP modifications.

Close-in weapons system modifications

The budget request included $964,000 for modifications to the close-in weapons system (CIWS) for surface ships.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $30.0 million for the procurement and modification of CIWS mounts to the block 1B configuration.

The conferees agree to authorize an increase of $25.0 million for CIWS block 1B modifications.

Gun mount modifications

The budget request included $4.8 million for the procurement and installation of modifications to surface ship gun mounts.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $30.0 million for the procurement of modifications to five inch 54 caliber guns for surface ships.

The conferees agree to authorize an increase of $25.0 million for modifications to five inch 54 caliber guns for surface ships.

Overview

The budget request for fiscal year 2001 included an authorization of $429.6 million for Ammunition Procurement, Navy and Marine Corps in the Department of Defense.

The House bill would authorize $481.3 million.

The Senate amendment would authorize $500.7 million.

The conferees recommended an authorization of $487.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS										
	PROC AMMO, NAVY										
	NAVY AMMUNITION										
1	GENERAL PURPOSE BOMBS	-	63,157	-	78,157	-	83,157	-	5,000	-	68,157
2	JDAM	672	24,390	672	24,390	672	24,390	-	5,600	672	29,990
3	2.75 INCH ROCKETS	-	-	-	-	-	9,600	-	-	-	-
4	AIRBORNE ROCKETS, ALL TYPES	-	11,508	-	11,508	-	11,508	-	-	-	11,508
5	MACHINE GUN AMMUNITION	-	5,230	-	5,230	-	11,730	-	3,000	-	8,230
6	PRACTICE BOMBS	-	50,600	-	50,600	-	76,600	-	12,500	-	63,100
7	CARTRIDGES & CART ACTUATED DEVICES	-	26,461	-	26,461	-	26,461	-	-	-	26,461
8	AIRCRAFT ESCAPE ROCKETS	-	10,635	-	10,635	-	10,635	-	-	-	10,635
9	AIR EXPENDABLE COUNTERMEASURES	-	39,293	-	45,793	-	44,293	-	6,500	-	45,793
10	MARINE LOCATION MARKERS	-	-	-	-	-	-	-	-	-	-
11	JATOS	-	4,995	-	4,995	-	4,995	-	-	-	4,995
12	5 INCH/54 GUN AMMUNITION	-	14,948	-	14,948	-	14,948	-	-	-	14,948
13	EXTENDED RANGE GUIDED MUNITIONS (ERGM)	-	5,723	-	5,723	-	5,723	-	-	-	5,723
14	CIWS AMMUNITION	-	-	-	-	-	-	-	-	-	-
15	76MM GUN AMMUNITION	-	8,733	-	8,733	-	8,733	-	-	-	8,733
16	OTHER SHIP GUN AMMUNITION	-	5,176	-	5,176	-	5,176	-	-	-	5,176
17	SMALL ARMS & LANDING PARTY AMMO	-	8,745	-	8,745	-	8,745	-	-	-	8,745
18	PYROTECHNIC AND DEMOLITION	-	6,378	-	6,378	-	6,378	-	-	-	6,378
19	MINE NEUTRALIZATION DEVICES	-	7,317	-	7,317	-	7,317	-	-	-	7,317
20	CANCELLED ACCOUNT ADJUSTMENTS (87)	-	-	-	-	-	-	-	-	-	-
21	AMMUNITION LESS THAN $5 MILLION	-	1,343	-	1,343	-	1,343	-	-	-	1,343
22	CAWCF CLOSURE COSTS	-	1,300	-	1,300	-	1,300	-	-	-	1,300
	PROC AMMO, MC										
	MARINE CORPS AMMUNITION										
23	5.56 MM, ALL TYPES	-	23,456	-	26,456	-	23,456	-	2,000	-	25,456
24	7.62 MM, ALL TYPES	-	2,039	-	3,039	-	2,039	-	1,000	-	3,039
25	LINEAR CHARGES, ALL TYPES	-	40,945	-	42,945	-	44,945	-	4,000	-	44,945
26	.50 CALIBER	-	7,637	-	8,637	-	7,637	-	1,000	-	8,637

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
27	40 MM, ALL TYPES	-	2,034	-	2,034	-	2,034	-	-	-	2,034
28	60MM, ALL TYPES	-	688	-	688	-	688	-	-	-	688
29	81MM, ALL TYPES	-	4,981	-	4,981	-	4,981	-	-	-	4,981
30	120MM, ALL TYPES	-	7,633	-	7,633	-	7,633	-	-	-	7,633
31	CTG 25MM, ALL TYPES	-	3,931	-	3,931	-	3,931	-	-	-	3,931
32	9 MM ALL TYPES	-	2,657	-	2,657	-	2,657	-	-	-	2,657
33	GRENADES, ALL TYPES	-	8,358	-	8,358	-	8,358	-	-	-	8,358
34	STINGER SLEP	-	3,925	-	3,925	-	3,925	-	-	-	3,925
35	ROCKETS, ALL TYPES	-	1,592	-	16,892	-	1,592	-		-	11,192
	83mm Common Practice								4,600		
	83mm HEDP								5,000		
36	ARTILLERY, ALL TYPES	-	322	-	8,222	-	322	-	7,900	-	8,222
37	DEMOLITION MUNITIONS, ALL TYPES	-	9,638	-	9,638	-	9,638	-	-	-	9,638
38	FUZE, ALL TYPES	-	249	-	249	-	249	-	-	-	249
39	NON LETHALS	-	4,480	-	4,480	-	4,480	-	-	-	4,480
40	AMMO MODERNIZATION	-	6,900	-	6,900	-	6,900	-	-	-	6,900
41	ITEMS LESS THAN $5 MILLION	-	952	-	952	-	952	-	-	-	952
42	ITEMS LESS THAN $2 MIL	-	-	-	-	-	-	-	-	-	-
43	CAWCF CLOSURE COSTS	-	1,300	-	1,300	-	1,300	-	-	-	1,300
	TOTAL, PROCURE OF AMMO, NAVY & MARINE CORPS		429,649		481,349		500,749		58,100		487,749

Overview

The budget request for fiscal year 2001 included an authorization of $12,296.9 million for Shipbuilding and Conversion, Navy in the Department of Defense.

The House bill would authorize $11,982.0 million.

The Senate amendment would authorize $12,900.1 million.

The conferees recommended an authorization of $12,826.9 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SHIPBUILDING & CONVERSION, NAVY										
	OTHER WARSHIPS										
	OTHER WARSHIPS										
1	CARRIER REPLACEMENT PROGRAM	1	4,974,888	1	4,974,888	1	4,974,888	-	-	1	4,974,888
1	LESS: ADVANCE PROCUREMENT (PY)	-	(921,235)	-	(921,235)	-	(921,235)	-	-	-	(921,235)
2	ADVANCE PROCUREMENT (CY)	-	21,869	-	21,869	-	21,869	-	-	-	21,869
3	NEW SSN	1	2,019,503	1	2,019,503	1	2,019,503	-	(5,000)	1	2,014,503
3	LESS: ADVANCE PROCUREMENT (PY)	-	(816,491)	-	(816,491)	-	(816,491)	-	-	-	(816,491)
4	ADVANCE PROCUREMENT (CY)	-	508,222	-	508,222	-	508,222	-	-	-	508,222
5	CVN REFUELING OVERHAULS	-	705,228	-	705,228	-	705,228	-	(5,000)	-	700,228
5	LESS: ADVANCE PROCUREMENT (PY)	-	(1,787)	-	(1,787)	-	(1,787)	-	-	-	(1,787)
6	ADVANCE PROCUREMENT (CY)	-	25,000	-	25,000	-	25,000	-	-	-	25,000
7	SUBMARINE REFUELING OVERHAULS	1	210,414	1	210,414	1	210,414	-	-	1	210,414
8	ADVANCE PROCUREMENT (CY)	-	72,277	-	86,277	-	72,277	-	-	-	72,277
9	DDG-51 (MYP)	3	2,795,581	3	2,795,581	3	2,795,581	-	(10,000)	3	2,785,581
9	LESS: ADVANCE PROCUREMENT (PY)	-	(82,022)	-	(82,022)	-	(82,022)	-	-	-	(82,022)
10	ADVANCE PROCUREMENT (CY)	-	356,843	-	356,843	-	500,000	-	100,000	-	456,843
	AMPHIBIOUS SHIPS										
	AMPHIBIOUS SHIPS										
11	LHD-8 ADVANCE PROCUREMENT (CY)	-	-	-	10,000	-	460,000	-	460,000	-	460,000
12	LPD-17	2	1,489,286	2	1,489,286	2	1,489,286	-	-	2	1,489,286
12	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
13	ADVANCE PROCUREMENT (CY)	-	20,700	-	20,700	-	20,700	-	-	-	20,700
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM										
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST										
14	OCEANOGRAPHIC SHIPS	-	-	-	-	-	-	-	-	-	-
14	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
15	ADC(X)	1	338,951	-	-	1	338,951	-	-	1	338,951
16	LCAC LANDING CRAFT	-	-	-	-	-	-	-	-	-	-
16	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
17	OUTFITTING	-	301,077	-	301,077	-	301,077	-	(10,000)	-	291,077

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
18	POST DELIVERY	-	-	-	-	-	-	-	-	-	-
19	LCAC SLEP	1	15,615	1	15,615	1	15,615	-	-	1	15,615
20	COMPLETION OF PY SHIPBUILDING PROGRAMS	-	263,000	-	263,000	-	263,000	-	-	-	263,000
21	FIRST DESTINATION TRANSPORTATION	-	-	-	-	-	-	-	-	-	-
	TOTAL, SHIPBUILDING & CONVERSION, NAVY		12,296,919		11,981,968		12,900,076		530,000		12,826,919

DDG–51 destroyers

The budget request included $2.7 billion for the procurement of three *Arleigh Burke*-class DDG–51 destroyers.

The House bill and the Senate amendment would authorize the budget request.

The conferees note recent developments that indicate basic construction cost growth for DDG–51 destroyers. Therefore, the conferees agree to authorize a decrease of $10.0 million for the procurement of three DDG–51 destroyers.

LHD–8 advance procurement

The Future Year Defense Program (FYDP) accompanying the budget request included LHD–8 advance procurement in fiscal year 2004 and full funding in fiscal year 2005.

The House bill would authorize an increase of $10.0 million for advance procurement of LHD–8.

The Senate amendment would authorize an increase of $460.0 million to continue the advance procurement and advance construction of components for the LHD–8 amphibious ship.

The conferees agree to authorize an increase of $460.0 million to continue the advance procurement and advance construction of components for the LHD–8 amphibious ship.

Ship outfitting

The budget request included $301.1 million for outfitting new construction ships with initial on board repair parts and equipage.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to a $10.0 million decrease for ship outfitting resulting from recent adjustments to the LPD–17 procurement.

Overview

The budget request for fiscal year 2001 included an authorization of $3,334.6 million for Other Procurement, Navy in the Department of Defense.

The House bill would authorize $3,432.0 million.

The Senate amendment would authorize $3,378.3 million.

The conferees recommended an authorization of $3,380.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER PROCUREMENT, NAVY										
	SHIPS SUPPORT EQUIPMENT										
	SHIP PROPULSION EQUIPMENT										
1	LM-2500 GAS TURBINE	-	6,995	-	6,995	-	6,995	-	-	-	6,995
2	ALLISON 501K GAS TURBINE	-	6,257	-	6,257	-	6,257	-	-	-	6,257
3	STEAM PROPULSION IMPROVEMENT	-	-	-	-	-	-	-	-	-	-
4	OTHER PROPULSION EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	GENERATORS										
5	OTHER GENERATORS	-	-	-	-	-	-	-	-	-	-
	PUMPS										
6	OTHER PUMPS	-	-	-	-	-	-	-	-	-	-
	PROPELLERS										
7	SUBMARINE PROPELLERS	-	3,757	-	3,757	-	3,757	-	-	-	3,757
8	OTHER PROPELLERS AND SHAFTS	-	-	-	-	-	-	-	-	-	-
	NAVIGATION EQUIPMENT										
9	OTHER NAVIGATION EQUIPMENT	-	33,425	-	45,425	-	44,425	-	14,000	-	47,425
	UNDERWAY REPLENISHMENT EQUIPMENT										
10	UNDERWAY REPLENISHMENT EQUIPMENT	-	9,120	-	9,120	-	9,120	-	-	-	9,120
	PERISCOPES										
11	SUB PERISCOPES & IMAGING EQUIP	-	18,998	-	18,998	-	18,998	-	-	-	18,998
	OTHER SHIPBOARD EQUIPMENT										
12	FIREFIGHTING EQUIPMENT	-	16,837	-	16,837	-	16,837	-	-	-	16,837
13	COMMAND AND CONTROL SWITCHBOARD	-	10,486	-	10,486	-	10,486	-	-	-	10,486
14	POLLUTION CONTROL EQUIPMENT	-	47,805	-	47,805	-	47,805	-	-	-	47,805
15	SUBMARINE SILENCING EQUIPMENT	-	-	-	-	-	-	-	-	-	-
16	SUBMARINE SUPPORT EQUIPMENT	-	11,419	-	11,419	-	11,419	-	-	-	11,419
17	SUBMARINE BATTERIES	-	12,387	-	12,387	-	12,387	-	-	-	12,387
18	SSN21 CLASS SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
19	STRATEGIC PLATFORM SUPPORT EQUIP	-	6,206	-	6,206	-	6,206	-	-	-	6,206
20	DSSP EQUIPMENT	-	5,356	-	5,356	-	5,356	-	-	-	5,356
21	LCAC	-	3,559	-	3,559	-	3,559	-	-	-	3,559

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
22	MINESWEEPING EQUIPMENT	-	16,589	-	16,589	-	16,589	-	-	-	16,589
23	HM&E ITEMS UNDER $2 MILLION	-	-	-	-	-	-	-	-	-	-
24	ITEMS LESS THAN $5 MILLION	-	58,851	-	60,851	-	63,851	-	4,000	-	62,851
25	SURFACE IMA	-	2,010	-	2,010	-	2,010	-	-	-	2,010
26	MINI/MICROMINI ELECTRONIC REPAIR	-	-	-	-	-	-	-	-	-	-
27	SUBMARINE LIFE SUPPORT SYSTEM	-	4,852	-	4,852	-	4,852	-	-	-	4,852
	REACTOR PLANT EQUIPMENT										
28	REACTOR POWER UNITS	-	-	-	-	-	-	-	-	-	-
29	REACTOR COMPONENTS	-	203,365	-	203,365	-	203,365	-	-	-	203,365
	OCEAN ENGINEERING										
30	DIVING AND SALVAGE EQUIPMENT	-	5,649	-	5,649	-	5,649	-	-	-	5,649
31	EOD UNDERWATER EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	SMALL BOATS										
32	STANDARD BOATS	-	2,696	-	2,696	-	2,696	-	-	-	2,696
	TRAINING EQUIPMENT										
33	OTHER SHIPS TRAINING EQUIPMENT	-	3,302	-	3,302	-	3,302	-	-	-	3,302
	PRODUCTION FACILITIES EQUIPMENT										
34	OPERATING FORCES IPE	-	2,689	-	7,689	-	2,689	-	-	-	2,689
	OTHER SHIP SUPPORT										
35	NUCLEAR ALTERATIONS	-	80,870	-	80,870	-	80,870	-	-	-	80,870
	DRUG INTERDICTION SUPPORT										
36	DRUG INTERDICTION SUPPORT	-	-	-	-	-	-	-	-	-	-
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT										
	SHIP RADARS										
37	AN/SPS-49	-	-	-	-	-	-	-	-	-	-
38	RADAR SUPPORT	-	-	-	-	-	8,000	-	14,000	-	14,000
39	TISS	-	-	-	-	-	-	-	-	-	-
	SHIP SONARS										
40	AN/SQQ-89 SURF ASW COMBAT SYSTEM	-	14,291	-	14,291	-	14,291	-	-	-	14,291
41	SSN ACOUSTICS	-	106,647	-	114,647	-	106,647	-	6,000	-	112,647
42	UNDERSEA WARFARE SUPPORT EQUIPMENT	-	847	-	5,847	-	847	-	-	-	847

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
43	SONAR SUPPORT EQUIPMENT	-	-	-	-	-	-	-	5,000	-	5,000
44	SONAR SWITCHES AND TRANSDUCERS	-	10,726	-	10,726	-	10,726	-	-	-	10,726
	ASW ELECTRONIC EQUIPMENT										
45	SUBMARINE ACOUSTIC WARFARE SYSTEM	-	10,697	-	10,697	-	10,697	-	-	-	10,697
46	SSTD	-	-	-	-	-	-	-	-	-	-
47	ACOUSTIC COMMUNICATIONS	-	-	-	-	-	-	-	-	-	-
48	FIXED SURVEILLANCE SYSTEM	-	29,869	-	29,869	-	29,869	-	-	-	29,869
49	SURTASS	-	5,516	-	5,516	-	5,516	-	-	-	5,516
50	ASW OPERATIONS CENTER	-	6,213	-	6,213	-	6,213	-	-	-	6,213
51	CARRIER ASW MODULE	-	-	-	-	-	-	-	-	-	-
	ELECTRONIC WARFARE EQUIPMENT										
52	AN/SLQ-32	-	-	-	-	-	-	-	-	-	-
53	AN/WLR-1	-	-	-	-	-	-	-	-	-	-
54	INFORMATION WARFARE SYSTEMS	-	3,901	-	3,901	-	3,901	-	-	-	3,901
55	C-3 COUNTERMEASURES	-	-	-	-	-	-	-	-	-	-
	RECONNAISSANCE EQUIPMENT										
56	SHIPBOARD IW EXPLOIT	-	61,524	-	61,524	-	61,524	-	(500)	-	61,024
57	COMMON HIGH BANDWIDTH DATA LINK	-	-	-	-	-	-	-	-	-	-
	SUBMARINE SURVEILLANCE EQUIPMENT										
58	AN/WLQ-4	-	-	-	-	-	-	-	-	-	-
59	SUBMARINE SUPPORT EQUIPMENT PROG	-	17,316	-	17,316	-	17,316	-	-	-	17,316
	OTHER SHIP ELECTRONIC EQUIPMENT										
60	NAVY TACTICAL DATA SYSTEM	-	-	-	-	-	-	-	-	-	-
61	COOPERATIVE ENGAGEMENT CAPABILITY	-	15,853	-	15,853	-	15,853	-	-	-	15,853
62	GCCS-M EQUIPMENT AFLOAT	-	37,427	-	37,427	-	37,427	-	-	-	37,427
63	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCS)	-	46,692	-	46,692	-	46,692	-	-	-	46,692
64	ATDLS	-	19,153	-	19,153	-	19,153	-	-	-	19,153
65	MINESWEEPING SYSTEM REPLACEMENT	-	8,989	-	8,989	-	13,989	-	4,000	-	12,989
66	SHALLOW WATER MCM	-	16,863	-	16,863	-	16,863	-	(500)	-	16,363
67	NAVSTAR GPS RECEIVERS (SPACE)	-	9,607	-	9,607	-	9,607	-	-	-	9,607
68	ARMED FORCES RADIO AND TV	-	9,046	-	9,046	-	9,046	-	-	-	9,046

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
69	STRATEGIC PLATFORM SUPPORT EQUIP	-	15,356	-	15,356	-	15,356	-	-	-	15,356
	TRAINING EQUIPMENT										
70	OTHER SPAWAR TRAINING EQUIPMENT	-	1,341	-	1,341	-	1,341	-	-	-	1,341
71	OTHER TRAINING EQUIPMENT	-	21,390	-	25,390	-	21,390	-	4,000	-	25,390
	AVIATION ELECTRONIC EQUIPMENT										
72	MATCALS	-	4,294	-	4,294	-	4,294	-	-	-	4,294
73	SHIPBOARD AIR TRAFFIC CONTROL	-	7,945	-	7,945	-	7,945	-	-	-	7,945
74	AUTOMATIC CARRIER LANDING SYSTEM	-	18,510	-	18,510	-	18,510	-	-	-	18,510
75	NATIONAL AIR SPACE SYSTEM	-	30,549	-	30,549	-	30,549	-	-	-	30,549
76	AIR STATION SUPPORT EQUIPMENT	-	6,705	-	6,705	-	6,705	-	-	-	6,705
77	MICROWAVE LANDING SYSTEM	-	5,124	-	5,124	-	5,124	-	-	-	5,124
78	FACSFAC	-	4,315	-	4,315	-	4,315	-	-	-	4,315
79	ID SYSTEMS	-	14,280	-	14,280	-	14,280	-	-	-	14,280
80	SURFACE IDENTIFICATION SYSTEMS	-	-	-	-	-	-	-	-	-	-
81	TAC A/C MISSION PLANNING SYS(TAMPS)	-	11,980	-	11,980	-	11,980	-	-	-	11,980
	OTHER SHORE ELECTRONIC EQUIPMENT										
82	GCCS-M EQUIPMENT ASHORE	-	-	-	-	-	-	-	-	-	-
83	OSIS EVOLUTIONARY DEVELOPMENT (OED)	-	-	-	-	-	-	-	-	-	-
84	TADIX-B	-	32	-	6,032	-	32	-	6,000	-	6,032
85	NAVAL SPACE SURVEILLANCE SYSTEM	-	2,735	-	2,735	-	2,735	-	-	-	2,735
86	GCCS-M EQUIPMENT TACTICAL/MOBILE	-	-	-	-	-	-	-	-	-	-
87	COMMON IMAGERY GROUND SURFACE SYSTEMS	-	47,022	-	47,022	-	47,022	-	-	-	47,022
88	RADIAC	-	8,308	-	8,308	-	8,308	-	-	-	8,308
89	GPETE	-	7,356	-	7,356	-	7,356	-	-	-	7,356
90	INTEG COMBAT SYSTEM TEST FACILITY	-	4,421	-	4,421	-	4,421	-	-	-	4,421
91	CALIBRATION STANDARDS	-	-	-	-	-	-	-	-	-	-
92	EMI CONTROL INSTRUMENTATION	-	5,378	-	5,378	-	5,378	-	-	-	5,378
93	SHORE ELEC ITEMS UNDER $2 MILLION	-	-	-	-	-	-	-	-	-	-
94	ITEMS LESS THAN $5 MILLION	-	4,889	-	18,889	-	4,889	-	-	-	4,889
	SHIPBOARD COMMUNICATIONS										
95	SHIPBOARD TACTICAL COMMUNICATIONS	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
96	PORTABLE RADIOS	-	-	-	-	-	-	-	-	-	-
97	SINCGARS	-	-	-	-	-	-	-	-	-	-
98	SHIP COMMUNICATIONS AUTOMATION	-	185,143	-	185,143	-	185,143	-	-	-	185,143
99	SHIP COMM ITEMS UNDER $5 MILLION	-	-	-	-	-	-	-	-	-	-
100	INTEGRATED BROADCAST SYSTEM	-	-	-	-	-	-	-	-	-	-
101	COMMUNICATIONS ITEMS UNDER $5M	-	30,909	-	30,909	-	30,909	-	-	-	30,909
	SUBMARINE COMMUNICATIONS										
102	SHORE LF/VLF COMMUNICATIONS	-	31,433	-	31,433	-	31,433	-	-	-	31,433
103	SUBMARINE COMMUNICATION EQUIPMENT	-	77,957	-	77,957	-	77,957	-	-	-	77,957
104	ADVANCED VLF RECEIVER	-	-	-	-	-	-	-	-	-	-
	SATELLITE COMMUNICATIONS										
105	SATCOM SHIP TERMINALS (SPACE)	-	-	-	-	-	-	-	-	-	-
106	SATELLITE COMMUNICATIONS SYSTEMS	-	252,695	-	252,695	-	252,695	-	(25,000)	-	227,695
107	SATCOM SHORE TERMINALS (SPACE)	-	-	-	-	-	-	-	-	-	-
	SHORE COMMUNICATIONS										
108	JCS COMMUNICATIONS EQUIPMENT	-	2,460	-	2,460	-	2,460	-	-	-	2,460
109	NSIPS	-	1,785	-	1,785	-	1,785	-	-	-	1,785
110	JEDMICS	-	-	-	-	-	4,000	-	4,000	-	4,000
111	GCCS EQUIPMENT	-	-	-	-	-	-	-	-	-	-
112	NAVAL SHORE COMMUNICATIONS	-	176,132	-	176,132	-	176,132	-	(10,000)	-	166,132
	CRYPTOGRAPHIC EQUIPMENT										
113	INFO SYSTEMS SECURITY PROGRAM (ISSP)	-	46,563	-	50,563	-	46,563	-	4,000	-	50,563
	CRYPTOLOGIC EQUIPMENT										
114	SPECIAL DCP	-	14,964	-	14,964	-	14,964	-	-	-	14,964
115	CRYPTOLOGIC COMMUNICATIONS EQUIP	-	17,188	-	17,188	-	17,188	-	-	-	17,188
	DRUG INTERDICTION SUPPORT										
116	OTHER DRUG INTERDICTION SUPPORT	-	-	-	-	-	-	-	-	-	-
	AVIATION SUPPORT EQUIPMENT										
	SONOBUOYS										
117	AN/SSQ-36 (BT)	-	-	-	-	-	-	-	-	-	-
118	AN/SSQ-53 (DIFAR)	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
119	PASSIVE SONOBUOYS (NON-BEAM FORMING)	-	-	-	-	-	-	-	3,000	-	3,000
120	AN/SSQ-57 (SPECIAL PURPOSE)	-	-	-	-	-	-	-	-	-	-
121	AN/SSQ-62 (DICASS)	-	-	-	-	-	-	-	3,000	-	3,000
122	AN/SSQ-101 (ADAR)	-	-	-	-	-	-	-	-	-	-
123	SIGNAL, UNDERWATER SOUND (SUS)	-	-	-	-	-	-	-	-	-	-
124	SONOBUOYS - ALL TYPES	-	49,466	-	67,466	-	49,466	-	-	-	49,466
125	MISCELLANEOUS SONOBUOYS LESS THAN $5 M	-	-	-	-	-	-	-	-	-	-
	AIRCRAFT SUPPORT EQUIPMENT										
126	WEAPONS RANGE SUPPORT EQUIPMENT	-	15,125	-	22,625	-	15,125	-	3,600	-	18,725
127	EXPEDITIONARY AIRFIELDS	-	3,304	-	3,304	-	3,304	-	-	-	3,304
128	AIRCRAFT REARMING EQUIPMENT	-	10,676	-	10,676	-	10,676	-	-	-	10,676
129	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	-	36,433	-	36,433	-	36,433	-	-	-	36,433
130	METEOROLOGICAL EQUIPMENT	-	30,860	-	30,860	-	30,860	-	-	-	30,860
131	OTHER PHOTOGRAPHIC EQUIPMENT	-	1,682	-	1,682	-	1,682	-	-	-	1,682
132	AVIATION LIFE SUPPORT	-	20,374	-	30,274	-	30,274	-	6,200	-	26,574
133	AIRBORNE MINE COUNTERMEASURES	-	32,084	-	32,084	-	32,084	-	-	-	32,084
134	REWSON PHOTOGRAPHIC EQUIPMENT	-	-	-	-	-	-	-	-	-	-
135	OTHER AVIATION SUPPORT EQUIPMENT	-	4,928	-	4,928	-	4,928	-	-	-	4,928
	ORDNANCE SUPPORT EQUIPMENT										
	SHIP GUN SYSTEM EQUIPMENT										
136	GUN FIRE CONTROL EQUIPMENT	-	18,287	-	18,287	-	22,287	-	-	-	18,287
	SHIP MISSILE SYSTEMS EQUIPMENT										
137	MK-92 FIRE CONTROL SYSTEM	-	-	-	-	-	-	-	-	-	-
138	TARTAR SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
139	POINT DEFENSE SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
140	NATO SEASPARROW	-	21,716	-	21,716	-	21,716	-	-	-	21,716
141	RAM GMLS	-	37,309	-	37,309	-	37,309	-	(500)	-	36,809
142	SHIP SELF DEFENSE SYSTEM	-	9,352	-	9,352	-	9,352	-	-	-	9,352
143	AEGIS SUPPORT EQUIPMENT	-	36,848	-	36,848	-	19,348	-	(10,000)	-	26,848
144	SURFACE TOMAHAWK SUPPORT EQUIPMENT	-	70,562	-	70,562	-	70,562	-	-	-	70,562
145	SUBMARINE TOMAHAWK SUPPORT EQUIP	-	2,883	-	2,883	-	2,883	-	-	-	2,883

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
146	VERTICAL LAUNCH SYSTEMS	-	6,982	-	6,982	-	6,982	-	-	-	6,982
	FBM SUPPORT EQUIPMENT										
147	STRATEGIC PLATFORM SUPPORT EQUIP	-	2,901	-	2,901	-	2,901	-	-	-	2,901
148	STRATEGIC MISSILE SYSTEMS EQUIP	-	166,619	-	166,619	-	166,619	-	-	-	166,619
149	ANTI-SHIP MISSILE DECOY SYSTEM	-	33,814	-	33,814	-	38,114	-	4,300	-	38,114
	ASW SUPPORT EQUIPMENT										
150	SSN COMBAT CONTROL SYSTEMS	-	20,896	-	20,896	-	20,896	-	(1,300)	-	19,596
151	SUBMARINE ASW SUPPORT EQUIPMENT	-	3,978	-	3,978	-	3,978	-	-	-	3,978
152	SURFACE ASW SUPPORT EQUIPMENT	-	6,269	-	6,269	-	6,269	-	-	-	6,269
153	ASW RANGE SUPPORT EQUIPMENT	-	6,904	-	6,904	-	6,904	-	-	-	6,904
	OTHER ORDNANCE SUPPORT EQUIPMENT										
154	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	-	7,525	-	7,525	-	7,525	-	-	-	7,525
155	UNMANNED SEABORNE TARGET	-	-	-	-	-	-	-	-	-	-
156	INDUSTRIAL FACILITIES (CALIBRATION EQUIPMENT)	-	-	-	-	-	-	-	-	-	-
157	ITEMS LESS THAN $5 MILLION	-	5,613	-	5,613	-	5,613	-	-	-	5,613
158	STOCK SURVEILLANCE EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	OTHER EXPENDABLE ORDNANCE										
159	FLEET MINE SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
160	SURFACE TRAINING DEVICE MODS	-	7,941	-	7,941	-	7,941	-	-	-	7,941
161	SUBMARINE TRAINING DEVICE MODS	-	31,557	-	31,557	-	31,557	-	-	-	31,557
	CIVIL ENGINEERING SUPPORT EQUIPMENT										
	CIVIL ENGINEERING SUPPORT EQUIPMENT										
162	ARMORED SEDANS	1	197	1	197	1	197	(1)	(197)	-	-
163	PASSENGER CARRYING VEHICLES	3	94	3	94	3	94	(1)	(34)	2	60
164	SPECIAL PURPOSE VEHICLES	-	-	-	-	-	-	-	-	-	-
165	GENERAL PURPOSE TRUCKS	-	1,004	-	1,004	-	1,004	-	-	-	1,004
166	CONSTRUCTION & MAINTENANCE EQUIP	-	6,238	-	6,238	-	6,238	-	-	-	6,238
167	FIRE FIGHTING EQUIPMENT	-	2,477	-	2,477	-	2,477	-	-	-	2,477
168	TACTICAL VEHICLES	-	10,458	-	10,458	-	20,458	-	10,000	-	20,458
169	AMPHIBIOUS EQUIPMENT	-	51,615	-	51,615	-	51,615	-	-	-	51,615
170	COMBAT CONSTRUCTION SUPPORT EQUIP	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
171	MOBILE UTILITIES SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
172	OCEAN CONSTRUCTION EQUIPMENT	-	-	-	-	-	-	-	-	-	-
173	POLLUTION CONTROL EQUIPMENT	-	22,154	-	22,154	-	22,154	-	-	-	22,154
174	ITEMS UNDER $5 MILLION	-	3,433	-	3,433	-	3,433	-	-	-	3,433
	SUPPLY SUPPORT EQUIPMENT										
	SUPPLY SUPPORT EQUIPMENT										
175	MATERIALS HANDLING EQUIPMENT	-	7,646	-	7,646	-	7,646	-	-	-	7,646
176	OTHER SUPPLY SUPPORT EQUIPMENT	-	5,196	-	5,196	-	5,196	-	-	-	5,196
177	FIRST DESTINATION TRANSPORTATION	-	4,081	-	4,081	-	4,081	-	-	-	4,081
178	SPECIAL PURPOSE SUPPLY SYSTEMS	-	144,885	-	144,885	-	144,885	-	-	-	144,885
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT										
	TRAINING DEVICES										
179	TRAINING SUPPORT EQUIPMENT	-	1,562	-	1,562	-	1,562	-	-	-	1,562
180	COMMAND SUPPORT EQUIPMENT	-	15,592	-	15,592	-	15,592	-	-	-	15,592
181	EDUCATION SUPPORT EQUIPMENT	-	2,076	-	4,076	-	2,076	-	2,000	-	4,076
182	MEDICAL SUPPORT EQUIPMENT	-	7,386	-	7,386	-	7,386	-	-	-	7,386
183	INTELLIGENCE SUPPORT EQUIPMENT	-	15,993	-	15,993	-	15,993	-	-	-	15,993
184	OPERATING FORCES SUPPORT EQUIPMENT	-	25,003	-	25,003	-	25,003	-	-	-	25,003
185	ENVIRONMENTAL SUPPORT EQUIPMENT	-	22,247	-	22,247	-	22,247	-	(3,000)	-	19,247
186	PHYSICAL SECURITY EQUIPMENT	-	9,629	-	9,629	-	9,629	-	-	-	9,629
	OTHER										
187	CANCELLED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
188	SPARES AND REPAIR PARTS	-	208,941	-	208,941	-	208,941	-	-	-	208,941
	TOTAL, OTHER PROCUREMENT, NAVY		3,334,611		3,432,011		3,378,311		46,069		3,380,680

Surveillance and security for military sealift ships

The budget request included no funding for thermal imaging surveillance and security for military sealift ships.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.0 million for thermal imaging surveillance and security procurement and installation on Military Sealift Command (MSC) ships.

The conferees agree to authorize an increase of $4.0 million for thermal imaging surveillance and security procurement and installation on MSC ships.

AN/WSN–7 inertial navigation system

The budget request included $7.3 million for procurement of AN/WSN–7 ring laser inertial navigation systems.

The House bill would authorize an increase of $12.0 million for AN/WSN–7 navigation sets.

The Senate amendment would authorize an increase of $7.0 million for the procurement and installation of additional AN/WSN–7 navigation sets.

The conferees agree to authorize an increase of $10.0 million for the procurement and installation of additional AN/WSN–7 navigation sets.

Integrated condition assessment system

The budget request included $11.3 million for the integrated condition assessment system (ICAS) for ships. The ICAS is a system that electronically monitors the operating parameters of machinery and electronic systems, thus reducing man-hours spent taking readings on equipment.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million for procurement and installation of ICAS equipment for surface ships.

The conferees agree to authorize an increase of $4.0 million for procurement and installation of ICAS equipment for surface ships.

AN/SPS–73(V) surface search radar

The budget request included no funding for procurement and installation of AN/SPS–73(V) surface search radars which would replace a number of aging radars on surface ships with one radar.

The House bill would authorize an increase of $14.0 million for the procurement and installation of AN/SPS–73(V) radars.

The Senate amendment would authorize an increase of $8.0 million for the procurement and installation of AN/SPS–73(V) radars.

The conferees agree to authorize an increase of $14.0 million for the procurement and installation of AN/SPS–73(V) radars.

Nuclear attack submarine acoustics

The budget request included $106.6 million for nuclear attack submarine (SSN) acoustics but included no funding for the refurbishment and upgrade of TB–23 submarine towed arrays.

The House bill would authorize an increase of $8.0 million to sustain the TB–23 array refurbishment and upgrade program.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for the TB–23 array refurbishment and upgrades.

Conferees note that the Navy intends to upgrade all submarine towed acoustics arrays with the TB–29A array beginning in fiscal year 2002 but at a rate that will require the TB–23 array to remain in service for at least the next decade.

Sonar support equipment

The budget request included no funding for sonar support equipment and included no funding for surface sonar windows and domes.

The House bill would authorize an increase of $5.0 million in undersea warfare support equipment to complete development of production tooling and fabrication of the first production sonar dome with a new material system.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $5.0 million for completing development and validation of a new sonar dome material fabrication process including production tooling and fabrication of the first production sonar dome.

Shipboard indications and warnings exploit

The budget request included $61.5 million for shipboard equipment to exploit indications and warnings (IW) from sources outside the ship.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $500,000 for shipboard IW exploit due to recent contract savings.

Side-scanning sonar for forward deployed minesweepers

The budget request included no funding for side-scanning sonar for forward deployed minesweepers.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million for the procurement and installation of a side-scanning sonar in a forward deployed minesweeper to enhance the ability to detect and classify bottom mines.

The conferees agree to authorize an increase of $4.0 million for the procurement and installation of a commercial off-the-shelf side-scanning sonar in a forward deployed minesweeper.

Shallow water mine countermeasures

The budget request included $16.9 million for shallow water mine countermeasures equipment.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $500,000 for shallow water mine countermeasures due to recent contract savings.

Other training equipment

The budget request included $21.4 million for other training equipment, including $16.4 million for the procurement of equipment to support battle force tactical training (BFTT) programs.

The House bill would authorize an increase of $4.0 million to upgrade the BFTT system in order to provide an air traffic control (ATC) training capability for aircraft carrier crews.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.0 million to upgrade the BFTT system for ATC training aboard aircraft carriers.

Joint tactical terminal

The budget request included $32,000 for program support for tactical terminals including the joint tactical terminal (JTT).

The House bill would authorize an increase of $6.0 million for procurement and installation of additional JTT.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for procurement and installation of additional JTT.

Joint engineering data management and information control system

The budget request included no funding for the joint engineering data management and information control system (JEDMICS), the designated Department of Defense standard system for management, control and storage of engineering drawings.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.0 million for procurement, integration and accreditation surveys to ensure JEDMICS is fully compliant with the joint technical data environment.

The conferees agree to authorize an increase of $4.0 million for procurement, integration and accreditation surveys to ensure JEDMICS is fully compliant with the joint technical data environment.

The conferees note that this system is designed as an open, client-server architecture and is nearing full deployment for global access to the data in its repositories. However, the JEDMICS data available is not fully accessible to all clients using the joint technical data environment.

Naval shore communications equipment

The budget request included $176.1 million for procurement and installation of naval shore communications equipment.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $10.0 million for naval shore communications equipment as a result of budgeting for redundant systems.

Sonobuoys

The budget request included $49.5 million for the procurement of sonobuoys, including AN/SSQ–36, AN/SSQ–53E, AN/SSQ–57, AN/SSQ–62E, AN/SSQ–77, AN/SSQ–101, and Signal Underwater Sound (SUS) buoys.

The House bill would authorize an increase of $18.0 million to address the sonobuoy shortfall, including $3.0 million for the AN/SSQ–53E, $5.0 million for the AN/SSQ–62E, and $10.0 million for the AN/SSQ–77.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million for non-beam forming passive sonobuoys and an increase of $3.0 million for the AN/SSQ–62 (DICASS) sonobuoy.

Weapons range support equipment

The budget request included $15.1 million for weapons range support equipment, including $2.7 million for procurement of ten underwater acoustic telemetry modems, $1.2 million for a Gulf of Mexico portable mine warfare range, and no funding to procure mobile remote emitter simulator (MRES) systems.

The House bill would authorize an increase of $7.5 million for the procurement and installation of one MRES system.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $7.5 million for MRES, a decrease of $2.7 million for underwater acoustic telemetry modems, and a decrease of $1.2 million for Gulf of Mexico mine warfare range.

Rolling airframe guided missile launcher

The budget request included $37.3 million for procurement and installation of rolling airframe (RAM) guided missile launchers.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $500,000 for procurement and installation of RAM launchers as a result of recent contract savings.

Cruiser smart ship

The budget request included $47.9 million for programs referred to as ''smart ship'' programs. Of this amount, $22.5 million would be for smart ship equipment procurement and logistics for *Ticonderoga*-class cruisers.

The House bill would authorize the budget request.

The Senate bill would authorize a decrease of $17.5 million for procurement of smart ship equipment.

The conferees agree to authorize a decrease of $10.0 million for procurement of smart ship equipment.

NULKA anti-ship missile decoy system

The budget request included $33.8 million for procurement and installation of the NULKA anti-ship missile decoy program.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.3 million for the procurement of NULKA launcher systems and decoys to outfit the fleet with this key self-defense equipment and an increase of $4.3 million in the Navy operations and maintenance account for critical training on the NULKA system.

The conferees agree to authorize an increase of $4.3 million for the procurement of NULKA launcher systems and decoys and an increase of $4.3 million in the Navy operations and maintenance account for critical training on the NULKA system, a proven decoy for anti-ship missiles.

SSN combat control systems

The budget request included $20.9 million nuclear fast attack submarine (SSN) combat control systems.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $1.3 million for AN/BSG–1 weapons launching system as a result of an operational testing delay.

Civil engineering support equipment

The budget request included $10.5 million for light and medium duty tactical equipment used mostly by the Naval Construction Force (NCF), Maritime Prepositioning Force (MPF), Naval Beach Group (NBG), and other special operating units.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $10.0 million for the procurement of civil engineering support equipment for the NCF.

The conferees agree to authorize an increase of $10.0 million for the procurement of civil engineering support equipment for the NCF.

Education support equipment

The budget request included $2.1 million for the virtual recruiting program which utilizes computer-based recruiting kiosks.

The House bill would authorize an increase of $2.0 million for procurement of 150 armed forces recruiting kiosks.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $2.0 million for procurement of 150 armed forces recruiting kiosks.

Overview

The budget request for fiscal year 2001 included an authorization of $1,171.9 million for Marine Corps Procurement, Navy in the Department of Defense.

The House bill would authorize $1,254.7 million.

The Senate amendment would authorize $1,191.0 million.

The conferees recommended an authorization of $1,212.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT, MARINE CORPS										
	WEAPONS AND COMBAT VEHICLES										
	TRACKED COMBAT VEHICLES										
1	AAV7A1 PIP	170	83,372	170	83,372	170	83,372	-	-	170	83,372
2	RAPID ACQUISITION PROGRAM	-	4,930	-	4,930	-	4,930	-	(4,930)	-	-
3	LAV PIP	-	1,709	-	1,709	-	1,709	-	-	-	1,709
4	IMPROVED RECOVERY VEHICLE (IRV)	16	42,623	21	57,123	16	42,623	-	-	16	42,623
5	MODIFICATION KITS (TRKD VEH)	-	20,815	-	20,815	-	20,815	-	-	-	20,815
6	ITEMS UNDER $2M (TRKD VEH)	-	-	-	-	-	-	-	-	-	-
	ARTILLERY AND OTHER WEAPONS										
7	MOD KITS (ARTILLERY)	-	3,891	-	3,891	-	3,891	-	-	-	3,891
8	ITEMS UNDER $2M (ALL OTHER)	-	-	-	-	-	-	-	-	-	-
9	MARINE ENHANCEMENT PROGRAM	-	6,413	-	6,413	-	6,413	-	-	-	6,413
10	WEAPONS AND COMBAT VEHICLES UNDER $5 M	-	415	-	415	-	415	-	-	-	415
	WEAPONS										
11	155MM LIGHTWEIGHT TOWED HOWITZER	-	11,105	-	11,105	-	11,105	-	-	-	11,105
	OTHER SUPPORT										
12	OPERATIONS OTHER THAN WAR	-	1,347	-	1,347	-	1,347	-	-	-	1,347
	GUIDED MISSILES AND EQUIPMENT										
	GUIDED MISSILES										
13	EADS MOD	-	-	-	-	-	-	-	-	-	-
14	JAVELIN (MYP)	293	29,119	293	29,119	293	29,119	-	-	293	29,119
14	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
15	PEDESTAL MOUNTED STINGER (PMS)	-	10,550	-	10,550	-	10,550	-	-	-	10,550
16	ITEMS UNDER $5 MILLION	-	949	-	949	-	949	-	-	-	949
17	PREDATOR (SRAW)	698	43,355	698	43,355	698	43,355	-	-	698	43,355
	OTHER SUPPORT										
18	MODIFICATION KITS	-	3,598	-	3,598	-	3,598	-	-	-	3,598
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT										
	REPAIR AND TEST EQUIPMENT										
19	AUTO TEST EQUIP SYS	-	4,714	-	4,714	-	4,714	-	-	-	4,714

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
20	GENERAL PURPOSE ELECTRONIC TEST EQUIP.	-	8,241	-	8,241	-	8,241	-	-	-	8,241
	INTELL/COMM EQUIPMENT (NON-TEL)										
21	AN/TPQ-36 FIRE FINDER RADAR UPGRADE	-	-	-	-	-	-	-	-	-	-
22	INTELLIGENCE SUPPORT EQUIPMENT	-	11,960	-	11,960	-	17,960	-	-	-	11,960
23	MOD KITS (INTEL)	-	5,041	-	13,541	-	5,041	-	-	-	5,041
24	ITEMS UNDER $5 MILLION (INTELL)	-	402	-	402	-	402	-	-	-	402
25	ITEMS LESS THAN $2M (INTELL)	-	-	-	-	-	-	-	-	-	-
	REPAIR AND TEST EQUIPMENT (NON-TEL)										
26	GENERAL PURPOSE MECHANICAL TMDE	-	4,676	-	4,676	-	4,676	-	-	-	4,676
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)										
27	NIGHT VISION EQUIPMENT	-	14,351	-	14,351	-	19,051	-	4,000	-	18,351
	OTHER SUPPORT (NON-TEL)										
28	ITEMS UNDER $5 MILLION (COMM & ELEC)	-	8,320	-	8,320	-	8,320	-	-	-	8,320
29	COMMON COMPUTER RESOURCES	-	80,656	-	80,656	-	80,656	-	-	-	80,656
30	COMMAND POST SYSTEMS	-	9,507	-	11,507	-	9,507	-	-	-	9,507
31	MANEUVER C2 SYSTEMS	-	-	-	-	-	-	-	-	-	-
32	RADIO SYSTEMS	-	3,097	-	15,097	-	9,497	-	13,400	-	16,497
33	COMM SWITCHING & CONTROL SYSTEMS	-	3,152	-	3,152	-	3,152	-	-	-	3,152
34	COMM & ELEC INFRASTRUCTURE SUPPORT	-	80,564	-	80,564	-	80,564	-	2,000	-	82,564
35	MOD KITS MAGTF C41	-	7,484	-	7,484	-	7,484	-	-	-	7,484
36	ITEMS < $2M MAGTF C41	-	-	-	-	-	-	-	-	-	-
37	ITEMS < $2M (OTHER)	-	-	-	-	-	-	-	-	-	-
38	AIR OPERATIONS C2 SYSTEMS	-	3,152	-	3,152	-	3,152	-	-	-	3,152
39	INTELLIGENCE C2 SYSTEMS	-	14,666	-	14,666	-	14,666	-	-	-	14,666
40	FIRE SUPPORT SYSTEM	-	12,343	-	12,343	-	12,343	-	-	-	12,343
	SUPPORT VEHICLES										
	ADMINISTRATIVE VEHICLES										
41	COMMERCIAL PASSENGER VEHICLES	33	1,397	33	1,397	33	1,397	(15)	(737)	18	660
42	COMMERCIAL CARGO VEHICLES	-	23,368	-	23,368	-	23,368	-	-	-	23,368
	TACTICAL VEHICLES										
43	5/4T TRUCK HMMWV (MYP)	1,859	124,448	1,859	147,448	1,859	126,448	-	15,000	1,859	139,448

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
44	MEDIUM TACTICAL VEHICLE REPLACEMENT (MYP)	2,027	325,582	2,027	325,582	2,027	325,582	-	-	2,027	325,582
45	LT TACTICAL VEHICLE REPLACEMENT(LTVR)	-	-	-	-	-	-	-	-	-	-
46	LOGISTICS VEHICLE SYSTEM REP	-	-	-	-	-	-	-	-	-	-
	OTHER SUPPORT										
47	ITEMS LESS THAN $2 MIL	-	-	-	-	-	-	-	-	-	-
48	ITEMS LESS THAN $5 MILLION	-	12,684	-	12,684	-	12,684	-	-	-	12,684
	ENGINEER AND OTHER EQUIPMENT										
	ENGINEER AND OTHER EQUIPMENT										
49	ENVIRONMENTAL CONTROL EQUIP ASSORT	-	3,809	-	3,809	-	3,809	-	-	-	3,809
50	BULK LIQUID EQUIPMENT	-	2,704	-	2,704	-	2,704	-	-	-	2,704
51	TACTICAL FUEL SYSTEMS	-	7,651	-	7,651	-	7,651	-	-	-	7,651
52	DEMOLITION SUPPORT SYSTEMS	-	655	-	655	-	655	-	-	-	655
53	POWER EQUIPMENT ASSORTED	-	9,325	-	9,325	-	9,325	-	-	-	9,325
54	SHOP EQ CONTACT MAINTENANCE (SECM)	-	-	-	-	-	-	-	-	-	-
55	CANCELLED ACCOUNT ADJUSTMENT (M)	-	-	-	-	-	-	-	-	-	-
	MATERIALS HANDLING EQUIPMENT										
56	COMMAND SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
57	AMPHIBIOUS RAID EQUIPMENT	-	-	-	-	-	-	-	-	-	-
58	PHYSICAL SECURITY EQUIPMENT	-	5,317	-	5,317	-	5,317	-	-	-	5,317
59	GARRISON MOBILE ENGR EQUIP	-	5,741	-	5,741	-	5,741	-	-	-	5,741
60	WAREHOUSE MODERNIZATION	-	-	-	-	-	-	-	-	-	-
61	MATERIAL HANDLING EQUIP	-	36,311	-	48,411	-	36,311	-	12,100	-	48,411
62	FIRST DESTINATION TRANSPORTATION	-	5,846	-	5,846	-	5,846	-	-	-	5,846
	GENERAL PROPERTY										
63	FIELD MEDICAL EQUIPMENT	-	1,914	-	1,914	-	1,914	-	-	-	1,914
64	TRAINING DEVICES	-	30,791	-	39,491	-	30,791	-	-	-	30,791
65	CONTAINER FAMILY	-	6,902	-	6,902	-	6,902	-	-	-	6,902
	OTHER SUPPORT										
66	MODIFICATION KITS	-	-	-	-	-	-	-	-	-	-
67	ITEMS LESS THAN $2 MIL	-	-	-	-	-	-	-	-	-	-
68	ITEMS LESS THAN $5 MILLION	-	5,591	-	7,591	-	5,591	-	-	-	5,591

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
69	CANCELLED ACCOUNT ADJUSTMENT (M)	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
70	SPARES AND REPAIR PARTS	-	25,382	-	25,382	-	25,382	-	-	-	25,382
	TOTAL, PROCUREMENT, MARINE CORPS		1,171,935		1,254,735		1,191,035		40,833		1,212,768

Communications and electronic infrastructure support

The budget request included $80.6 million for Marine Corps communications and electronic infrastructure support requirements.

The House bill would authorize an increase of $2.0 million for common end-user equipment requirements for the Marine Corps Reserve in another line.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $2.0 million for common end-user equipment requirements for the Marine Corps Reserve, a total authorization of $82.6 million for communications and electronic infrastructure support.

Night vision equipment

The budget request included $14.4 million for Marine Corps night vision equipment.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $2.7 million for improved night/day fire-control observation devices (INOD) for Marine Corps ground forces and an increase of $2.0 million to procure M203 tilting brackets.

The conferees agree to authorize an increase of $2.0 million for INOD systems to support improvements to Marine Corps fire control requirements and an increase of $2.0 million for M203 tilting brackets.

Radio systems

The budget request included $3.1 million for Marine Corps radio system requirements.

The House bill would authorize an increase of $12.0 million for tactical handheld radios.

The Senate amendment would authorize an increase of $6.4 million for additional enhanced position location reporting system (EPLRS) equipment.

The conferees agree to authorize an increase of $13.4 million for a total authorization of $16.5 million. Of this amount, $7.0 million is for tactical handheld radio requirements and $6.4 million is for EPLRS.

5/4 ton truck high mobility multipurpose wheeled vehicles

The budget request included $124.4 million for Marine Corps high mobility multipurpose wheeled vehicles (HMMWV).

The House bill would authorize an increase of $23.0 million for HMMWVA2 vehicles.

The Senate amendment would authorize an increase of $2.0 million for additional HMMWV's necessary to field recruiter vehicle requirements.

The conferees agree to authorize an increase of $15.0 million for HMMWVA2 vehicles for the Marine Corps.

Material handling equipment

The budget request included $36.3 million for material handling equipment requirements.

The House bill would authorize an increase of $12.1 million for D–7G bulldozer and scraper remanufacture requirements.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $12.1 million for D–7G bulldozer and scraper remanufacture requirements.

Overview

The budget request for fiscal year 2001 included an authorization of $9,539.6 million for Aircraft Procurement, Air Force in the Department of Defense.

The House bill would authorize $10,267.2 million.

The Senate amendment would authorize $9,966.3 million.

The conferees recommended an authorization of $9,923.9 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT PROCUREMENT, AIR FORCE										
	COMBAT AIRCRAFT										
	TACTICAL FORCES										
1	F-22 RAPTOR	10	2,428,637	10	2,428,637	10	2,428,637	-	-	10	2,428,637
1	LESS: ADVANCE PROCUREMENT (PY)	-	(278,755)	-	(278,755)	-	(278,755)	-	-	-	(278,755)
2	ADVANCE PROCUREMENT (CY)	-	396,222	-	396,222	-	396,222	-	-	-	396,222
3	F-15A	-	24,290	2	174,090	-	24,290	2	149,800	2	174,090
3	LESS: ADVANCE PROCUREMENT (PY)	-	(24,290)	-	(24,290)	-	(24,290)	-	-	-	(24,290)
4	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
5	F-16 C/D (MYP)	-	23,317	3	75,017	-	23,317	2	51,700	2	75,017
5	LESS: ADVANCE PROCUREMENT (PY)	-	(23,317)	-	(23,317)	-	(23,317)	-	-	-	(23,317)
6	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
	AIRLIFT AIRCRAFT										
	TACTICAL AIRLIFT										
7	C-17 (MYP)	12	2,555,223	12	2,581,123	12	2,555,223	-	(41,000)	12	2,514,223
7	LESS: ADVANCE PROCUREMENT (PY)	-	(343,300)	-	(343,300)	-	(343,300)	-	-	-	(343,300)
8	ADVANCE PROCUREMENT (CY)	-	266,800	-	266,800	-	266,800	-	(9,000)	-	257,800
9	C-17 ICS	-	412,200	-	412,200	-	412,200	-	-	-	412,200
	OTHER AIRLIFT										
10	WC-130	-	-	-	-	-	-	-	-	-	-
11	EC-130J	-	-	-	-	1	90,000	1	90,000	1	90,000
12	C-130H	-	-	-	-	-	-	-	-	-	-
13	C-130J	2	208,051	2	208,051	2	208,051	-	-	2	208,051
	TRAINER AIRCRAFT										
	OPERATIONAL TRAINERS										
14	JPATS	27	113,825	27	113,825	34	132,725	7	18,900	34	132,725
	OTHER AIRCRAFT										
	HELICOPTERS										
15	V-22 OSPREY	4	355,681	4	355,681	4	355,681	-	-	4	355,681
15	LESS: ADVANCE PROCUREMENT (PY)	-	(19,915)	-	(19,915)	-	(19,915)	-	-	-	(19,915)
16	ADVANCE PROCUREMENT (CY)	-	27,209	-	27,209	-	27,209	-	(4,535)	-	22,674

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	MISSION SUPPORT AIRCRAFT										
17	SMALL VCX	-	-	-	-	-	-	-	-	-	-
18	C-32A	-	-	-	-	-	-	-	-	-	-
19	C-32B FEST/DEST AIRCRAFT	-	-	-	-	-	-	-	-	-	-
20	CIVIL AIR PATROL A/C	27	2,548	27	2,548	27	2,548	-	-	27	2,548
21	OPERATIONAL SUPPORT AIRCRAFT	-	-	-	-	-	-	-	-	-	-
	OTHER AIRCRAFT										
22	TARGET DRONES	-	32,915	-	32,915	-	32,915	-	-	-	32,915
23	E-8C	1	296,342	1	296,342	1	296,342	-	(10,000)	1	286,342
23	LESS: ADVANCE PROCUREMENT (PY)	-	(35,732)	-	(35,732)	-	(35,732)	-	-	-	(35,732)
24	ADVANCE PROCUREMENT (CY)	-	-	-	40,000	-	46,000	-	46,000	-	46,000
25	E-8C ICS	-	-	-	-	-	-	-	-	-	-
26	HAEUAV	-	22,388	-	22,388	-	-	-	-	-	22,388
27	PREDATOR UAV	7	22,078	7	34,078	7	22,078	-	10,000	7	32,078
	MODIFICATION OF INSERVICE AIRCRAFT										
	STRATEGIC AIRCRAFT										
28	B-2A	-	21,723	-	21,723	-	21,723	-	-	-	21,723
29	B-1B	-	48,793	-	48,793	-	48,793	-	-	-	48,793
30	B-52	-	8,425	-	8,425	-	20,425	-	9,000	-	17,425
31	F-117	-	32,005	-	32,005	-	32,005	-	-	-	32,005
	TACTICAL AIRCRAFT										
32	A-10	-	33,891	-	49,291	-	45,091	-	6,800	-	40,691
33	F-15	-	258,247	-	358,247	-	333,147	-	51,950	-	310,197
34	F-16	-	248,830	-	298,130	-	368,330	-	56,700	-	305,530
35	T/AT-37	-	83	-	83	-	83	-	-	-	83
	AIRLIFT AIRCRAFT										
36	C-5	-	95,401	-	95,401	-	95,401	-	-	-	95,401
37	C-9	-	3,271	-	3,271	-	3,271	-	-	-	3,271
38	C-17A	-	97,124	-	97,124	-	123,524	-	-	-	97,124
39	C-21	-	1,883	-	1,883	-	1,883	-	-	-	1,883
40	C-22	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
41	C-32A	-	23,568	-	23,568	-	23,568	-	(18,000)	-	5,568
42	C-37A	-	376	-	376	-	376	-	-	-	376
43	C-141	-	737	-	737	-	737			-	737
	TRAINER AIRCRAFT										
44	T-1	-	-	-	-	-	-	-	-	-	-
45	T-3 (EFS) AIRCRAFT	-	1,949	-	-	-	1,949	-	(1,949)	-	-
46	T-38	-	120,520	-	120,520	-	120,520	-	-	-	120,520
47	T-41 AIRCRAFT	-	89	-	89	-	89	-	-	-	89
48	T-43	-	4,929	-	4,929	-	4,929	-	-	-	4,929
	OTHER AIRCRAFT										
49	KC-10A (ATCA)	-	55,370	-	55,370	-	55,370	-	-	-	55,370
50	C-12	-	1,521	-	1,521	-	1,521	-	-	-	1,521
51	C-18	-	345	-	345	-	345	-	-	-	345
52	C-20 MODS	-	5,235	-	5,235	-	5,235	-	-	-	5,235
53	VC-25A MOD	-	98	-	98	-	98	-	-	-	98
54	C-130	-	91,524	-	107,524	-	91,524	-	-	-	91,524
55	C-135	-	328,232	-	386,232	-	328,232	-	52,000	-	380,232
56	DARP	-	165,540	-	243,740	-	168,540	-	(13,264)	-	152,276
57	E-3	-	88,654	-	88,654	-	88,654	-	-	-	88,654
58	E-4	-	31,559	-	29,859	-	31,559	-	-	-	31,559
59	E-8	-	33,389	-	33,389	-	33,389	-	-	-	33,389
60	H-1	-	3,535	-	3,535	-	3,535	-	-	-	3,535
61	H-60	-	23,648	-	23,648	-	23,648	-	-	-	23,648
62	OTHER AIRCRAFT	-	28,214	-	35,214	-	28,214	-	5,500	-	33,714
63	PREDATOR MODS	-	-	-	-	-	-	-	-	-	-
	OTHER MODIFICATIONS										
64	CLASSIFIED PROJECTS	-	16,729	-	16,729	-	16,729	-	-	-	16,729
	AIRCRAFT NAVIGATIONAL AND PASSENGER SAFETY EQUIPMENT			-	20,000						
	AIRCRAFT SPARES AND REPAIR PARTS										
	AIRCRAFT SPARES + REPAIR PARTS										
65	AIRCRAFT SPARES/REPAIR PARTS	-	356,856	-	356,856	-	356,856	-	-	-	356,856

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES										
	COMMON SUPPORT EQUIPMENT										
66	AIRCRAFT SUPPORT EQ & FACILITIES	-	177,943	-	175,943	-	177,943	-	-	-	177,943
	POST PRODUCTION SUPPORT										
67	A-10	-	-	-	-	-	-	-	-	-	-
68	B-2A	-	18,603	-	18,603	-	18,603	-	-	-	18,603
69	B-2B	-	42,700	-	42,700	-	42,700	-	-	-	42,700
70	C-5	-	-	-	-	-	-	-	-	-	-
71	C-130	-	1,365	-	25,065	-	1,365	-	-	-	1,365
72	E-4	-	1,463	-	1,463	-	1,463	-	-	-	1,463
73	F-15 POST PRODUCTION SUPPORT	-	7,267	-	7,267	-	7,267	-	-	-	7,267
74	F-16 POST PRODUCTION SUPPORT	-	25,464	-	49,464	-	25,464	-	6,000	-	31,464
	INDUSTRIAL PREPAREDNESS										
75	INDUSTRIAL PREPAREDNESS	-	25,352	-	24,352	-	25,352	-	-	-	25,352
	WAR CONSUMABLES										
76	WAR CONSUMABLES	-	43,015	-	43,015	-	87,115	-	15,000	-	58,015
	OTHER PRODUCTION CHARGES										
77	MISC PRODUCTION CHARGES	-	398,474	-	431,474	-	426,274	-	-	-	398,474
	COMMON ECM EQUIPMENT										
78	COMMON ECM EQUIPMENT	-	4,836	-	4,836	-	4,836	-	-	-	4,836
	OTHER PRODUCTION CHARGES - SOF										
79	CANCELLED ACCOUNT PY ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	DARP										
80	DARP	-	98,410	-	128,610	-	106,410	-	(87,336)	-	11,074
	ECONOMIC ADJUSTMENT						(32,743)			-	-
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE		9,539,602		10,267,153		9,966,271		384,266		9,923,868

F–16C aircraft

The budget request included no funding for the procurement of F–16C aircraft.

The House bill would authorize an increase of $51.7 million for the procurement of three block 50/52 F–16C aircraft, and would require the Department to combine $24.0 million of advance procurement funds appropriated in fiscal year 2000 for this purpose. The House report accompanying H.R. 4205 (H. Rept. 106–616) directed the Secretary of the Air Force to assign block 40 or later F–16 aircraft to Air National Guard fighter units whose capabilities have been downgraded as a result of the substitution of older block F–16 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $51.7 million for the procurement of two F–16 block 50/52 aircraft, recognizing that the fiscal year 2000 funds were rescinded. The conferees agree to accept the Air Force proposal to upgrade the capability of Air National Guard fighter units, whose capabilities have been downgraded, with F–16C block 30 or better aircraft equipped with advanced targeting pods. The conferees understand that these advanced targeting pods are necessary to enable the aircraft to accomplish precision strike missions. The conferees expect the Air Force will provide an adequate number of these advanced targeting pods for Air National Guard units to support peacetime training and, when tasked, operational deployments.

C–17 aircraft

The budget request included $2.212 billion for the procurement of 12 C–17 aircraft under a multi-year program.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $41.0 million in response to an Air Force request for transfer to advance procurement, a total authorization of $2.171 billion.

C–17 advance procurement

The budget request included $266.8 million for advance procurement for the C–17 multi-year program.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $9.0 million, as follows:

(1) an increase of $41.0 million transferred from the C–17 aircraft program; and

(2) a decrease of $50.0 million due to a revision of advance procurement funding requirements.

EC–130J aircraft

The budget request included no funding for the procurement of the EC–130J aircraft.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $90.0 million for the procurement of one EC–130J aircraft.

The conferees agree to authorize $90.0 million for the procurement of one EC–130J aircraft. The conferees expect the Department of the Air Force to utilize these funds in the most effective manner for EC–130 fleet modernization in the event that EC–130J procurement contract savings for this aircraft materialize.

B–52 aircraft modifications

The budget request included $8.4 million for modifications to the B–52 aircraft.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $12.0 million for improved electronic countermeasures.

The conferees agree to authorize an increase of $9.0 million for improved electronic countermeasures for the B–52 aircraft, a total authorization of $17.4 million.

A–10 aircraft integrated flight and fire control computer

The budget request included $33.9 million for modifications to the A–10 aircraft, but included no funding for procurement of the integrated flight and fire control computer (IFFCC).

The House bill would authorize an increase of $6.8 million for IFFCCs and an increase of $8.6 million for situational awareness data link (SADL) upgrades for Air National Guard aircraft, a total increase of $15.4 million.

The Senate amendment would authorize an increase of $11.2 million for the procurement of IFFCCs.

The conferees agree to authorize an increase of $6.8 million for A–10 IFFCCs, a total authorization of $40.7 million.

F–15 modifications

The budget request included $258.2 million for F–15 modifications.

The House bill would authorize an increase of $100.0 million for F–15 modifications, as follows:

(1) an increase of $70.0 million for upgrading F–15 engines from the F100–PW–100 to the F100–PW–220E configuration for the Air National Guard; and

(2) an increase of $30.0 million to integrate the BOL countermeasure dispenser system on Air National Guard (ANG) F–15A and F–15B aircraft.

The Senate amendment would authorize an increase of $74.9 million, as follows:

(1) an increase of $48.0 million for additional F–15 engine upgrades; and

(2) an increase of $26.9 million for the procurement of BOL systems and countermeasures for the F–15 aircraft.

The conferees agree to authorize an increase of $52.0 million for F–15 modifications, as follows:

(1) an increase of $36.0 million for F–15 engine upgrades to the F100–PW–220E configuration;

(2) an increase of $26.4 million for the procurement of BOL systems and countermeasures for integration on ANG F–15A and F–15B aircraft; and

(3) a decrease of $10.4 million due to delays and technical problems with the ALQ–135.

F–16 aircraft modifications

The budget request included $248.8 million for modifications to the F–16 aircraft.

The House bill would authorize an increase of $49.3 million, for F–16 modifications, as follows:

(1) an increase of $25.0 million to procure additional F–16 precision targeting pods for the Air National Guard;

(2) an increase of $12.3 million to accelerate the procurement of ALE–50 towed decoy pylons; and

(3) an increase of $12.0 million to improve reliability and reduce costs for the F–16 airborne video tape recorder.

The Senate amendment would authorize an increase of $119.5 million for F–16 modifications, as follows:

(1) an increase of $16.5 million for the procurement of the digital terrain system;

(2) an increase of $34.0 million for the procurement of precision targeting pods; and

(3) an increase of $69.0 million for the retrofit of Air National Guard block 42 F–16 aircraft with F100–PW–229 engines.

The conferees agree to authorize an increase of $56.7 million for F–16 aircraft modifications, as follows:

(1) an increase of $12.0 million for the procurement of digital terrain systems;

(2) an increase of $48.7 million for the retrofit of Air National Guard block 42 F–16 aircraft with F100–PW–229 engines; and

(3) a decrease of $4.0 due to delays with the Joint Helmet Mounted Cueing System.

Defense airborne reconnaissance program modifications

The budget request included $165.5 million for the defense airborne reconnaissance program (DARP) for modifying various reconnaissance aircraft, including the RC–135 and U–2 aircraft.

The House bill would consolidate all RC–135 DARP items in this funding line, and transfer U–2 DARP items to the DARP aircraft support equipment funding line. The House bill would also authorize an increase of $78.2 million for DARP modifications, as follows:

(1) an increase of $44.0 million to convert two C–135 aircraft into RC–135 training aircraft configurations;

(2) an increase of $9.0 million for a motion-capable operational flight trainer;

(3) an increase of $28.4 million for equipment associated with meeting the requirements of global air traffic management (GATM);

(4) an increase of $10.0 million for the theater airborne warning system (TAWS);

(5) an increase of $5.1 million for RC–135 modifications transferred from the DARP aircraft support equipment line; and

(6) a decrease of $18.3 million for U–2 modifications transferred to the DARP aircraft support equipment line for consolidation.

The Senate amendment would authorize an increase of $3.0 million for the procurement of Senior Year electro-optic reconnaissance system (SYERS) equipment for the U–2 aircraft.

The conferees agree to consolidate all RC–135 aircraft DARP modifications in this line and transfer U–2 aircraft DARP modifications to the DARP aircraft support equipment line. The conferees acknowledge that funds for the RC–135 operational flight trainer were provided in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246). The conferees agree to a decrease of $13.2 million for RC–135 DARP for a total authorization of $152.3 million, as follows:

(1) an increase of $5.1 million for transfer of RC–135 aircraft DARP modifications from DARP aircraft support equipment; and

(2) a decrease of $18.3 million for transfer of U–2 aircraft DARP modifications to the DARP aircraft support equipment DARP line for consolidation.

Other aircraft modifications

The budget request included $28.2 million for other aircraft modifications.

The House bill would authorize an increase of $7.0 million for light weight environmentally sealed parachute assemblies and an increase of $20.6 million for the situational awareness data link (SADL) for Air National Guard (ANG) A–10, C–130, and C–135 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $5.5 million for the ANG SADL for A–10, C–130, and C–135 aircraft, a total authorization of $33.7 million for other aircraft modifications.

Defense airborne reconnaissance program aircraft support equipment

The budget request included $98.4 million for the defense airborne reconnaissance program for modifying various reconnaissance aircraft, including U–2 and RC–135 aircraft.

The House bill would consolidate all U–2 DARP items in this funding line, and transfer all RC–135 DARP items to the DARP modification funding line. The House bill would authorize an increase of $30.2 million for DARP, as follows:

(1) an increase of $3.0 million for the procurement of additional Senior Year electro-optic reconnaissance system (SYERS) equipment;

(2) an increase of $4.0 million for procurement of additional joint signals intelligence avionics family (JSAF) equipment;

(3) an increase of $10.0 million to convert one U–2S aircraft to a U–2ST trainer aircraft configuration;

(4) an increase of $18.3 million for U–2 aircraft DARP modifications transferred from elsewhere, consisting of increases of $9.9 million for a power upgrades and $8.4 million for dual data links; and

(5) a decrease of $5.1 million due to the transfer of RC–135 aircraft modifications to the DARP modifications funding line.

The Senate amendment would authorize an increase of $8.0 million in DARP aircraft support equipment for JSAF, specifically the U–2, and an increase of $3.0 million for SYERS, specifically the U–2 in the DARP modifications line.

The conferees agree to authorize a decrease of $87.3 million in DARP aircraft support equipment, as follows:

(1) an increase of $3.0 million for SYERS equipment;

(2) an increase of $8.0 million for JSAF;

(3) an increase of $18.3 million for U–2 aircraft DARP modifications transferred from elsewhere, consisting of increases of $9.9 million for power upgrades and $8.4 million for dual data links;

(4) a decrease of $5.1 million for transfer of RC–135 aircraft modifications to the DARP modifications line; and

(5) a decrease of $111.6 million for U–2 DARP modifications. These funds were provided in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246). Overview

The budget request for fiscal year 2001 included an authorization of $638.8 million for Ammunition Procurement, Air Force in the Department of Defense.

The House bill would authorize $638.8 million.

The Senate amendment would authorize $666.8 million.

The conferees recommended an authorization of $646.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF AMMUNITION, AIR FORCE										
	PROCUREMENT OF AMMO, AIR FORCE										
	ROCKETS										
1	ROCKETS	-	11,466	-	11,466	-	39,466	-	8,000	-	19,466
2	2.75 INCH ROCKET MOTOR	-	-	-	-	-	-	-	-	-	-
3	2.75 IN ROCKET, FLARE IR	-	-	-	-	-	-	-	-	-	-
4	ITEMS LESS THAN $5,000,000	-	-	-	-	-	-	-	-	-	-
	CARTRIDGES										
5	CARTRIDGES	-	70,090	-	70,090	-	70,090	-	-	-	70,090
6	5.56 MM	-	-	-	-	-	-	-	-	-	-
7	30 MM TRAINING	-	-	-	-	-	-	-	-	-	-
8	CARTRIDGE CHAFF RR-180	-	-	-	-	-	-	-	-	-	-
9	CARTRIDGE CHAFF RR-188	-	-	-	-	-	-	-	-	-	-
10	SIGNAL MK-4 MOD 3	-	-	-	-	-	-	-	-	-	-
11	ITEMS LESS THAN $5,000,000	-	-	-	-	-	-	-	-	-	-
	BOMBS										
12	PRACTICE BOMBS	-	32,731	-	32,731	-	32,731	-	-	-	32,731
13	GENERAL PURPOSE BOMBS	-	30,745	-	30,745	-	30,745	-	-	-	30,745
14	CAWCF CLOSURE COSTS	-	1,400	-	1,400	-	1,400	-	-	-	1,400
15	MK-82 INERT/BDU-50	-	-	-	-	-	-	-	-	-	-
16	GBU-28 HARD TARGET PENETRATOR	-	-	-	-	-	-	-	-	-	-
17	GBU - 37	-	-	-	-	-	-	-	-	-	-
18	GBU-15	-	-	-	-	-	-	-	-	-	-
19	BOMB PRACTICE 25 POUND	-	-	-	-	-	-	-	-	-	-
20	2000 LB HE BOMB MK-84	-	-	-	-	-	-	-	-	-	-
21	MK-84 BOMB-EMPTY	-	-	-	-	-	-	-	-	-	-
22	SENSOR FUZED WEAPON	300	107,201	300	107,201	300	107,201	-	-	300	107,201
23	JOINT DIRECT ATTACK MUNITION	9,098	219,848	9,098	219,848	9,098	219,848	-	-	9,098	219,848
24	WIND CORRECTED MUNITIONS DISPENSER	6,308	104,046	6,308	104,046	6,308	104,046	-	-	6,308	104,046
25	ITEMS LESS THAN $5,000,000	-	-	-	-	-	-	-	-	-	-
	FLARE, IR MJU-7B										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
26	ASTE (INFRARED EXPENDABLE)	-	-	-	-	-	-	-	-	-	-
27	FLARE, IR MJU-7B	-	-	-	-	-	-	-	-	-	-
28	MJU-10B	-	-	-	-	-	-	-	-	-	-
29	M-206 CARTRIDGE FLARE	-	-	-	-	-	-	-	-	-	-
30	CAD/PAD	-	-	-	-	-	-	-	-	-	-
31	LUU-19 FLARE	-	-	-	-	-	-	-	-	-	-
32	SPARES AND REPAIR PARTS	-	2,431	-	2,431	-	2,431	-	-	-	2,431
33	MODIFICATIONS <5M	-	196	-	196	-	196	-	-	-	196
34	ITEMS LESS THAN $5,000,000	-	7,806	-	7,806	-	7,806	-	-	-	7,806
	FUZES										
35	FLARES	-	37,432	-	37,432	-	37,432	-	-	-	37,432
36	JOINT PROGRAMMABLE FUSE(JPF)	-	9,342	-	9,342	-	9,342	-	-	-	9,342
	WEAPONS										
	SMALL ARMS										
37	SMALL ARMS	-	4,074	-	4,074	-	4,074	-	-	-	4,074
38	M-16 A2 RIFLE	-	-	-	-	-	-	-	-	-	-
39	9MM COMPACT PISTOL	-	-	-	-	-	-	-	-	-	-
40	M-9 PISTOL	-	-	-	-	-	-	-	-	-	-
41	ITEMS LESS THAN $5M	-	-	-	-	-	-	-	-	-	-
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE		638,808		638,808		666,808		8,000		646,808

Overview

The budget request for fiscal year 2001 included an authorization of $3,061.7 million for Missile Procurement, Air Force in the Department of Defense.

The House bill would authorize $3,046.7 million.

The Senate amendment would authorize $3,008.0 million.

The conferees recommended an authorization of $2,863.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	MISSILE PROCUREMENT, AIR FORCE										
	BALLISTIC MISSILES										
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC										
1	MISSILE REPLACEMENT EQ-BALLISTIC	-	42,308	-	42,308	-	42,308	-	(20,000)	-	22,308
	OTHER MISSILES										
	STRATEGIC										
2	ADVANCED CRUISE MISSILE	-	2,006	-	2,006	-	2,006	-	-	-	2,006
	TACTICAL										
3	JOINT STANDOFF WEAPON	174	90,828	174	90,828	174	90,828	-	(7,408)	174	83,420
4	AGM-130 POWERED GBU-15	-	96	-	96	-	96	-	-	-	96
5	AMRAAM	204	98,687	204	98,687	204	98,687	-	-	204	98,687
	TARGET DRONES										
6	TARGET DRONES	-	-	-	-	-	-	-	-	-	-
	INDUSTRIAL FACILITIES										
7	INDUSTRIAL FACILITIES	-	3,017	-	3,017	-	3,017	-	-	-	3,017
	MISSILE REPLACEMENT EQUIPMENT - OTHER										
8	MISSILE REPLACEMENT EQ-OTHER	-	2,623	-	2,623	-	2,623	-	-	-	2,623
	MODIFICATION OF INSERVICE MISSILES										
	CLASS IV										
9	ADVANCED CRUISE MISSILE	-	-	-	-	-	-	-	-	-	-
10	CONVENTIONAL ALCM	-	-	-	-	-	-	-	-	-	-
11	SIDEWINDER (AIM-9X)	-	28,428	-	28,428	-	28,428	-	-	-	28,428
12	MM III MODIFICATIONS	-	375,129	-	375,129	-	375,129	-	-	-	375,129
13	AGM-65D MAVERICK	-	2,042	-	7,042	-	4,142	-	4,000	-	6,042
14	AIR LAUNCH CRUISE MISSILE	-	4,066	-	4,066	-	4,066	-	-	-	4,066
15	PEACEKEEPER (M-X)	-	99	-	99	-	99	-	(99)	-	-
16	MODIFICATIONS UNDER $5.0M	-	99	-	99	-	99	-	-	-	99
	SPARES AND REPAIR PARTS										
	MISSILE SPARES + REPAIR PARTS										
17	MISSILE SPARES - REPAIR PARTS	-	44,026	-	44,026	-	44,026	-	(1,672)	-	42,354
	OTHER SUPPORT										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SPACE PROGRAMS										
18	ADVANCE PROCUREMENT (CY)	-	25,736	-	25,736	-	25,736	-	-	-	25,736
19	SPACEBORNE EQUIP (COMSEC)	-	9,765	-	9,765	-	9,765	-	-	-	9,765
20	GLOBAL POSITIONING (SPACE)	-	196,937	-	196,937	-	166,637	-	(39,800)	-	157,137
21	ADVANCE PROCUREMENT (CY)	-	13,404	-	13,404	-	13,404	-	4,500	-	17,904
22	NUDET DETECTION SYSTEM	-	1,478	-	1,478	-	1,478	-	-	-	1,478
23	INERTIAL UPPER STAGES(SPACE)	-	-	-	-	-	-	-	-	-	-
24	DEF METEOROLOGICAL SAT PROG(SPACE)	-	68,582	-	68,582	-	68,582	-	-	-	68,582
25	DEFENSE SUPPORT PROGRAM(SPACE)	-	106,356	-	106,356	-	106,356	-	-	-	106,356
26	DEFENSE SATELLITE COMM SYSTEM(SPACE)	-	22,770	-	22,770	-	22,770	-	-	-	22,770
27	TITAN SPACE BOOSTERS(SPACE)	-	469,720	-	459,720	-	459,720	-	(60,000)	-	409,720
28	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	3	287,996	3	287,996	3	287,996	-	(5,000)	3	282,996
29	MEDIUM LAUNCH VEHICLE(SPACE)	-	55,939	-	45,939	-	45,939	-	(12,858)	-	43,081
29	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
	SPECIAL PROGRAMS										
30	CANCELLED ACCOUNT	-	-	-	-	-	-	-	-	-	-
31	SPECIAL PROGRAMS	-	968,498	-	968,498	-	968,498	-	(59,600)	-	908,898
32	SPECIAL UPDATE PROGRAMS	-	141,080	-	141,080	-	141,080	-	-	-	141,080
	ECONOMIC ADJUSTMENT						(5,500)			-	-
	TOTAL, MISSILE PROCUREMENT, AIR FORCE		3,061,715		3,046,715		3,008,015		(197,937)		2,863,778

Overview

The budget request for fiscal year 2001 included an authorization of $7,699.1 million for Other Procurement, Air Force in the Department of Defense.

The House bill would authorize $7,869.9 million.

The Senate amendment would authorize $7,717.5 million.

The conferees recommended an authorization of $7,711.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER PROCUREMENT, AIR FORCE										
	VEHICULAR EQUIPMENT										
	PASSENGER CARRYING VEHICLES										
1	SEDAN, 4 DR 4X2	16	254	16	254	16	254	-	-	16	254
2	STATION WAGON, 4X2	-	-	-	-	-	-	-	-	-	-
3	BUSES	66	4,101	66	4,101	66	4,101	-	-	66	4,101
4	AMBULANCES	8	646	8	646	8	646	-	-	8	646
5	LAW ENFORCEMENT VEHICLE	83	1,706	83	1,706	83	1,706	-	-	83	1,706
6	ARMORED SEDAN	1	200	1	200	1	200	(1)	(200)	-	-
	CARGO + UTILITY VEHICLES										
7	TRUCK, CARGO-UTILITY, 3/4T, 4X4	-	-	-	-	-	-	-	-	-	-
8	TRUCK, CARGO-UTILITY, 1/2T, 4X2	-	-	-	-	-	-	-	-	-	-
9	TRUCK, PICKUP, 1/2T, 4X2	-	-	-	-	-	-	-	-	-	-
10	TRUCK, PICKUP, COMPACT	-	-	-	-	-	-	-	-	-	-
11	TRUCK MULTI-STOP 1 TON 4X2	-	17,593	-	16,393	-	17,593	-	-	-	17,593
12	TRUCK CARRYALL	-	-	-	-	-	-	-	-	-	-
13	FAMILY MEDIUM TACTICAL VEHICLES	-	5,869	-	5,869	-	5,869	-	-	-	5,869
14	HIGH MOBILITY VEHICLE (MYP)	-	13,435	-	13,435	-	13,435	-	-	-	13,435
15	TRUCK TRACTOR, OVER 5T	-	-	-	-	-	-	-	-	-	-
16	TRUCK, UTILITY	-	-	-	-	-	-	-	-	-	-
17	CAP VEHICLES	-	768	-	768	-	768	-	-	-	768
18	ITEMS LESS THAN $5,000,000	-	29,235	-	29,235	-	29,235	-	-	-	29,235
	SPECIAL PURPOSE VEHICLES										
19	HMMWV, ARMORED	-	5,586	-	5,586	-	5,586	-	-	-	5,586
20	TRACTOR, TOW, FLIGHTLINE	-	5,042	-	5,042	-	5,042	-	-	-	5,042
21	ITEMS LESS THAN $5,000,000	-	18,373	-	18,373	-	18,373	-	-	-	18,373
	FIRE FIGHTING EQUIPMENT										
22	TRUCK CRASH P-19	-	8,761	-	7,461	-	8,761	-	-	-	8,761
23	ITEMS LESS THAN $5,000,000	-	3,700	-	3,700	-	3,700	-	-	-	3,700
	MATERIALS HANDLING EQUIPMENT										
24	TRUCK, F/L 6000 LB	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
25	TRUCK, F/L 10,000 LB	-	4,857	-	4,857	-	4,857	-	-	-	4,857
26	60K A/C LOADER	48	96,948	48	96,948	48	96,948	-	-	48	96,948
27	NEXT GENERATION SMALL LOADER(NGSL)	34	24,144	34	24,144	34	24,144	-	-	34	24,144
28	ITEMS LESS THAN $5,000,000	-	4,530	-	4,530	-	4,530	-	-	-	4,530
	BASE MAINTENANCE SUPPORT										
29	TRUCK, DUMP	-	1,763	-	1,763	-	1,763	-	-	-	1,763
30	RUNWAY SNOW REMOV AND CLEANING EQUIP	-	5,852	-	5,852	-	5,852	-	-	-	5,852
31	MODIFICATIONS	-	387	-	387	-	387	-	-	-	387
32	ITEMS LESS THAN $5,000,000	-	8,616	-	8,616	-	8,616	-	-	-	8,616
33	VEHICLE LEASES	-	-	-	-	-	-	-	-	-	-
	CANCELLED ACCOUNT ADJUSTM										
34	CANCELLED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP										
	COMM SECURITY EQUIPMENT(COMSEC)										
35	COMSEC EQUIPMENT	-	23,346	-	23,346	-	23,346	-	-	-	23,346
36	MODIFICATIONS (COMSEC)	-	491	-	491	-	491	-	-	-	491
	INTELLIGENCE PROGRAMS										
37	INTELLIGENCE DATA HANDLING SYS	-	-	-	-	-	-	-	-	-	-
38	INTELLIGENCE TRAINING EQUIPMENT	-	1,572	-	1,572	-	1,572	-	-	-	1,572
39	INTELLIGENCE COMM EQUIP	-	5,530	-	13,730	-	5,530	-		-	14,530
	SECURE TERMINAL EQUIPMENT								4,000		
XX	EAGLE VISION	-	-	-	5,000	-	-		5,000		
	ELECTRONICS PROGRAMS										
40	AIR TRAFFIC CTRL/LAND SYS (ATCALS)	-	-	-	-	-	-	-	-	-	-
41	NATIONAL AIRSPACE SYSTEM	-	58,663	-	58,663	-	58,663	-	-	-	58,663
42	THEATER AIR CONTROL SYS IMPROVEMENT	-	15,431	-	19,831	-	15,431	-	(434)	-	14,997
43	WEATHER OBSERV/FORCAST	-	33,515	-	33,515	-	33,515	-	(2,000)	-	31,515
44	STRATEGIC COMMAND AND CONTROL	-	20,858	-	20,858	-	20,858	-	-	-	20,858
45	CHEYENNE MOUNTAIN COMPLEX	-	602	-	602	-	602	-	-	-	602
46	TAC SIGINT SUPPORT	-	1,447	-	1,447	-	1,447	-	-	-	1,447
47	DRUG INTERDICTION PROGRAM	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SPECIAL COMM-ELECTRONICS PROJECTS										
48	AUTOMATIC DATA PROCESSING EQUIP	-	74,771	-	84,771	-	74,771	-	7,000	-	81,771
49	AF GLOBAL COMMAND & CONTROL SYS	-	14,753	-	14,753	-	14,753	-	-	-	14,753
50	MOBILITY COMMAND AND CONTROL	-	8,495	-	8,495	-	8,495	-	-	-	8,495
51	AIR FORCE PHYSICAL SECURITY SYSTEM	-	34,519	-	34,519	-	34,519	-	-	-	34,519
52	COMBAT TRAINING RANGES	-	26,003	-	27,003	-	46,003	-	20,000	-	46,003
53	MINIMUM ESSENTIAL EMERGENCY COMM NET	-	1,584	-	1,584	-	1,584	-	-	-	1,584
54	C3 COUNTERMEASURES	-	15,681	-	19,681	-	15,681	-	-	-	15,681
55	JOINT SURVEILLANCE SYSTEM	-	-	-	-	-	-	-	-	-	-
56	BASE LEVEL DATA AUTO PROGRAM	-	23,788	-	23,788	-	23,788	-	-	-	23,788
57	THEATER BATTLE MGT C2 SYS	-	56,820	-	56,820	-	56,820	-	-	-	56,820
	AIR FORCE COMMUNICATIONS										
58	INFORMATION TRANSMISSION SYSTEMS	-	-	-	-	-	-	-	-	-	-
59	BASE INFORMATION INFRASTRUCTURE	-	177,283	-	177,283	-	177,283	-	-	-	177,283
60	USCENTCOM	-	7,335	-	7,335	-	7,335	-	-	-	7,335
61	DEFENSE MESSAGE SYSTEM (DMS)	-	17,947	-	17,947	-	17,947	-	-	-	17,947
	DISA PROGRAMS										
62	NAVSTAR GPS SPACE	-	9,112	-	9,112	-	9,112	-	(5,000)	-	4,112
63	DEFENSE METEOROLOGICAL SAT PROG SPAC	-	-	-	-	-	-	-	-	-	-
64	NUDET DETECTION SYS (NDS) SPACE	-	2,674	-	2,674	-	2,674	-	-	-	2,674
65	AF SATELLITE CONTROL NETWORK SPACE	-	39,094	-	39,094	-	39,094	-	-	-	39,094
66	SPACELIFT RANGE SYSTEM SPACE	-	92,714	-	92,714	-	92,714	-	-	-	92,714
67	MILSATCOM SPACE	-	53,027	-	53,027	-	53,027	-	(17,900)	-	35,127
68	SPACE MODS SPACE	-	25,959	-	25,959	-	25,959	-	-	-	25,959
	ORGANIZATION AND BASE										
69	TACTICAL C-E EQUIPMENT	-	101,222	-	101,222	-	101,222	-	(2,500)	-	98,722
70	COMBAT SURVIVOR/EVADER LOCATER RADIO	-	3,104	-	3,104	-	3,104	-	-	-	3,104
71	RADIO EQUIPMENT	-	16,630	-	16,630	-	16,630	-	-	-	16,630
72	TV EQUIPMENT (AFRTV)	-	2,005	-	2,005	-	2,005	-	-	-	2,005
73	CCTV/AUDIOVISUAL EQUIPMENT	-	3,227	-	3,227	-	3,227	-	-	-	3,227
74	BASE COMM INFRASTRUCTURE	-	74,301	-	74,301	-	74,301	-	-	-	74,301

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
75	CAP COM & ELECT	-	386	-	386	-	386	-	-	-	386
76	ITEMS LESS THAN $5,000,000	-	7,204	-	7,204	-	7,204	-	-	-	7,204
	MODIFICATIONS										
77	COMM ELECT MODS	-	54,372	-	69,372	-	54,372	-	-	-	54,372
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP										
	TEST EQUIPMENT										
78	BASE/ALC CALIBRATION PACKAGE	-	10,106	-	10,106	-	10,106	-	-	-	10,106
79	PRIMARY STANDARDS LABORATORY PACKAGE	-	1,105	-	1,105	-	1,105	-	-	-	1,105
80	ITEMS LESS THAN $5,000,000	-	9,541	-	9,541	-	9,541	-	-	-	9,541
	PERSONAL SAFETY AND RESCUE EQUIP										
81	NIGHT VISION GOGGLES	-	2,833	-	2,833	-	3,833	-	-	-	2,833
82	ITEMS LESS THAN $5,000,000	-	6,744	-	6,744	-	6,744	-	3,000	-	9,744
	DEPOT PLANT + MATERIALS HANDLING EQ										
83	MECHANIZED MATERIAL HANDLING EQUIP	-	15,118	-	27,118	-	15,118	-	8,000	-	23,118
84	ITEMS LESS THAN $5,000,000	-	9,241	-	9,241	-	9,241	-	-	-	9,241
	ELECTRICAL EQUIPMENT										
85	GENERATORS-MOBILE ELECTRIC	-	-	-	-	-	-	-	-	-	-
86	FLOODLIGHTS	-	10,718	-	10,718	-	10,718	-	-	-	10,718
87	ITEMS LESS THAN $5,000,000	-	7,187	-	7,187	-	7,187	-	-	-	7,187
	BASE SUPPORT EQUIPMENT										
88	BASE PROCURED EQUIPMENT	-	15,171	-	15,171	-	15,171	-	-	-	15,171
89	MEDICAL/DENTAL EQUIPMENT	-	17,025	-	17,025	-	17,025	-	-	-	17,025
90	ENVIRONMENTAL PROJECTS	-	941	-	941	-	941	-	-	-	941
91	AIR BASE OPERABILITY	-	1,838	-	1,838	-	1,838	-	-	-	1,838
92	BLADDERS FUEL	-	-	-	-	-	-	-	-	-	-
93	AERIAL BULK FUEL DELIVERY SYSTEM	-	-	-	-	-	-	-	-	-	-
94	PHOTOGRAPHIC EQUIPMENT	-	6,037	-	6,037	-	6,037	-	-	-	6,037
95	PRODUCTIVITY INVESTMENTS	-	8,259	-	8,259	-	8,259	-	-	-	8,259
96	MOBILITY EQUIPMENT	-	50,021	-	50,021	-	50,021	-	-	-	50,021
97	DEPLOYMENT/EMPLOYMENT CONTAINERS	-	-	-	-	-	-	-	-	-	-
98	AIR CONDITIONERS	-	6,217	-	6,217	-	6,217	-	-	-	6,217

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
99	ITEMS LESS THAN $5,000,000	-	25,350	-	25,350	-	25,350	-	-	-	25,350
	SPECIAL SUPPORT PROJECTS										
100	INTELLIGENCE PRODUCTION ACTIVITY	-	38,629	-	38,629	-	38,629	-	-	-	38,629
101	TECH SURV COUNTERMEASURES EQ	-	2,975	-	2,975	-	2,975	-	-	-	2,975
102	DARP RC135	-	12,785	-	28,285	-	12,785	-	-	-	12,785
103	DARP, MRIGS	-	89,049	-	89,049	-	89,049	-	-	-	89,049
104	SELECTED ACTIVITIES	-	5,794,849	-	5,888,025	-	5,794,849	-	(6,446)	-	5,788,403
105	SPECIAL UPDATE PROGRAM	-	136,317	-	141,317	-	140,117	-	-	-	136,317
106	DEFENSE SPACE RECONNAISSANCE PROGRAM	-	8,985	-	8,985	-	8,985	-	-	-	8,985
107	INDUSTRIAL PREPAREDNESS	-	1,148	-	1,148	-	1,148	-	-	-	1,148
108	MODIFICATIONS	-	177	-	177	-	177	-	-	-	177
109	FIRST DESTINATION TRANSPORTATION	-	11,294	-	11,294	-	11,294	-	-	-	11,294
	SPARE AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
110	SPARES AND REPAIR PARTS	-	31,636	-	31,636	-	31,636	-	-	-	31,636
	ECONOMIC ADJUSTMENT						(6,400)			-	-
	TOTAL, OTHER PROCUREMENT, AIR FORCE		7,699,127		7,869,903		7,717,527		12,520		7,711,647

Intelligence communications equipment

The budget request included $5.5 million for intelligence communications equipment.

The House bill would authorize an increase of $5.0 million for Eagle Vision and an increase of $4.0 million for secure terminal equipment.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.0 million in intelligence communications equipment, including an increase of $5.0 million for Eagle Vision and $4.0 million for secure terminal equipment, a total authorization of $14.5 million.

Combat training ranges

The budget request included $26.0 million for the procurement of equipment for combat training ranges, of which $18.4 million is for advanced threat upgrades.

The House bill would authorize an increase of $1.0 million for the advanced message-oriented data security module (AMODSM).

The Senate amendment would authorize an increase of $20.0 million to procure additional advanced threat emitters for combat training ranges.

The conferees agree to authorize an increase of $20.0 million to procure additional advanced threat emitters for combat training ranges, a total authorization of $46.0 million.

Items less than $5.0 million

The budget request included $6.7 million for the procurement of items less than $5.0 million.

The House bill would authorize $7.0 million in other aircraft modifications for the procurement of lightweight environmentally-sealed parachute assemblies (LESPAs).

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million for the procurement of LESPAs, a total authorization of $9.7 million.

Overview

The budget request for fiscal year 2001 included an authorization of $2,275.3 million for Defense-wide Procurement in the Department of Defense.

The House bill would authorize $2,309.1 million.

The Senate amendment would authorize $2,210.5 million.

The conferees recommended an authorization of $2,278.4 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT, DEFENSE-WIDE										
	MAJOR EQUIPMENT										
	MAJOR EQUIPMENT, OSD/WHS										
1	MOTOR VEHICLES	-	321	-	321	-	321	-	-	-	321
2	MAJOR EQUIPMENT, OSD	-	64,872	-	64,872	-	64,872	-	-	-	64,872
3	MAJOR EQUIPMENT, WHS	-	23,191	-	29,191	-	23,191	-	-	-	23,191
	MAJOR EQUIPMENT, NSA										
5	DEFENSE AIRBORNE RECONNAISSANCE PROGRAM	-	11,535	-	11,535	-	11,535	-	-	-	11,535
	MAJOR EQUIPMENT, DISA										
6	MOBILE SATELLITE SYSTEM TECH	-	-	-	-	-	-	-	-	-	-
7	INFORMATION SYSTEMS SECURITY	-	26,655	-	26,655	-	26,655	-	-	-	26,655
8	CONTINUITY OF OPERATIONS	-	3,233	-	3,233	-	3,233	-	-	-	3,233
9	DEFENSE MESSAGE SYSTEM	-	19,399	-	19,399	-	19,399	-	-	-	19,399
10	GLOBAL COMMAND AND CONTROL SYS	-	3,671	-	3,671	-	3,671	-	-	-	3,671
11	GLOBAL COMBAT SUPPORT SYSTEM	-	5,136	-	5,136	-	5,136	-	-	-	5,136
12	STANDARD TACTICAL ENTRY POINT	-	2,469	-	2,469	-	2,469	-	-	-	2,469
13	ITEMS LESS THAN $5 MILLION	-	14,429	-	14,429	-	14,429	-	-	-	14,429
14	DRUG INTERDICTION SUPPORT	-	-	-	-	-	-	-	-	-	-
	MAJOR EQUIPMENT, DIA										
	MAJOR EQUIPMENT, DLA										
16	DEFENSE SUPPORT ACTIVITIES	-	82,863	-	82,863	-	82,863	-	-	-	82,863
	AUTOMATIC DOCUMENT CONVERSION SYSTEM			-	40,000				15,000	-	15,000
	MAJOR EQUIPMENT, DSS										
17	VEHICLES	-	-	-	-	-	-	-	-	-	-
18	OTHER CAPITAL EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	MAJOR EQUIPMENT, DCAA										
19	ITEMS LESS THAN $5 MILLION	-	4,714	-	4,714	-	4,714	-	-	-	4,714
	MAJOR EQUIPMENT, DSPO										
20	MAJOR EQUIPMENT, DSPO	-	-	-	-	-	-	-	-	-	-
	MAJOR EQUIPMENT, TJS										
21	MAJOR EQUIPMENT, TJS	-	28,171	-	28,171	-	28,171	-	-	-	28,171

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	BALLISTIC MISSILE DEFENSE ORGANIZATION										
22	PATRIOT PAC-3	40	365,457	48	430,657	40	365,457	-	-	40	365,457
23	NATIONAL MISSILE DEFENSE	-	74,530	-	74,530	-	74,530	-	-	-	74,530
24	C4I	-	3,975	-	3,975	-	3,975	-	-	-	3,975
25	NAVY AREA TBDM PROGRAM	-	-	-	-	-	-	-	-	-	-
	NATIONAL IMAGERY AND MAPPING AGENCY										
	DEFENSE THREAT REDUCTION AGENCY										
27	VEHICLES	-	145	-	145	-	145	-	-	-	145
28	OTHER MAJOR EQUIPMENT	-	44,034	-	44,034	-	44,034	-	-	-	44,034
	DEFENSE SECURITY COOPERATION AGENCY										
29	OTHER MAJOR EQUIPMENT	-	656	-	656	-	656	-	-	-	656
	MAJOR EQUIPMENT, AFIS										
30	MAJOR EQUIPMENT, AFIS	-	4,695	-	4,695	-	4,695	-	-	-	4,695
	MAJOR EQUIPMENT, DODDE										
31	MAJOR EQUIPMENT, DODDE	-	1,546	-	1,546	-	1,546	-	-	-	1,546
	SPECIAL OPERATIONS COMMAND										
	AVIATION PROGRAMS										
32	SOF ROTARY WING UPGRADES	-	68,480	-	68,480	-	87,380	-	10,000	-	78,480
33	SOF TRAINING SYSTEMS	-	2,364	-	2,364	-	2,364	-	-	-	2,364
34	MC-130H COMBAT TALON II	-	10,403	-	10,403	-	10,403	-	-	-	10,403
35	CV-22 SOF MODIFICATION	4	8,533	4	8,533	4	8,533	-	-	4	8,533
36	AC-130U GUNSHIP ACQUISITION	-	13,871	-	13,871	-	13,871	-	-	-	13,871
37	C-130 MODIFICATIONS	-	26,237	-	26,237	-	26,237	-	-	-	26,237
38	AIRCRAFT SUPPORT	-	2,186	-	2,186	-	2,186	-	-	-	2,186
	SHIPBUILDING										
39	ADVANCED SEAL DELIVERY SYS	-	33,477	-	33,477	-	36,777	-	3,300	-	36,777
39	LESS: ADVANCE PROCUREMENT (PY)	-	(7,977)	-	(7,977)	-	(7,977)	-	-	-	(7,977)
40	ADVANCE PROCUREMENT (CY)	-	22,472	-	22,472	-	22,472	-	-	-	22,472
41	MK VIII MOD 1 - SEAL DELIVERY VEH	-	-	-	-	-	7,000	-	-	-	-
42	SUBMARINE CONVERSION	-	1,559	-	1,559	-	1,559	-	-	-	1,559
	AMMUNITION PROGRAMS										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
43	SOF ORDNANCE REPLENISHMENT	-	36,632	-	36,632	-	36,632	-	-	-	36,632
44	SOF ORDNANCE ACQUISITION	-	25,978	-	25,978	-	25,978	-	-	-	25,978
	OTHER PROCUREMENT PROGRAMS										
45	COMM EQUIPMENT & ELECTRONICS	-	74,444	-	74,444	-	74,444	-	-	-	74,444
46	SOF INTELLIGENCE SYSTEMS	-	32,309	-	38,309	-	32,309	-	3,000	-	35,309
47	SOF SMALL ARMS & WEAPONS	-	11,829	-	11,829	-	33,529	-	12,400	-	24,229
48	MARITIME EQUIPMENT MODS	-	909	-	909	-	909	-	-	-	909
49	NAVAL SPC WARFARE RIGID INFLATABLE BOAT	-	-	-	-	-	7,000	-	-	-	-
50	SOF COMBATANT CRAFT SYSTEMS	-	14,511	-	14,511	-	14,511	-	4,000	-	18,511
51	SPARES AND REPAIR PARTS	-	11,780	-	11,780	-	11,780	-	-	-	11,780
52	SOF MARITIME EQUIPMENT	-	5,801	-	5,801	-	5,801	-	-	-	5,801
53	DRUG INTERDICTION	-	-	-	-	-	-	-	-	-	-
54	MISCELLANEOUS EQUIPMENT	-	14,376	-	14,376	-	14,376	-	-	-	14,376
55	SOF PLANNING AND REHEARSAL SYSTEM	-	2,021	-	2,021	-	2,021	-	-	-	2,021
56	CLASSIFIED PROGRAMS	-	105,547	-	105,547	-	105,547	-	-	-	105,547
57	PSYOP EQUIPMENT	-	7,575	-	7,575	-	7,575	-	-	-	7,575
	CHEMICAL/BIOLOGICAL DEFENSE										
	CBDP										
58	INDIVIDUAL PROTECTION	-	108,725	-	108,725	-	108,725	-	2,500	-	111,225
59	DECONTAMINATION	-	12,195	-	12,195	-	12,195	-	-	-	12,195
60	JOINT BIO DEFENSE PROGRAM	-	141,781	-	141,781	-	141,781	-	-	-	141,781
61	COLLECTIVE PROTECTION	-	36,179	-	36,179	-	36,179	-	-	-	36,179
62	CONTAMINATION AVOIDANCE	-	175,056	-	175,056	-	179,356	-	900	-	175,956
999	CLASSIFIED PROGRAMS	9	490,358	9	406,924	9	370,358	-	(48,000)	9	442,358
	TOTAL, PROCUREMENT, DEFENSE-WIDE		2,275,308		2,309,074		2,210,508		3,100		2,278,408

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	CHEM AGENTS & MUNITIONS DESTRUCTION, DEFENSE-WIDE										
	CHEM AGENTS & MUNITIONS DESTRUCT-RDT&E										
	RESEARCH AND DEVELOPMENT										
1	CHEM DEMILITARIZATION - RDTE	-	-	-	164,200	-	274,400		-	-	-
	CHEM AGENTS & MUNITIONS DESTRUCT-PROC										
	PROCUREMENT										
2	CHEM DEMILITARIZATION - PROC	-	-	-	105,700	-	121,900		-	-	-
	ECONOMIC ADJUSTMENT										
	CHEM AGENTS & MUNITIONS DESTRUCT-O&M										
	OPERATION AND MAINTENANCE										
3	CHEM DEMILITARIZATION - O&M	-	-	-	607,200	-	607,200		-	-	-
	TOTAL, CHEM AGENTS & MUNITIONS DEST, DEF-WIDE		-		877,100		1,003,500		-		-
	Defense Health Program		290,006	-	290,006	-	290,006	-	-	-	290,006
	Office of the Inspector General		3,300	-	3,300	-	3,300	-	-	-	3,300

MH–60 aerial refueling probes and 200 gallon fuel tanks

The budget request included $68.5 million for Procurement, Defense-wide, Special Operations Forces (SOF) rotary wing upgrades, but included no funding to continue the effort to upgrade the entire MH–60 fleet with aerial refueling probes and new, internal fuel tanks.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $18.9 million to procure and install the aerial refueling probes and 200 gallon fuel tanks required to complete the upgrade of the SOF MH–60 fleet.

The conferees agree to authorize an increase of $10.0 million in Procurement, Defense-wide, for SOF rotary wing upgrades for the purpose of procuring and installing aerial refueling probes and 200 gallon fuel tanks to continue the upgrade of the SOF MH–60 fleet.

Special operations forces small arms and support equipment

The budget request included $11.8 million for Procurement, Defense-wide, Special Operations Forces (SOF) small arms and support equipment, but included no funding to continue the procurement of SOF body armor load carriage systems (BALCS), the modular integrated communications helmet (MICH), or the SOF peculiar modifications to the M–4 carbine (SOPMOD).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $21.7 million to procure approximately half of the equipment required to fully equip all SOF operators.

The conferees agree to authorize an increase of $12.4 million in Procurement, Defense-wide, SOF small arms and support equipment, including $4.9 million for BALCS, $2.5 million for MICH, and $5.0 million for SOPMOD.

ITEMS OF SPECIAL INTEREST

Air Mobility Command

The conferees are aware that regional commanders in chief (CINCs) continue to highlight a requirement for improved strategic lift capabilities, which remains the most compelling deficiency that our CINCs face in meeting their responsibility to execute the National Military Strategy. The conferees are also concerned to note the recent statements that confirm our total airlift capability is insufficient to execute the National Military Strategy. The conferees note that the Joint Chiefs of Staff Mobility Requirements Study of Fiscal Year 2005 (MRS–05) will not take into account certain fact-of-life changes in airlift requirements, specifically the transformation by the Army. The conferees direct the Secretary of the Air Force to deliver an analysis to the congressional defense committees by March 15, 2001. This analysis should use MRS–05 results and fiscal year 2000 readiness statistics for the C–141, C–5, and C–17 fleets. The analysis should determine readiness levels that are required to execute the National Military Strategy, and should explore alternatives to existing aircraft stationing plans for both active and reserve component airlift forces that are available to support existing lift requirements.

Intelligence, surveillance and reconnaissance programs

It is clear to the conferees that the Department of Defense (DoD) will place increasing reliance upon intelligence, surveillance and reconnaissance (ISR) programs in future operations. Experience in supporting DoD operations, including recent experience in the Balkans, has shown that relatively small numbers of ISR forces will be in high demand to provide information superiority. DoD has identified this information superiority as a ''critical enabler'' in the ongoing transformation of the Department.

The Department has identified shortages of some of these ''high demand/low density'' assets in various reports. The conferees are also aware that the Department has conducted and has underway studies on various pieces of the ISR puzzle, many at request of Congress.

The various reports of ''lessons learned'' from Kosovo operations, the fiscal year 2001 budget request, and the unfunded priority lists for fiscal year 2001 identified some specific fixes to specific problems. What is less clear is whether the Department, in view of these ''lessons learned'', has attempted to provide an overarching vision for ISR forces, to include sustaining and modernizing the current force, and improving ISR capabilities in the future.

Therefore, the conferees direct the Secretary of Defense to provide an analysis concurrent with the submission of the fiscal year 2002 budget request, that:

(1) evaluates the current ISR capability and forces;

(2) identifies those ISR capabilities and forces that need to be sustained and modernized;

(3) enumerates those capabilities that need to be created or enhanced to ensure that ISR forces can contribute to achieving the information superiority for the transformed military forces; and

(4) itemizes how the budget and the Future Years Defense Program supports these needs.

LPD–17 amphibious ships

The budget request included $1.5 billion for procurement of two San Antonio-class LPD–17 amphibious ships: LPD–21 and LPD–22. In addition, the budget request included $20.7 million for advance procurement for two San Antonio-class LPD–17 amphibious ships.

The House bill and the Senate amendment would authorize the budget request.

The conferees fully support the LPD–17 program and recognize the requirement to deliver these ships to the Navy and Marine Corps as soon as possible to support a key element of split amphibious ready group operations and the Marine Corps operational maneuver from the sea (OMFTS) concept.

Concerns regarding LPD–17 first ship design completion prior to transition to production led to congressional reassessment of the LPD–17 procurement request. The reassessment centered on the question of whether delays in the start of production of the lead ship would translate into schedule delays for subsequent ships, LPD–21 and LPD–22. This reassessment, in light of overall national defense budget realities, led to a shift in appropriations procurement strategy for LPD–21 and LPD–22.

However, subsequent to passage of the Department of Defense Appropriations Act for Fiscal Year 2001, the following significant actions occurred which led authorization conferees to conduct a further review of the progress of the LPD–17 program:

(1) The Navy commenced full rate construction of the lead ship, LPD–17, based on an extensive Production Readiness Review;

(2) Unprecedented levels of design completion were achieved prior commencing full production of LPD–17; and

(3) The Secretary of the Navy stated that fiscal year 2001 full funding for the LPD–21 and LPD–22 will permit the Navy to execute construction on schedule due to the achievement of 75 percent total ship design completion and 95 percent individual ship unit design completion prior to initial construction.

Based on this new information regarding significant program actions, the conferees agree to authorize the budget request.

The conferees expect the Navy to submit budget requests that include full funding for future San Antonio-class LPD–17 ships and adequate advance procurement to ensure that production continues at an efficient level and without interruption.

The conferees note with concern the adverse impact that reducing ship procurement has on the requirement for annual investment of $10.0 to $12.0 billion for ship construction necessary to maintain a Naval force structure of 300 ships. Therefore, the conferees support appropriation of additional procurement funds for LPD–17 in fiscal year 2001 should additional appropriations for the Department of Defense become available.

Multipurpose individual munition

The conferees believe the capabilities represented by the multipurpose individual munition (MPIM) system are critical to future requirements associated with the national military strategy. The conferees are concerned with recent actions taken by the Secretary of the Army to begin termination of the MPIM program after a significant investment and an extensive research and development effort. The Army has noted that the system has not met specified weight requirements and has historically suffered from technical and performance difficulties. While the conferees believe that most of the technical issues can be resolved, weapon system weight appears to be the compelling reason for program termination. The conferees believe, however, in light of the fact there is no other system in the inventory to fulfill MPIM requirements, no clarity on the final weight alternatives, and no program exists to meet these requirements, the Army should not terminate the MPIM program until these facts are reviewed.

The conferees agree with Army requirements documents that suggest there are clear and compelling needs to field a system, such as MPIM, to support soldiers for either combat or peacekeeping missions. Therefore, the conferees expect the Secretary of the Army to conduct a final, thorough review of the status of this program, alternatives to the status quo, and provide a plan to the congressional defense committees, no later than January 30, 2001, on how these requirements will be met as soon as practicable.

Shipbuilding overview

The conferees note that on June 26, 2000, the Secretary of Defense delivered to Congress the long-range shipbuilding report required by section 1013 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

The conferees agree that the report provides a framework for discussion of new ship construction plans necessary to maintain the number of ships required to carry out the national security strategy through fiscal year 2030. The report of the Secretary concludes that a steady state building rate of 8.7 ships annually is required to maintain at least 306 ships. The Secretary's report states that, ''. . . the annual funding required to sustain the force . . . will require an average of $14 billion per year.'' The report of the Secretary also acknowledges the discrepancy between: (1) the requirement to buy 8.7 new construction ships annually to maintain at least 306 ships; and (2) according to the Secretary's report, ''. . . the President's Budget for FY 2001–2005 which funds an average of 7.8 ships.''

The conferees note two deficiencies in the report of the Secretary. Consistent with the 1999 attack submarine study developed by the Chairman of the Joint Chiefs of Staff, the report of the Secretary uses a larger nuclear attack submarine (SSN) force structure of 55 SSNs, versus the original Quadrennial Defense Review (QDR) goal of 50 SSNs.

However, the shipbuilding plan in the report does not achieve a force level of 18 Virginia-class SSNs that the CJCS report states is required in fiscal year 2015 to counter the technologically pacing threat. The shipbuilding plan in the report would only provide 16 Virginia-class submarines by fiscal year 2015.

The second flaw in the report of the Secretary is its supposition that a delay in required annual investments is possible due to the size of the fleet and the average age of the ships in the fleet.

The Secretary's report fails to assess the risks associated with having to ramp-up to a higher level of investment later in the planning period. The report discusses risks associated with deviation from the long-range shipbuilding plan, but focuses primarily on the shipbuilding industrial base. There is no discussion of the risks associated with pursuing the shipbuilding plan's uneven investment strategy, particularly a plan that defers near-term investment and requires that the Navy double the annual shipbuilding procurement rate by fiscal year 2013 just to support the currently envisioned force structure. Whereas the report acknowledges that there may be additional future requirements for ships (i.e. for ballistic missile defense and sea-based land attack), it does not include an evaluation of the risks of not including the additional ships in the shipbuilding plan.

The conferees are concerned with the gap between the requirement stated in the long-range shipbuilding plan and the ships included in recent budget requests submitted to Congress by the President. Unfortunately, the Secretary's long-range shipbuilding report does not provide a clear plan to maintain the force structure recommended in the report, required to carry out the national security strategy. The conferees expect the Secretary of Defense to address these concerns in the fiscal year 2002 budget request.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 101–106)

The House bill contained provisions (secs. 101–107) that would authorize the recommended fiscal year 2001 funding levels for procurement for the Army, Navy, and Marine Corps, Air Force, Defense-Wide Activities, Defense Inspector General, Chemical Demilitarization Program, and the Defense Health Program.

The Senate amendment contained similar provisions.

The conference agreement includes these provisions.

Subtitle B—Army Programs

Multiyear procurement authority (sec. 111)

The House bill contained a provision (sec. 111) that would authorize the Secretary of the Army to enter into a multiyear procurement contract for the M2A3 Bradley fighting vehicle, the UH–60 Blackhawk helicopter, and, acting as executive agent for the Department of the Navy, the CH–60 Knighthawk helicopter.

The Senate amendment contained a similar provision (sec. 111).

The Senate recedes.

The conferees agree that the Secretary of the Army shall certify that the M2A3 Bradley fighting vehicle has successfully completed the initial operational test and evaluation and milestone III review prior to awarding the multiyear contract.

Increase in limitation on number of bunker defeat munitions that may be acquired (sec. 112)

The House bill contained a provision (sec. 112) that would amend section 116 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) to increase the quantity of bunker defeat munitions by 2,500 that the Army is authorized to procure.

The Senate amendment contained no similar provision.

The Senate recedes.

Reports and limitations relating to Army transformation (sec. 113)

The Senate amendment contained a provision (sec. 112) that would require the Secretary of the Army to provide reports on the process associated with the development of an objective force and the fielding of an interim force for the Army transformation initiative. The provision also required the Secretary of the Army to conduct a comparative evaluation of interim armored vehicles (IAV) to be selected for the fielding of interim brigade combat teams (IBCT) with equipment already in the Army inventory.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Army to conduct an evaluation, as described in the conference agreement, at a level to be determined in conjunction with the Director of Operational Test and Evaluation prior to the obligation of funding for a third IBCT.

The conferees strongly support efforts designed by the Chief of Staff of the Army to transform the service into a lighter, more lethal, and survivable force able to deal effectively with the wide range of national security challenges that will face our nation in the 21st Century. The conferees look forward to receiving a well-defined road map that lays out the course of the Army transformation initiative through fiscal year 2012. The conferees continue to be concerned about the level of funding provided to the Army by the Department of Defense in support of the transformation initiative. The conferees do not understand how the Secretary of Defense can assert his support for the Army initiative while providing inadequate funding to facilitate the transformation process.

The conferees would expect the evaluation called for in the conference agreement to illustrate differences in capabilities that new IAVs may provide when compared to vehicles the Army currently has fielded. The conferees expect the Army to provide a plan to conduct a comparative evaluation, which will be subject to the approval of the Director of Operational Test and Evaluation prior to execution.

The conferees understand the IBCT force is designed to operate across the full spectrum of conflict. Current Army plans call for the first IBCT to be evaluated at the Joint Readiness Training Center in a range of environments largely focused on low intensity conflict and peacekeeping. The conferees believe it is important that the Army also plan and conduct an operational evaluation of these forces in a high intensity conflict environment. The Chief of Staff of the Army has highlighted a critical requirement for a new force that is able to quickly deploy with greater lethality and survivability than our light forces possessed during Operation Desert Shield when the 82nd Airborne Division was quickly deployed in response to Iraqi forces moving south toward Saudi Arabia. An operational evaluation of IBCTs in this type of an environment would facilitate an understanding of the overall capabilities that these forces possess to meet this type of challenge. The conferees, therefore, direct the Army to evaluate the capabilities of IBCTs in a high intensity combat environment and provide a report on the demonstrated combat capabilities these forces possess.

Subtitle C-Navy Programs

CVNX–1 nuclear aircraft carrier program (sec. 121)

The budget request included $21.9 million for advance procurement and advance construction of long lead time components for CVNX–1.

The Senate amendment contained a provision (sec. 121) that would authorize the budget request, authorize the Secretary of the Navy to procure the nuclear aircraft carrier designated CVNX–1, and to enter into a contract for the advance procurement and advance construction of that ship.

The House bill contained no similar provision.

The House recedes.

Arleigh Burke class destroyer program (sec. 122)

The House bill contained a provision (sec. 124) that would authorize an extension of the existing multiyear procurement contract for the DDG–51 destroyer program through fiscal year 2005. The provision would also authorize the procurement of three ships per year through fiscal year 2001 and the procurement of up to three ships per year from fiscal year 2002 through 2005.

The Senate amendment contained a provision (sec. 122) that would authorize an increase of $143.2 million in advance procurement for DDG–51. In addition, the provision would provide the following: (1) authorize the Secretary of the Navy to extend the 1997 multiyear contract to include the fiscal year 2004 and fiscal year 2005 DDG–51 procurements; (2) express the sense of Congress that the most economical rate for procurement is three ships per year; and (3) direct the Secretary to update the Arleigh Burke (DDG–51) Class Industrial Base Study of 1993 and further direct the Comptroller General to review the update performed by the Secretary.

The House recedes with an amendment that would authorize an increase of $100.0 million in advance procurement for DDG–51.

Virginia class submarine program (sec. 123)

The budget request included $1,711.2 million for the Virginia class submarine program including the procurement of material in economic order quantities when cost savings are achievable.

The House bill contained a provision (sec. 122) that would authorize the Navy to enter into a contract for the procurement of five Virginia class submarines during fiscal years 2003 through 2006.

The Senate amendment contained a similar provision (sec. 123) which would authorize the budget request and would require the Secretary of Defense to submit a fast attack submarine force structure report to the congressional defense committees.

The House recedes with an amendment that would authorize $1,706.2 million for Virginia class submarines, including the procurement of material in economic order quantities when cost savings are achievable.

Limitation during fiscal year 2001 on changes in submarine force structure (sec. 124)

The House bill contained a provision (sec. 121) that would prohibit the retirement of any Los Angeles-class nuclear powered attack submarine with less than 30 years of active commissioned service. This provision would also require the President to report to Congress on the submarine force structure required to support the national military strategy and the acquisition and overhaul requirements necessary to achieve and maintain such a force.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit to fiscal year 2001 the prohibition on retirement of Los Angeles-class submarines and would extend the prohibition on fiscal year 2001 retirements to Ohio-class submarines.

ADC(X) ship program (sec. 125)

The Senate amendment contained a provision (sec. 124) that would authorize the Secretary of the Navy to procure ADC(X)-class

ships using the contracting authority that is most cost effective.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Refueling and complex overhaul program of the U.S.S. Dwight D. Eisenhower (sec. 126)

The budget request included $703.4 million to commence the overhaul of CVN–69.

The House bill would authorize the budget request.

The Senate amendment contained a provision (sec. 125) that would authorize the budget request and authorize the Secretary of the Navy to enter into a contract and commence overhaul of the U.S.S. Dwight D. Eisenhower (CVN–69) nuclear aircraft carrier during fiscal year 2001.

The House recedes with an amendment that would authorize $698.4 million for CVN–69 overhaul.

Analysis of certain shipbuilding programs (sec. 127)

The House bill contained a provision (sec. 125) that would require an economic analysis of procurement mechanisms for funding large aviation-capable naval vessels.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would broaden the reporting requirement to include various vessel classes and additional considerations other than economic issues in evaluating funding mechanisms.

Helicopter support of FFG–7 frigates during fiscal year 2001 (sec. 128)

The House bill contained a provision (sec. 123) that would require the Secretary of the Navy to configure and equip the Naval Reserve FFG–7 Flight I and II frigates remaining in active service with the complete organic weapon system for those vessels as specified in the operational requirements document of the Navy and to retain operational assets integral to the FFG–7 weapons system in their current locations.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to operate one squadron of SH–2G aircraft in the Navy in fiscal year 2001. The conferees direct that the Navy fully man and equip the SH–2G aircraft in a manner consistent with normal fleet operations.

V–22 cockpit aircraft voice and flight data recorders (sec. 129)

The House bill contained a provision (sec. 1037) that would require the Secretary of Defense to require all V–22 aircraft to be equipped with state-of-the-art cockpit voice and flight data recorders.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees recommend that appropriate measures be taken to ensure that the design, integration, and use of these recorders take into account the security of potentially sensitive tactical information.

Subtitle D—Air Force Programs

Annual Report on the B–2 bomber (sec. 131)

The House bill contained a provision (sec. 131) that would require the Secretary of Defense to provide an annual report on the operational status and technology insertion plans for the B–2 bomber and would repeal the requirement for an annual report on B–2 production contained in section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189).

The Senate amendment contained a provision (sec. 131) that would repeal the requirement for an annual report on B–2 production contained in section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991.

The Senate recedes with an amendment that would require the Secretary of Defense to provide an annual report on: (1) the capability of the B–2 bomber to carry out assigned missions; (2) ongoing and planned technology efforts to improve B–2 capabilities; (3) new technologies to meet any expanded threats; and (4) a fiscally-phased program for each of these technology efforts in three funding scenarios. The funding scenarios include the President's budget, the President's budget plus funding for the Department of Defense unfunded priority list, and maximum executable funding consistent with the need to maintain the B–2 in an operationally ready status. The provision would also repeal the requirement for an annual report on B–2 production contained in section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991.

Report on modernization of Air National Guard F–16A units (sec. 132)

The Senate amendment contained a provision (sec. 1070) that would express the sense of the Senate that certain Air National Guard units were flying F–16A aircraft without the upgrades that would allow them to be effectively deployed to contingency theaters of operation, and that the Air Force should provide a plan to Congress on how these units could be modernized.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Air Force to submit a report to Congress on how Air National Guard units flying F–16A aircraft will be modernized and upgraded.

Subtitle E—Joint Programs

Study of final assembly and checkout alternatives for the joint strike fighter program (sec. 141)

The House bill contained a provision (sec. 141) that would require the Secretary of Defense to provide a report on various production alternatives for the joint strike fighter.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would defer submission of the report until after the ongoing competition for the engineering and manufacturing development phase of the joint strike fighter program is completed.

Subtitle F—Chemical Demilitarization

Pueblo Chemical Depot chemical agent ammunitions destruction technologies (sec. 151)

The Senate amendment contained a provision (sec. 141) that would provide for the destruction of the stockpile of lethal chemical agents at the Pueblo Chemical Depot, Colorado, either by incineration or by any technology demonstrated by the Assembled Chemical Weapons Assessment on, or before, May 1, 2000.

The House bill contained no similar provision.

The House recedes.

Report on assessment of need for Federal economic assistance for communities impacted by chemical demilitarization activities (sec. 152)

The conferees agree to include a provision that would direct the Secretary of Defense to submit, by April 1, 2001, a report to the Armed Services Committees of the Senate and the House of Representatives on the assessment of the need for community economic assistance as a result of chemical weapons stockpile demilitarization activities.

Prohibition against disposal of non-stockpile chemical warfare material at Anniston chemical stockpile disposal facility (sec. 153)

The conferees note that Section 141 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) authorized the destruction of non-stockpile chemical agents, munitions, or related materials specifically designated by the Secretary of Defense at chemical stockpile disposal facilities if the states in which those facilities reside have issued the appropriate permits.

The conferees agree to a provision that would prohibit use of the chemical stockpile disposal facility at Anniston, Alabama, for disposal of non-stockpile chemical warfare material that is not currently stored on the Anniston Army Depot.

LEGISLATIVE PROVISIONS NOT ADOPTED

AGM–65 modifications

The budget request included $2.0 million to convert 200 AGM–65G missiles to the AGM–65K configuration.

The House bill would authorize an increase of $5.0 million for the conversion to both the AGM–65H and K configurations, of which some missiles would be procured for Air National Guard pilot training.

The Senate amendment contained a provision (sec. 132) that would authorize an increase of $2.1 million for AGM–65 modifications.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $4.0 million for AGM–65 modifications, a total authorization of $6.0 million for the active and reserve components.

Anti-personnel obstacle breaching system

The Senate amendment contained a provision (sec. 127) that would provide $4.0 million for the procurement of the anti-personnel obstacle breaching system.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $4.0 million in the Procurement Marine Corps Ammunition account for the purchase of the anti-personnel obstacle breaching system.

C–135 modifications

The budget request included $328.2 million for C–135 modifications.

The House bill contained a provision (sec. 132) that would authorize an increase of $52.0 million for reengining two KC–135 aircraft for the Air Force Reserve Command. The House bill would also authorize an increase of $6.0 million for the situational awareness data link (SADL).

The Senate amendment contained no similar provision, and would authorize the budget request.

The House recedes on the provision.

The conferees agree to authorize an increase of $52.0 million for reengining two KC–135 aircraft for the Air Force Reserve Command, a total authorization of $380.2 million for C–135 modifications.

Integrated bridge system for Naval systems special warfare rigid inflatable boats and high-speed assault craft

The Senate amendment contained a provision (sec. 142) that would authorize an increase of $7.0 million in Procurement, Defense-wide for the purpose of procuring and installing an integrated bridge system (IBS) for Special Operations Forces (SOF), Naval special warfare rigid inflatable boats and high-speed assault craft.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $4.0 million in Procurement, Defense-wide, SOF combatant craft systems for

the procurement and installation of IBS on SOF combatant watercraft.

Rapid intravenous infusion pumps

The budget request included no funding for rapid intravenous infusion pumps.

The House bill included an increase of $8.0 million to procure rapid intravenous infusion pumps.

The Senate amendment contained a provision (sec. 113) that would authorize an increase of $6.0 million to procure rapid intravenous infusion pumps.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $5.0 million for rapid intravenous infusion pumps.

Remanufactured AV–8B aircraft

The budget request included $282.1 million for the procurement of 10 remanufactured AV–8B aircraft.

The House bill would authorize the budget request.

The Senate amendment contained a provision (sec. 126) that would authorize an increase of $92.0 million for the procurement of four AV–8B aircraft.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $35.6 million for AV–8B aircraft, as follows:

(1) an increase of $52.0 million for the procurement of two additional remanufactured AV–8B aircraft;

(2) a decrease of $12.0 million for non-recurring cost; and

(3) a decrease of $4.4 million for cost growth in production engineering support.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, Development, Test, and Evaluation Overview

The budget request for fiscal year 2001 contained an authorization of $37,862.4 million for Research and Development in the Department of Defense.

The House bill would authorize $39,309.2 million.

The Senate amendment would authorize $39,330.8 million.

The conferees recommended an authorization of $38,936.7 million. The conference agreement reflects reductions reflected in the fiscal year 2001 Department of Defense Appropriations Act (Public Law 106–259). Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE II					
RESEARCH, DEVELOPMENT, TEST & EVALUATION					
Research, Development, Test & Evaluation, Army	5,260,346	5,500,246	5,501,446	308,136	5,568,482
Research, Development, Test & Evaluation, Navy	8,476,677	8,834,477	8,665,865	238,658	8,715,335
Research, Development, Test & Evaluation, Air Force	13,685,576	13,677,108	13,897,336	93,568	13,779,144
Research, Development, Test & Evaluation, Defense-wide	10,238,242	11,077,763	11,043,142	443,410	10,681,652
Operational Test & Evaluation, Defense	201,560	219,560	223,060	(9,500)	192,060
Total Research, Development, Test & Evaluation	37,862,401	39,309,154	39,330,849	1,074,272	38,936,673

Overview

The budget request for fiscal year 2001 contained an authorization of $5,260.3 million for Army, Research and Development in the Department of Defense.

The House bill would authorize $5,500.2 million.

The Senate amendment would authorize $5,501.4 million.

The conferees recommended an authorization of $5,568.5 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY					
0601101A	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	14,459	14,459	14,459	-	14,459
0601102A	2	DEFENSE RESEARCH SCIENCES	132,164	132,164	135,164	-	135,164
		Counter-Terrorism Research			[+3,000]	3,000	
0601104A	3	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	54,365	54,365	54,365	-	54,365
0602104A	4	TRACTOR ROSE		-	-	-	-
0602105A	5	MATERIALS TECHNOLOGY	11,557	11,557	17,557	-	17,557
		Composite Materials			[+6,000]	6,000	
0602120A	6	SENSORS AND ELECTRONIC SURVIVABILITY	20,722	24,722	20,722	-	23,222
		Passive Millimeter Wave Camera		[+4,000]		2,500	
0602122A	7	TRACTOR HIP	7,226	7,226	7,226	-	7,226
0602211A	8	AVIATION TECHNOLOGY	31,080	33,080	31,080	-	31,080
		Future Rotorcraft Technology		[+2,000]			
0602270A	9	EW TECHNOLOGY	17,310	17,310	17,310	-	17,310
0602303A	10	MISSILE TECHNOLOGY	47,183	52,183	52,183	-	56,183
		Hypersonic Wind Tunnel		[+1,000]			
		IMU-GPS		[+4,000]		4,000	
		Advanced missile composite components/Acceleration of Dev & Testing			[+5,000]	5,000	
0602307A	11	ADVANCED WEAPONS TECHNOLOGY	993	10,993	993	-	493
		Solid State Laser Development (Authorized in PE 0605605A)		[+10,000]			
		Transfer to High Energy Laser in RDT&E, DW				(500)	
0602308A	12	MODELING AND SIMULATION TECHNOLOGY	30,479	30,479	30,479	-	30,479
0602601A	13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	63,589	63,589	67,089	-	67,089
		Smart Truck Initiative			[+3,500]	3,500	
0602618A	14	BALLISTICS TECHNOLOGY	49,750	49,750	49,750	-	49,750
0602622A	15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,530	3,530	3,530	-	3,530
0602623A	16	JOINT SERVICE SMALL ARMS PROGRAM	5,415	5,415	5,415	-	5,415
0602624A	17	WEAPONS AND MUNITIONS TECHNOLOGY	33,761	33,761	33,761	-	33,761
0602705A	18	ELECTRONICS AND ELECTRONIC DEVICES	23,869	23,869	25,369	-	25,369
		Bi-polar Wafer Cell Nickel-Metal Hydride Technology		[1,000]		-	
		Portable Hybrid Electric Power Research			[+1,500]	1,500	
0602709A	19	NIGHT VISION TECHNOLOGY	20,465	25,465	20,465	-	23,965
		Combustion-Driven Eye Safe Self Powered Laser		[+5,000]		3,500	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0602712A	20	COUNTERMINE SYSTEMS	12,386	12,386	14,886	-	14,886
		Acoustic Mine Dectection			[+2,500]	2,500	
0602716A	21	HUMAN FACTORS ENGINEERING TECHNOLOGY	15,786	19,486	15,786	-	18,286
		Medical Errors Reduction Research		[+3,700]		2,500	
0602720A	22	ENVIRONMENTAL QUALITY TECHNOLOGY	13,994	13,994	13,994	-	13,994
0602782A	23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	23,314	23,314	23,314	-	23,314
0602783A	24	COMPUTER AND SOFTWARE TECHNOLOGY	3,987	3,987	3,987	-	3,987
0602784A	25	MILITARY ENGINEERING TECHNOLOGY	42,344	42,344	47,344	-	47,344
		Thermoelectric Power Generation for Military Applications			[+1,000]	1,000	
		Operational Support			[+4,000]	4,000	
0602785A	26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	11,869	11,869	11,869	-	11,869
0602786A	27	WARFIGHTER TECHNOLOGY	24,659	24,659	24,659	-	26,159
		Thermal Fluid based Combat Feeding System (Transfer from PE 0603747A)				1,500	
0602787A	28	MEDICAL TECHNOLOGY	75,729	85,729	75,729	-	78,229
		Real Time Heart Rate Variability		[+5,000]		2,500	
		Volumetrically Controlled Manufacturing Technology (Authorized in PE 0603002A)		[+5,000]		-	
0602789A	29	ARMY ARTIFICIAL INTELLIGENCE TECHNOLOGY	1,338	1,338	1,338	-	1,338
0602805A	30	DUAL USE SCIENCE AND TECHNOLOGY	10,154	10,154	10,154	-	10,154
0603001A	31	WARFIGHTER ADVANCED TECHNOLOGY	15,469	15,469	15,469	-	15,469
0603002A	32	MEDICAL ADVANCED TECHNOLOGY	16,512	16,512	16,512	-	26,012
		Life Support for Trauma and Transportation (LSTAT) (Transfer from PE 0604807A)				4,000	
		Anti-malarial research/Tafenoquine Antimalarial Agent (Transfer from PE 0603807A)				2,000	
		Volumetrically Controlled Manufacturing/Artificial Hip (Transfer from PE 0602787A)				3,500	
0603003A	33	AVIATION ADVANCED TECHNOLOGY	28,810	28,810	28,810	-	28,810
0603004A	34	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	29,738	37,238	29,738	-	29,738
		Trajectory Correctable Munitions (Authorized in PE 0603639A)		[+7,500]			
0603005A	35	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	148,114	197,114	206,414	-	139,114
		National Automotive Center - University Innovative Research		[+3,000]		3,000	
		Equipment Readiness			[+8,000]	8,000	
		Fuel Cell Auxilary Power Units			[+4,000]	3,000	
		Enabling Technologies for Future Combat Systems		[+46,000]	[+46,300]	46,000	
		Future Scout & Calvary System				(69,000)	
0603006A	36	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	21,505	21,505	28,505	-	24,505

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Big Crow			[+7,000]	3,000	
0603007A	37	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	3,072	6,072	3,072	-	5,072
		Aircrew Coordination Training		[+3,000]		2,000	
0603009A	38	TRACTOR HIKE	12,217	12,217	12,217	-	12,217
0603013A	39	TRACTOR DIRT		-	-	-	-
0603017A	40	TRACTOR RED	984	984	984	-	984
0603020A	41	TRACTOR ROSE	10,892	10,892	10,892	-	10,892
0603105A	42	MILITARY HIV RESEARCH	5,889	5,889	5,889	-	5,889
0603122A	43	TRACTOR HIP	980	980	980	-	980
0603238A	44	GLOBAL SURVEILLANCE/AIR DEF/PRECISION STRIKE TECH DEMO	21,307	21,307	21,307	-	21,307
0603270A	45	EW TECHNOLOGY	15,359	15,359	15,359	-	15,359
0603280A	46	JOINT TACTICAL RADIO SYSTEM		-	-	-	-
0603313A	47	MISSILE AND ROCKET ADVANCED TECHNOLOGY	25,107	25,107	25,107	-	25,107
0603322A	48	TRACTOR CAGE	3,083	3,083	3,083	-	3,083
0603606A	49	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	20,894	20,894	20,894	-	20,894
0603607A	50	JOINT SERVICE SMALL ARMS PROGRAM	4,469	4,469	4,469	-	4,469
0603654A	51	LINE-OF-SIGHT TECHNOLOGY DEMONSTRATION	50,727	50,727	50,727	-	50,727
0603710A	52	NIGHT VISION ADVANCED TECHNOLOGY	33,341	37,141	33,341	-	37,141
		Helmet Mounted Infrared Sensor		[+3,800]		3,800	
0603728A	53	ENVIRONMENTAL QUALITY TECHNOLOGY DEVELOPMENT	1,616	1,616	1,616	-	1,616
0603734A	54	MILITARY ENGINEERING ADVANCED TECHNOLOGY	5,207	5,207	5,207	-	5,207
0603772A	55	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECH	15,613	15,613	15,613	-	15,613
0603308A	56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (DEM/VAL)	12,573	17,573	75,773	-	70,273
		Simulation Centers Upgrades			[+4,500]	-	
		Family of Systems Simulators			[+3,000]	3,000	
		Army Space Control			[+5,000]	3,000	
		Missile Defense Flight Experiment/Northern Edge Range			[+14,700]	17,700	
		THEL		[+5,000]	[+15,000]	15,000	
		Acoustic Technology			[+4,000]	4,000	
		Radar Power Technology			[+4,000]	4,000	
		Scramjet Acoustic Combustion Enhancement			[+2,000]	1,500	
		Aero-Acoustic Instrumentation			[+4,000]	3,000	
		Supercluster Distributed Memory			[+2,000]	1,500	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		SMDC Battlelab			[+5,000]	5,000	
0603619A	57	LANDMINE WARFARE AND BARRIER - ADV DEV	22,803	22,803	22,803	-	22,803
0603639A	58	TANK AND MEDIUM CALIBER AMMUNITION	30,139	30,139	30,139	-	33,139
		Trajectory Correctable Muntion				3,000	
0603653A	59	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	118,139	118,139	158,139	-	268,139
		Transformation Initiative			[+40,000]	150,000	
0603713A	60	ARMY DATA DISTRIBUTION SYSTEM	17	17	17	-	17
0603747A	61	SOLDIER SUPPORT AND SURVIVABILITY	13,574	15,074	13,574	-	13,574
		Thermal Fluid Based Combat Feeding System (Authorized in PE 0602786A)		[+1,500]			
0603774A	62	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,968	10,968	10,968	-	10,968
0603779A	63	ENVIRONMENTAL QUALITY TECHNOLOGY DEM/VAL	4,897	4,897	4,897	-	4,897
0603790A	64	NATO RESEARCH AND DEVELOPMENT	1,920	1,920	1,920	-	1,920
0603801A	65	AVIATION - ADV DEV	5,848	5,848	5,848	-	5,848
0603802A	66	WEAPONS AND MUNITIONS - ADV DEV	28,679	28,679	28,679	-	28,679
0603804A	67	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	6,317	6,317	6,317	-	6,317
0603805A	68	COMBAT SERVICE SUPPORT CONTROL SYS EVAL & ANALYSIS	13,753	13,753	13,753	-	13,753
0603807A	69	MEDICAL SYSTEMS - ADV DEV	15,259	15,259	17,259	-	15,259
		Anti-malarial Research (Authorized in PE 0603002A)			[+2,000]	-	
0603851A	70	TRACTOR CAGE (DEM/VAL)	979	979	979	-	979
0603854A	71	ARTILLERY SYSTEMS - DEM/VAL	355,309	355,309	355,309	-	355,309
0603856A	72	SCAMP BLOCK II DEM/VAL	20,277	20,277	20,277	-	20,277
0603889A	73	COUNTERDRUG RDT&E PROJECTS		-	-	-	-
0604201A	74	AIRCRAFT AVIONICS	42,280	42,280	42,280	-	42,280
0604220A	75	ARMED, DEPLOYABLE OH-58D	532	532	532	-	532
0604223A	76	COMANCHE	614,041	614,041	614,041	-	614,041
0604270A	77	EW DEVELOPMENT	61,056	61,056	91,556	-	70,056
		SIRFC/ATIRCM			[+38,500]	9,000	
0604280A	78	JOINT TACTICAL RADIO	62,218	62,218	62,218	-	62,218
0604321A	79	ALL SOURCE ANALYSIS SYSTEM	44,084	44,084	44,084	-	44,084
0604328A	80	TRACTOR CAGE	2,916	2,916	2,916	-	2,916
0604329A	81	MODERNIZED HELLFIRE	4,969	4,969	4,969	-	4,969
0604601A	82	INFANTRY SUPPORT WEAPONS	2	2	2	-	2
0604604A	83	MEDIUM TACTICAL VEHICLES	1,959	1,959	1,959	-	1,959

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604609A	84	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ENG DEV	3,461	3,461	3,461	-	3,461
0604611A	85	JAVELIN	490	490	490	-	490
0604619A	86	LANDMINE WARFARE	15,902	15,902	15,902	-	15,902
0604622A	87	FAMILY OF HEAVY TACTICAL VEHICLES		-	-	-	-
0604633A	88	AIR TRAFFIC CONTROL	2,026	2,026	2,026	-	2,026
0604641A	89	TACTICAL UNMANNED GROUND VEHICLE (TUGV)		-	-	-	-
0604642A	90	LIGHT TACTICAL WHEELED VEHICLES	9,893	9,893	9,893	-	9,893
0604645A	91	ARMORED SYSTEMS MODERNIZATION (ASM)-ENG. DEV.	2,200	2,200	2,200	-	2,200
0604649A	92	ENGINEER MOBILITY EQUIPMENT DEVELOPMENT		59,600	-	-	15,000
		Breacher		[+59,600]		15,000	
0604710A	93	NIGHT VISION SYSTEMS - ENG DEV	32,574	32,574	32,574	-	32,574
0604713A	94	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	86,321	86,321	86,321	-	86,321
0604715A	95	NON-SYSTEM TRAINING DEVICES - ENG DEV	73,295	73,295	73,295	-	73,295
0604716A	96	TERRAIN INFORMATION - ENG DEV	6,082	6,082	6,082	-	6,082
0604726A	97	INTEGRATED METEOROLOGICAL SUPPORT SYSTEM	1,771	1,771	1,771	-	1,771
0604739A	98	INTEGRATED BROADCAST SERVICE	6,060	6,060	6,060	-	6,060
0604741A	99	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE - ENG DEV	16,462	16,462	16,462	-	16,462
0604746A	100	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	12,956	12,956	12,956	-	12,956
0604760A	101	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - ENG DEV	20,689	20,689	20,689	-	20,689
0604766A	102	TACTICAL EXPLOITATION OF NATIONAL CAPABILITIES - EMD (TIARA)	57,419	60,419	57,419	-	58,419
		Semi-Automated Imagery Processor		[+3,000]		2,000	
		Lower Priority Projects				(1,000)	
0604768A	103	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	96,102	96,102	96,102		98,102
		P-31 Seeker for BAT				2,000	
0604770A	104	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM	17,898	13,998	17,898	-	21,898
		Common Ground Station		[-7,900]			
		Surveillance Control Data Link (SCDL)		[+4,000]		4,000	
0604778A	105	POSITIONING SYSTEMS DEVELOPMENT (SPACE)	2,420	2,420	2,420	-	2,420
0604780A	106	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	18,498	18,498	18,498	-	18,498
0604801A	107	AVIATION - ENG DEV	7,104	7,104	7,104	-	7,104
0604802A	108	WEAPONS AND MUNITIONS - ENG DEV	22,505	26,005	22,505	-	22,505
		Multi Purpose Individual Munition		[+3,500]			
0604804A	109	LOGISTICS AND ENGINEER EQUIPMENT - ENG DEV	20,457	20,457	20,457	-	20,457

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604805A	110	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - ENG DEV	49,316	62,316	49,316	-	61,816
		Communications and Networking Technologies		[+13,000]		12,500	
0604807A	111	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEF EQUIP - ENG DEV	6,318	10,318	6,318	-	6,318
		Life Support for Trauma and Transport (Authorized in PE 0603002A)		[+4,000]			
0604808A	112	LANDMINE WARFARE/BARRIER - ENG DEV	69,584	69,584	69,584	-	69,584
0604814A	113	SENSE AND DESTROY ARMAMENT MISSILE - ENG DEV	52,848	52,848	52,848	-	31,805
		SADARM P31				(21,043)	
0604817A	114	COMBAT IDENTIFICATION	5,362	10,362	5,362	-	5,362
		Combat Identification Dismounted Solider		[+5,000]			
0604818A	115	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	33,420	33,420	33,420	-	33,420
0604819A	116	LOSAT	26,800	26,800	26,800	-	26,800
0604820A	117	RADAR DEVELOPMENT	8,429	8,429	8,429	-	8,429
0604823A	118	FIREFINDER	37,363	37,363	37,363	-	37,363
0604824A	119	DUAP COMMERCIAL OPERATIONS AND SUPPORT SAVINGS		-	-	-	-
0604854A	120	ARTILLERY SYSTEMS - EMD	20,105	20,105	20,105	-	20,105
0605013A	121	INFORMATION TECHNOLOGY DEVELOPMENT	94,170	94,170	94,170	-	94,170
0604256A	122	THREAT SIMULATOR DEVELOPMENT	13,901	13,901	18,501	-	15,801
		Threat Virtual Mine Simulator			[+2,500]	2,500	
		Threat Information Operations Attack Simulator			[+2,100]	2,100	
		XM18S				(2,700)	
0604258A	123	TARGET SYSTEMS DEVELOPMENT	13,346	13,346	13,346	-	10,346
		Aerial Targets				(3,000)	
0604759A	124	MAJOR T&E INVESTMENT	44,019	44,019	44,019	-	44,019
0605103A	125	RAND ARROYO CENTER	19,872	19,872	19,872	-	19,872
0605301A	126	ARMY KWAJALEIN ATOLL	153,326	153,326	153,326	-	153,326
0605326A	127	CONCEPTS EXPERIMENTATION PROGRAM	15,410	15,410	20,410	-	18,910
		Mounted Maneuver Battle Lab (MMBL)			[+5,000]	3,500	
0605502A	128	SMALL BUSINESS INNOVATIVE RESEARCH		-	-	-	-
0605601A	129	ARMY TEST RANGES AND FACILITIES	119,657	119,657	119,657	-	114,657
		Stinger Blk II				(5,000)	
0605602A	130	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	33,156	33,156	33,156	-	33,156
0605604A	131	SURVIVABILITY/LETHALITY ANALYSIS	27,248	27,248	27,248	-	27,248
0605605A	132	DOD HIGH ENERGY LASER TEST FACILITY	14,521	19,521	14,521	-	27,521

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		High-Energy Laser Test Facility		[+5,000]		3,000	
		Solid State High Energy Laser (transfer from PE 0602307A)				10,000	
0605606A	133	AIRCRAFT CERTIFICATION	3,200	3,200	3,200	-	3,200
0605702A	134	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,927	6,927	6,927	-	6,927
0605706A	135	MATERIEL SYSTEMS ANALYSIS	8,737	8,737	8,737	-	8,737
0605709A	136	EXPLOITATION OF FOREIGN ITEMS	3,582	3,582	3,582	-	3,582
0605712A	137	SUPPORT OF OPERATIONAL TESTING	71,079	71,079	71,079	-	68,779
		Joint Testing Operational Testing				(2,300)	
0605716A	138	ARMY EVALUATION CENTER	26,337	26,337	26,337	-	26,337
0605801A	139	PROGRAMWIDE ACTIVITIES	73,811	73,811	73,811	-	73,811
0605803A	140	TECHNICAL INFORMATION ACTIVITIES	26,749	26,749	26,749	-	26,749
0605805A	141	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	11,276	11,276	11,276	-	11,276
0605853A	142	ENVIRONMENTAL CONSERVATION		-	-	-	-
0605854A	143	POLLUTION PREVENTION		-	-	-	-
0605856A	144	ENVIRONMENTAL COMPLIANCE		-	-	-	-
0605857A	145	ARMY ACQUISITION POLLUTION PREVENTION PROGRAM	5,418	5,418	5,418	-	5,418
0605876A	146	MINOR CONSTRUCTION (RPM) - RDT&E		-	-	-	-
0605878A	147	MAINTENANCE AND REPAIR (RPM) - RDT&E		-	-	-	-
0605879A	148	REAL PROPERTY SERVICES (RPS) - RDT&E		-	-	-	-
0605896A	149	BASE OPERATIONS - RDT&E		-	-	-	-
0605898A	150	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	5,371	5,371	5,371	-	5,371
0909999A	151	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS		-	-	-	-
0603778A	152	MLRS PRODUCT IMPROVEMENT PROGRAM	59,523	59,523	75,523	-	69,523
		Cost Reduction Effort MLRS/HIMARS			[+16,000]	10,000	
0102419A	153	AEROSTAT JOINT PROJECT OFFICE	24,996	24,996	26,996	-	26,996
		Design and Manufacturing Program for JLENS			[+2,000]	2,000	
0203610A	154	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION		3,000	-	-	3,000
		Emergency Preparedness Training/National Terrorism Preparedness Institute		[+3,000]		3,000	
0203726A	155	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	36,816	36,816	36,816	-	36,816
0203735A	156	COMBAT VEHICLE IMPROVEMENT PROGRAMS	99,423	99,423	99,423	-	85,523
		Engine Upgrades				(20,000)	
		Transfer of System Technical Support Funding from WTCV A				6,100	
0203740A	157	MANEUVER CONTROL SYSTEM	48,910	48,910	48,910	-	48,910

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0203744A	158	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	95,829	116,229	95,829	-	107,829
		Apache Longbow Focused Modernization Program		[+18,400]		10,000	
		Guardrail Common Sensor/Tactical Integrated Broadcast System		[+2,000]		2,000	
0203752A	159	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	2,929	2,929	2,929	-	2,929
0203758A	160	DIGITIZATION	29,671	29,671	29,671	-	29,671
0203759A	161	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	63,601	63,601	63,601	-	63,601
0203761A	162	FORCE TWENTY-ONE (XXI), WARFIGHTING RAPID ACQUISITION PROG	6,021	6,021	6,021	-	-
		Termination				(6,021)	
0203801A	163	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	12,365	12,365	12,365	-	12,365
0203802A	164	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	64,418	64,418	64,418	-	56,418
		Tube Launched Optically Tracked Wire Guided Missile				(8,000)	
0203808A	165	TRACTOR CARD	3,837	3,837	3,837	-	3,837
0208010A	166	JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	38,926	38,926	38,926	-	38,926
0208053A	167	JOINT TACTICAL GROUND SYSTEM	6,267	6,267	6,267	-	6,267
0301359A	168	SPECIAL ARMY PROGRAM	5,215	5,215	5,215	-	5,215
0303028A	169	SECURITY AND INTELLIGENCE ACTIVITIES		-	-	-	-
0303140A	170	INFORMATION SYSTEMS SECURITY PROGRAM	8,140	11,940	13,140	-	10,140
		Land Information Warfare Activities		[+3,800]		2,000	
		Center for Communications and Networking			[+5,000]	-	
0303141A	171	GLOBAL COMBAT SUPPORT SYSTEM	71,955	71,955	71,955	-	71,955
0303142A	172	SATCOM GROUND ENVIRONMENT (SPACE)	43,229	43,229	43,229	-	43,229
0303150A	173	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,234	14,234	14,234	-	14,234
0305114A	174	TRAFFIC CONTROL, APPROACH AND LANDING SYSTEM	783	783	783	-	783
0305204A	175	TACTICAL UNMANNED AERIAL VEHICLES	29,427	33,427	29,427	-	33,427
		Army Tactical Unmanned Aerial Vehicles PIP		[+4,000]		4,000	
0305206A	176	AIRBORNE RECONNAISSANCE SYSTEMS	4,898	4,898	4,898	-	4,898
0305208A	177	DISTRIBUTED COMMON GROUND SYSTEMS	7,894	7,894	7,894	-	7,894
0708045A	178	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	57,906	67,906	57,906	-	67,906
		ManTech		[+10,000]		10,000	
1001018A	179	NATO JOINT STARS		-	-		-
		ECONOMIC ADJUSTMENT		-	(19,000)		-
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	5,260,346	5,500,246	5,501,446	308,136	5,568,482

Tactical High Energy Laser

The budget request included no funding to complete development and testing of the Tactical High Energy Laser (THEL) program.

The House bill would authorize $5.0 million in PE 63308A for mobile THEL development.

The Senate amendment would authorize $15.0 million in PE 63308A to support continued THEL testing and deployment preparation activities.

The conferees agree to authorize $15.0 million in PE 63308A to support continued THEL development and testing.

The conferees note that the current THEL configuration lacks the mobility to be a truly effective operational system. Therefore, the conferees agree that, of the funds authorized to be appropriated for THEL, up to $5.0 million may be made available to evaluate and develop technologies that would support eventual development of a mobile THEL system.

Emergency preparedness training

The budget request included no funding in PE 23610A for domestic preparedness against weapons of mass destruction.

The House bill would authorize an increase of $3.0 million in PE 23610A to continue the development for Selected Reserve component forces of training programs for response to, and management of, the consequences of potential terrorism involving weapons of mass destruction.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million in PE 23610A.

High energy laser research and development

The budget request included no funding in defense-wide science and technology accounts for high energy laser (HEL) research and development, no funding in PE 62307A for solid state laser research, $10.5 million in PE 62605F for solid state laser research, no funding in the Navy science and technology accounts for solid state laser research, no funding in PE 62111N for free electron laser (FEL) research, and $14.5 million in PE 65803A for the High Energy Laser System Test Facility (HELSTF).

The House bill included approval of the Department of Defense Laser Master Plan of March 24, 2000, and emphasized greater attention to, and priority for, HEL research and development (R&D) investments. Consequently, the House bill would authorize $10.0 million in PE 61108D and $25.0 million in PE 62890D8Z for HEL research and development, an increase of $10.0 million in PE 62307A for solid state laser research, the budget request in PE 62605F, an increase of $5.0 million in PE 62111N for FEL development, and an increase of $5.0 million in PE 65803A for research and development activities at HELSTF.

The Senate bill would authorize the budget request in PE 62307A, the budget request in PE 65803A for HELSTF, an increase of $5.0 million in PE 62111N for FEL development, the budget request in PE 62605F, and no funding in defense-wide science and technology accounts for HEL research and development. As described elsewhere in this report, the Senate bill also included approval of the Department of Defense Laser Master plan.

The conferees agree to authorize $30.0 million in PE 62890D8Z for HEL research and development, the budget request in PE 62307A, the budget request in PE 62605F, an increase of $5.0 million in PE 62111N for FEL development, an increase of $13.0 million in PE 65803A at HELSTF, of which $10.0 million is for solid state laser research and $3.0 million is for research and development activity at HELSTF. The conferees, as described elsewhere in this report, endorse the implementation of the management plan developed by the Secretary of Defense and submitted to Congress on March 24, 2000. The conferees continue to support service management of laser programs, but recognize the central role of the Office of the Secretary of Defense in developing and implementing an overall strategy to manage laser research effectively.

Funding actions related to the Tactical High Energy Laser, the Airborne Laser, and Space Based Laser are described elsewhere in this report.

Advanced tank armament system

The budget request included $118.1 million for advanced tank armament system research and development requirements.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $40.0 million to support Army transformation initiative test and evaluation requirements.

The conferees agree to authorize an increase of $150.0 million for Army transformation research and development requirements.

Defense manufacturing technology program

The budget request contained a total of $149.1 million for the Department of Defense manufacturing technology (ManTech) program, including $29.3 million in PE 78045A for the Army ManTech program, $59.6 million in PE 78011N for the Navy program, $53.1 million in PE 78011F for the Air Force program, and $7.1 million in PE 78011S for the Defense Logistics Agency's ManTech program.

The House bill would authorize an increase of $10.0 in PE 78045A for the Army manufacturing technology program, an increase of 10.0 million for the Navy ManTech program, and an increase of $4.5 million in PE 78011F in the Air Force program.

The Senate would authorize the budget request.

The conferees agree to authorize an increase of $10.0 million in PE 78045A for the Army ManTech program, an increase of $10.0 million in PE 78011N for the Navy ManTech program, and an increase of $3.8 million in PE 78011F for the Air Force ManTech program, as recommended in the House report accompanying H.R. 4205 (H. Rept. 106–616).

Section 217 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) established as the overall purpose of the Department of Defense ManTech program the development and application of advanced manufacturing technologies and processes to reduce acquisition and support costs, and manufacturing and repair cycle times for defense weapons systems. Section 217 emphasized the program's focus on the development and application of advanced manufacturing technology and processes that are essential to national defense, including repair and re-manufacturing operations, in support of systems commands, depots, air logistics centers, and shipyards. Section 217 also required the participation of the prospective users of the technology in the establishment of requirements for, and the periodic review of advanced manufacturing technologies or processes. Finally, Section 217 also included the requirement for an assessment of program effectiveness, cost sharing, and technology and process implementation plans in the annual update of the program's five-year plan. In the statement of managers accompanying the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (H. Rept. 105–736), the conferees expressed the expectation that additional funds provided for the manufacturing technology program would be awarded using competitive procedures established by the military departments for their respective manufacturing technology programs.

The conferees direct the Comptroller General to conduct an assessment of the implementation of the manufacturing technology program within the Department of Defense with regard to the achievement of the goals established for the program and execution of the program in accordance with the provisions of the public law and the intent of Congress, as stated in the statement of manager's language with regard to competitive award procedures. The conferees direct the Comptroller General to submit the results of that assessment to the congressional defense committees by March 31, 2001.

Overview

The budget request for fiscal year 2001 contained an authorization of $8,476.7 million for Navy, Research and Development in the Department of Defense.

The House bill would authorize $8,834.5 million.

The Senate amendment would authorize $8,665.9 million.

The conferees recommended an authorization of $8,715.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY					
0601152N	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	16,343	16,343	16,343	-	16,343
0601153N	2	DEFENSE RESEARCH SCIENCES	381,139	381,889	381,139	-	381,139
		Marine Mammal Research		[+750]			
0602111N	3	AIR AND SURFACE LAUNCHED WEAPONS TECHNOLOGY	37,966	48,466	42,966	-	42,466
		Transfer to High Energy Laser				(500)	
		Free Electron Laser		[+5,000]	[+5,000]	5,000	
		Integrated Semiconductor Bridge Based Fuze		[+1,500]		-	
		Propulsion Development (Authorized in PE 0603217N)		[+4,000]		-	
0602121N	4	SHIP, SUBMARINE & LOGISTICS TECHNOLOGY	44,563	44,563	48,813	-	47,813
		Biodegradable Polymers			[+1,250]	1,250	
		Bioenvironmental Hazards Research			[+3,000]	2,000	
0602122N	5	AIRCRAFT TECHNOLOGY	21,057	23,057	21,057	-	21,057
		New Composite Materials for Aircraft Canopies		[+2,000]			
0602131M	6	MARINE CORPS LANDING FORCE TECHNOLOGY	9,793	9,793	11,793	-	11,793
		Nontraditional Warfare Initiatives/Center for Emerging Threats and Opportunties			[+2,000]	2,000	
0602228N	7	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)			-	-	-
0602232N	8	COMMUNICATIONS, COMMAND AND CONTROL, INTELL, SURVEIL.	79,905	90,405	82,905	-	82,905
		Hyperspectral Research		[+5,000]	[+3,000]	3,000	
		Hybrid Fiberoptic/Wireless Communications Technology (Authorized in PE 0602234N)		[+2,500]		-	
		Optically Multiplexed Wideband Radar Beam-Forming Array (Authorized in PE 0603582N)		[+3,000]		-	
0602233N	9	HUMAN SYSTEMS TECHNOLOGY	30,939	30,939	33,939	-	32,939
		Cognitive Research			[+3,000]	2,000	
0602234N	10	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	68,076	78,076	73,076	-	78,076
		Intermediate Modulus Carbon Fiber		[+2,000]		2,000	
		Silicon Carbide and Gallium Nitride Semiconductor Substrates and Materials		[+5,000]		4,000	
		Single Flux Quantum Electronics		[+3,000]		-	
		Vacuum Electronics		[10,000]		(2,500)	
		Nanoscale Sensor Research			[+3,000]	2,500	
		Ceramic and Carbon Based Composites			[+2,000]	2,000	
		Hybrid Fiberoptic wireless communications				2,000	
0602270N	11	ELECTRONIC WARFARE TECHNOLOGY	26,043	29,043	26,043	-	26,043
		High Performance Sigma-Delta Waveform Generator		[+3,000]			

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0602314N	12	UNDERSEA WARFARE SURVEILLANCE TECHNOLOGY	52,488	52,488	52,488	-	52,488
0602315N	13	MINE COUNTERMEASURES, MINING AND SPECIAL WARFARE	50,864	50,864	50,864	-	50,864
0602435N	14	OCEANOGRAPHIC AND ATMOSPHERIC TECHNOLOGY	60,320	68,320	63,320	-	70,320
		Adv Sensors for Mine Countermeasures & Oceanography/Chem, optical & phy sensor sys		[+6,000]		6,000	
		Distributed Marine Environment Forecast System		[+2,000]		2,000	
		Littoral Area Acoustic Demo			[+3,000]	2,000	
0602633N	15	UNDERSEA WARFARE WEAPONRY TECHNOLOGY	35,028	35,028	37,028	-	39,028
		Torpedoes/Unmanned Underwater Vehicles				2,000	
		Computational Engineering Design			[+2,000]	2,000	
0602805N	16	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	10,067	10,067	10,067	-	10,067
0603217N	17	AIR SYSTEMS AND WEAPONS ADVANCED TECHNOLOGY	39,667	49,167	39,667	-	45,167
		DP-2 Thrust Vectoring Sys Proof of Concept Demonstration		[+9,500]		4,500	
		IHPTET				1,000	
0603238N	18	PRECISION STRIKE AND AIR DEFENSE TECHNOLOGY	68,555	68,555	68,555	-	68,555
0603270N	19	ADVANCED ELECTRONIC WARFARE TECHNOLOGY	17,583	17,583	17,583	-	17,583
0603508N	20	SURFACE SHIP & SUBMARINE HM&E ADVANCED TECHNOLOGY	37,432	49,232	57,232	-	57,932
		Power Node Control Centers (Authorized in PE 0604300N)		[+3,000]		-	
		Project M		[+3,000]		3,000	
		Ship Service Fuel Cell Program		[+2,800]		2,000	
		Supply Chain Best Practices (Authorized in PE 0605804N)			[+2,000]	-	
		Virtual Testbed for Reconfigurable Ship/Advanced Electrical Ship Systems		[+3,000]	[+2,000]	2,500	
		Modular Composite Hull			[+4,000]	3,000	
		Composite Helo Hangar Door			[+5,000]	4,000	
		Advanced Waterjet-21			[+4,000]	4,000	
		Laser Welding and Cutting			[+2,800]	2,000	
0603640M	21	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	54,749	55,749	54,749	-	55,749
		Remote Precision Gun		[+1,000]		1,000	
0603706N	22	MEDICAL DEVELOPMENT	10,110	13,110	10,110	-	13,110
		Fleet Health Technology		[+3,000]		3,000	
		Malaria DNA Vaccine		[1,500]		-	
		Occupational Lung Disease (Authorized in PE 0603738D)		[500]		-	
0603707N	23	MANPOWER, PERSONNEL AND TRAINING ADV TECH DEV	26,988	26,988	26,988	-	26,988
0603712N	24	ENVIRONMENTAL QUALITY AND LOGISTICS ADV TECHNOLOGY	24,002	24,002	24,002	-	28,752

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Hybrid Light Detection Range Lidar				3,000	
		Aviation Depot Maint Tec Demo(transfer from PE 0603721N)				1,750	
0603727N	25	NAVY TECHNICAL INFORMATION PRESENTATION SYSTEM	49,506	49,506	55,506	-	51,506
		Joint Experimentation			[+6,000]	2,000	
0603747N	26	UNDERSEA WARFARE ADVANCED TECHNOLOGY	58,296	58,296	58,296	-	58,296
0603782N	27	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	45,618	45,618	48,618	-	48,618
		Ocean Modeling for Mine and Expeditionary Warfare			[+3,000]	3,000	
0603792N	28	ADVANCED TECHNOLOGY TRANSITION	76,333	101,333	91,333	-	83,833
		Littoral Support Fast Patrol Craft (Authorized in PE 0604567N)		[+22,000]			
		Hybrid Light Detection and Ranging LIDAR (Authorized in PE 0603712N)		[+3,000]			
		Vectored Thrust Ducted Propeller		[11,300]		[11,300]	
		USMC ATT Initiative			[+15,000]	7,500	
0603794N	29	C3 ADVANCED TECHNOLOGY	29,673	29,673	29,673	-	29,673
0603207N	30	AIR/OCEAN TACTICAL APPLICATIONS	30,337	30,337	30,337	-	30,337
0603216N	31	AVIATION SURVIVABILITY	7,536	12,036	7,536	-	7,536
		Aircraft Survivability Study		[+500]			
		Flight Worthy Transparent Armor System		[+2,000]			
		Lightweight Environmentally Sealed Parachute Assembly (LESPA)		[+2,000]			
0603254N	32	ASW SYSTEMS DEVELOPMENT	19,680	24,680	19,680	-	23,680
		Beartrap		[+5,000]		4,000	
0603261N	33	TACTICAL AIRBORNE RECONNAISSANCE	1,956	1,956	1,956	-	1,956
0603382N	34	ADVANCED COMBAT SYSTEMS TECHNOLOGY	6,943	6,943	6,943	-	6,943
0603502N	35	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	97,929	103,429	102,929	-	101,429
		Synthetic Aperture Sonar Development		[+5,500]		-	
		Minesweeper Integrated Combat Weapons System			[+5,000]	3,500	
0603504N	36	ADVANCED SUBMARINE COMBAT SYSTEMS DEVELOPMENT			-	-	-
0603506N	37	SURFACE SHIP TORPEDO DEFENSE		8,400	-	-	8,400
		Surface Ship Torpedo Defense		[+8,400]		8,400	
0603512N	38	CARRIER SYSTEMS DEVELOPMENT	148,952	148,952	148,952	-	148,952
		CVNX Aircraft Carrier Design Product Model (Authorized in PE 0604567N)		[5,000]			
0603513N	39	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	244,437	238,437	244,437	-	244,437
		Program Decrease		[-6,000]			
0603525N	40	PILOT FISH	107,598	107,598	107,598	-	107,598

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603526N	41	ADVANCED SOFTWARE AND COMPUTING TECHNOLOGY			-	-	-
0603527N	42	RETRACT LARCH	11,895	11,895	11,895	-	11,895
0603536N	43	RETRACT JUNIPER			-	-	-
0603542N	44	RADIOLOGICAL CONTROL	572	572	572	-	572
0603553N	45	SURFACE ASW	6,752	6,752	6,752	-	6,752
0603559N	46	SSGN CONVERSION	34,762	34,762	43,762	-	37,762
		SSBN to SSGN Conversion Design Options			[+9,000]	3,000	
0603561N	47	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	113,269	123,469	117,769	-	123,269
		Common Towed Array		[+10,200]		6,000	
		Electric Motor Brush Technology			[+2,000]	2,000	
		Advanced Composite Sail Technology			[+2,500]	2,000	
0603562N	48	SUBMARINE TACTICAL WARFARE SYSTEMS	4,356	4,356	4,356	-	4,356
0603563N	49	SHIP CONCEPT ADVANCED DESIGN	162	162	162	-	162
0603564N	50	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	46,896	43,896	50,496	-	56,896
		Program Decrease		[-3,000]			
		Shipboard Simulation for Marine Corps Operations			[+20,000]	20,000	
		JCC(X) Analysis of Alternatives			[-16,400]	(10,000)	
0603570N	51	ADVANCED NUCLEAR POWER SYSTEMS	168,483	168,483	168,483	-	168,483
0603573N	52	ADVANCED SURFACE MACHINERY SYSTEMS	5,635	5,635	5,635	-	5,635
0603576N	53	CHALK EAGLE	64,770	64,770	64,770	-	64,770
0603582N	54	COMBAT SYSTEM INTEGRATION	32,966	32,966	42,966	-	44,966
		Common Command and Decision Functions			[+10,000]	10,000	
		Optically multiplexed wideband radar beamformer				2,000	
0603609N	55	CONVENTIONAL MUNITIONS	28,619	33,619	28,619	-	28,619
		Optical Correlation Technology for Automatic Target Recognition		[+5,000]			
0603611M	56	MARINE CORPS ASSAULT VEHICLES	137,981	165,481	160,481	-	150,481
		Advanced Amphibious Assault Vehicle		[+27,500]	[+27,500]	12,500	
0603612M	57	MARINE CORPS MINE/COUNTERMEASURES SYSTEMS - ADV DEV			-	-	-
0603635M	58	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	23,216	43,716	40,516	-	23,216
		High Mobility Artillery Rocket System (Authorized in PE 0206623M)		[+17,300]	[+17,300]	-	
		Lightweight 155		[+3,200]			
0603654N	59	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	13,131	13,131	13,131	-	13,131
0603658N	60	COOPERATIVE ENGAGEMENT	119,257	119,257	119,257	-	119,257

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603713N	61	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	15,371	15,371	15,371	-	15,371
0603721N	62	ENVIRONMENTAL PROTECTION	62,194	63,944	62,194	-	62,194
		Aviation Depot Maintenance Technology (Authorized in PE 0603712N)		[+1,750]			
0603724N	63	NAVY ENERGY PROGRAM	4,942	4,942	4,942	-	4,942
0603725N	64	FACILITIES IMPROVEMENT	1,824	1,824	1,824	-	1,824
0603734N	65	CHALK CORAL	52,886	52,886	52,886	-	52,886
0603739N	66	NAVY LOGISTIC PRODUCTIVITY			-	-	-
0603746N	67	RETRACT MAPLE	125,222	125,222	125,222	-	125,222
0603748N	68	LINK PLUMERIA	42,372	42,372	42,372	-	42,372
0603751N	69	RETRACT ELM	13,541	13,541	13,541	-	13,541
0603755N	70	SHIP SELF DEFENSE - DEM/VAL	6,610	6,610	6,610	-	6,610
0603764N	71	LINK EVERGREEN	9,712	9,712	9,712	-	9,712
0603787N	72	SPECIAL PROCESSES	62,510	62,510	62,510	-	62,510
0603790N	73	NATO RESEARCH AND DEVELOPMENT	8,992	8,992	8,992	-	8,992
0603795N	74	LAND ATTACK TECHNOLOGY	143,044	143,044	153,044	-	139,244
		Extended Range Guided Munition		[39,100]	[+10,000]	7,000	
		Advanced Land Attack Missile (ALAM)				(10,800)	
0603800N	75	JOINT STRIKE FIGHTER (JSF) - DEM/VAL	131,566	131,566	343,666	-	243,050
		Extend DEM/VAL			[+212,100]	111,484	
0603851M	76	NONLETHAL WEAPONS - DEM/VAL	23,580	23,580	31,580	-	27,580
		Nonlethal Research and Technology Development			[+8,000]	4,000	
0603857N	77	ALL SERVICE COMBAT IDENTIFICATION EVALUATION TEAM (ASCIET)	13,110	13,110	13,110	-	13,110
0603889N	78	COUNTERDRUG RDT&E PROJECTS			-	-	-
0604327N	79	HARD & DEEPLY BURIED TARGET DEFEAT SYS (HDBTDS) PROG			-	-	-
0604707N	80	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENG SUP	34,100	34,100	38,100	-	38,100
		Collaborative Integrated Information Technology (NAVCIITI)			[+4,000]	4,000	
0603208N	81	TRAINING SYSTEM AIRCRAFT			-	-	-
0604212N	82	OTHER HELO DEVELOPMENT	24,393	24,393	34,393	-	24,393
		Parametric Airborne Dipping Sonar			[+10,000]	-	-
0604214N	83	AV-8B AIRCRAFT - ENG DEV	38,061	38,061	38,061	-	24,961
		Laser Spot Tracker				(13,100)	
0604215N	84	STANDARDS DEVELOPMENT	95,814	95,814	95,814	-	95,814
0604216N	85	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	69,946	69,946	77,946	-	74,946

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Advanced Threat Infrared Countermeasures			[+8,000]	5,000	
0604217N	86	S-3 WEAPON SYSTEM IMPROVEMENT	455	12,455	455	-	455
		Surveillance System Upgrade		[+12,000]			
0604218N	87	AIR/OCEAN EQUIPMENT ENGINEERING	6,051	6,051	6,051	-	6,051
0604221N	88	P-3 MODERNIZATION PROGRAM	2,906	7,806	2,906	-	2,906
		Advanced Concept Systems Development		[+3,000]			
		New Electrical System		[+1,900]			
0604231N	89	TACTICAL COMMAND SYSTEM	57,817	57,817	57,817	-	57,817
0604245N	90	H-1 UPGRADES	139,680	139,680	139,680	-	139,680
0604261N	91	ACOUSTIC SEARCH SENSORS	20,766	20,766	20,766	-	20,766
0604262N	92	V-22A	148,168	148,168	148,168	-	148,168
0604264N	93	AIR CREW SYSTEMS DEVELOPMENT	17,466	25,466	17,466	-	18,527
		Integrated Aviat Life Sup Sys/Mod flight helmet/Adv visionics helmet sys/(HAILSS)		[+8,000]		4,000	
		K-36 Ejection Seat Program				(6,439)	
		Joint helmet mounted cueing system				3,500	
0604270N	94	EW DEVELOPMENT	97,281	103,281	97,281		100,281
		Location of Global Positioning Jammers		[+6,000]		3,000	
0604300N	95	SC-21 TOTAL SHIP SYSTEM ENGINEERING	305,274	305,274	318,274	-	292,274
		Power Node Control Center			[+3,000]	3,000	
		Advanced Food Service Technology (Authorized in PE 0604307N)			[+2,000]	-	
		SPY-3 and Volume Search Radar			[+8,000]	4,000	
		Development cost growth				(20,000)	
0604307N	96	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	179,684	179,684	179,684	-	181,684
		Advanced Food Service Technology				2,000	
0604311N	97	LPD-17 CLASS SYSTEMS INTEGRATION	273	273	273	-	273
0604312N	98	TRI-SERVICE STANDOFF ATTACK MISSILE	2,024	2,024	2,024	-	2,024
0604366N	99	STANDARD MISSILE IMPROVEMENTS	1,194	1,194	1,194	-	1,194
0604373N	100	AIRBORNE MCM	47,312	64,312	47,312	-	48,312
		AN/AQS-20/X Mine Hunting Sonar		[+17,000]		1,000	
0604503N	101	SSN-688 AND TRIDENT MODERNIZATION	34,801	49,801	54,801	-	54,801
		Multi-Purpose Processor		[+15,000]	[+15,000]	15,000	
		Antenna Technology Improvements			[+5,000]	5,000	
0604504N	102	AIR CONTROL	13,538	13,538	13,538	-	13,538

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604507N	103	ENHANCED MODULAR SIGNAL PROCESSOR	875	875	875	-	875
0604512N	104	SHIPBOARD AVIATION SYSTEMS	9,833	9,833	9,833	-	9,833
0604518N	105	COMBAT INFORMATION CENTER CONVERSION	3,720	3,720	3,720	-	3,720
0604524N	106	SUBMARINE COMBAT SYSTEM	3,642	3,642	3,642	-	3,642
0604528N	107	SWATH (SM WATERPLANE AREA TWIN HULL) OCEANOGRAPHIC SHIP			-	-	-
0604558N	108	NEW DESIGN SSN	207,091	209,091	212,091	-	209,091
		Submarine Sonar Dome Window		[+2,000]		-	
		Submarine Common Architecture			[+5,000]	2,000	
0604561N	109	SSN-21 DEVELOPMENTS	6,617	6,617	6,617	-	6,617
0604562N	110	SUBMARINE TACTICAL WARFARE SYSTEM	20,492	20,492	24,492	-	24,492
		Advanced Tactical Software Integration			[+4,000]	4,000	
0604567N	111	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	62,204	62,204	72,204	-	78,204
		CVN-77, CVNX, and Nimitz Class Smart Product Model			[+10,000]	8,000	
		Littoral support fast patrol craft				8,000	
0604574N	112	NAVY TACTICAL COMPUTER RESOURCES	3,291	3,291	3,291	-	3,291
0604601N	113	MINE DEVELOPMENT	1,968	1,968	1,968	-	1,968
0604603N	114	UNGUIDED CONVENTIONAL AIR-LAUNCHED WEAPONS	2,581	2,581	2,581	-	2,581
0604610N	115	LIGHTWEIGHT TORPEDO DEVELOPMENT	9,347	9,347	9,347	-	9,347
0604612M	116	MARINE CORPS MINE COUNTERMEASURES SYSTEMS - ENG DEV			-	-	-
0604618N	117	JOINT DIRECT ATTACK MUNITION	26,151	26,151	26,151	-	26,151
0604654N	118	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	7,102	7,102	7,102	-	7,102
0604703N	119	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	1,271	1,271	1,271	-	1,271
0604710N	120	NAVY ENERGY PROGRAM	5,531	5,531	5,531	-	5,531
0604721N	121	BATTLE GROUP PASSIVE HORIZON EXTENSION SYSTEM	2,232	2,232	2,232	-	2,232
0604727N	122	JOINT STANDOFF WEAPON SYSTEMS	20,823	20,823	20,823	-	20,823
0604755N	123	SHIP SELF DEFENSE - EMD	85,049	85,049	87,149	-	87,149
		NULKA Dual Band Spatially Distributed Infrared Signature			[+2,100]	2,100	
0604771N	124	MEDICAL DEVELOPMENT	5,273	7,273	5,273	-	6,773
		Mobile Integrated Diagnostic and Data Analysis System		[+2,000]		1,500	
0604777N	125	NAVIGATION/ID SYSTEM	18,487	18,487	18,487	-	18,487
0604784N	126	DISTRIBUTED SURVEILLANCE SYSTEM	20,710	30,710	20,710	-	30,710
		Advanced Deployable System		[+10,000]		10,000	
0604800N	127	JOINT STRIKE FIGHTER (JSF) - EMD	295,962	295,962	-	-	101,275

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Extend DEM/VAL			[-295,962]	(194,687)	
0604805N	128	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			-	-	-
0604910N	129	SMART CARD DEV/MOD	1,240	1,240	1,240	-	1,240
0605013M	130	INFORMATION TECHNOLOGY DEVELOPMENT	6,833	6,833	6,833	-	6,833
0605013N	131	INFORMATION TECHNOLOGY DEVELOPMENT	15,259	15,259	23,259	-	23,259
		Single Integrated Human Resources Strategy/Human Resources Enterprise Strategy			[+8,000]	8,000	
0508713N	132	NAVY STANDARD INTEGRATED PERSONNEL SYSTEM (NSIPS)	5,917	5,917	5,917	-	5,917
0604256N	133	THREAT SIMULATOR DEVELOPMENT	24,293	24,293	24,293	-	24,293
0604258N	134	TARGET SYSTEMS DEVELOPMENT	41,138	41,138	41,138	-	41,138
0604759N	135	MAJOR T&E INVESTMENT	40,707	40,707	40,707	-	40,707
0605152N	136	STUDIES AND ANALYSIS SUPPORT - NAVY	8,056	8,056	8,056	-	6,056
		Freeze to fiscal year 2000 level				(2,000)	
0605154N	137	CENTER FOR NAVAL ANALYSES	43,889	43,889	43,889	-	43,889
0605155N	138	FLEET TACTICAL DEVELOPMENT	2,886	2,886	2,886	-	2,886
0605502N	139	SMALL BUSINESS INNOVATIVE RESEARCH			-	-	-
0605804N	140	TECHNICAL INFORMATION SERVICES	949	4,949	949	-	4,949
		Supply Chain Management and Development Best Practices		[+4,000]		4,000	
0605853N	141	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	17,644	17,644	17,644	-	17,644
0605856N	142	STRATEGIC TECHNICAL SUPPORT	2,403	2,403	2,403	-	2,403
0605861N	143	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	53,380	53,380	53,380	-	53,380
0605862N	144	RDT&E INSTRUMENTATION MODERNIZATION	12,045	12,045	12,045	-	12,045
0605863N	145	RDT&E SHIP AND AIRCRAFT SUPPORT	76,128	76,128	76,128	-	76,128
0605864N	146	TEST AND EVALUATION SUPPORT	270,327	270,327	270,327	-	270,327
0605865N	147	OPERATIONAL TEST AND EVALUATION CAPABILITY	8,957	8,957	8,957	-	8,957
0605866N	148	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	3,262	3,262	3,262	-	3,262
0605867N	149	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	12,694	12,694	12,694	-	11,694
		Lower priority TENCAP projects				(1,000)	
0605873M	150	MARINE CORPS PROGRAM WIDE SUPPORT	8,091	8,091	11,091	-	9,091
		Marine Corps Research University			[+3,000]	1,000	
0305885N	151	TACTICAL CRYPTOLOGIC ACTIVITIES	4,666	4,666	4,666	-	4,666
0909999N	152	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS			-	-	-
0603660N	153	ADVANCED DEVELOPMENT PROJECTS	207,000	207,000	207,000	-	207,000
0603661N	154	RETRACT VIOLET	30,161	30,161	30,161	-	30,161

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604227N	155	HARPOON MODIFICATIONS			-	-	-
0604805N	156	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	12,485	12,485	12,485	-	12,485
0101221N	157	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	42,687	42,687	44,687	-	44,687
		Reentry System Application Program			[+2,000]	2,000	
0101224N	158	SSBN SECURITY TECHNOLOGY PROGRAM	31,173	31,173	31,173	-	31,173
0101226N	159	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	879	879	879	-	879
0204136N	160	F/A-18 SQUADRONS	248,093	274,093	248,093	-	243,093
		Joint Helmet Mounted Cueing System (Authorized in PE 0604264N)		[+8,000]		-	
		SHARP (Authorized in PE 0305207N)		[+18,000]			
		ATFLIR Reserve				(4,000)	
		JHMCS Contract Savings				(1,000)	
0204152N	161	E-2 SQUADRONS	18,698	20,698	18,698	-	24,698
		E2-C2 Rotordome and Control Surface Improvements		[+2,000]		2,000	
		E2-C2 eight blade composite propeller				4,000	
0204163N	162	FLEET TELECOMMUNICATIONS (TACTICAL)	12,012	12,012	12,012	-	12,012
0204229N	163	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	91,436	91,436	91,436	-	91,436
0204311N	164	INTEGRATED SURVEILLANCE SYSTEM	16,928	16,928	16,928	-	16,928
0204413N	165	AMPHIBIOUS TACTICAL SUPPORT UNITS	7,911	7,911	7,911	-	7,911
0204571N	166	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	27,059	40,059	32,059	-	36,059
		Battle Force Tactical Trainer		[+5,000]		5,000	
		Joint Tactical Combat Training System		[+8,000]	[+5,000]	4,000	
0204575N	167	ELECTRONIC WARFARE (EW) READINESS SUPPORT	9,924	9,924	9,924	-	9,924
0205601N	168	HARM IMPROVEMENT	21,355	26,355	21,355	-	26,355
		Advanced Anti-Radiation Guided Missile		[+5,000]		5,000	
0205604N	169	TACTICAL DATA LINKS	26,245	26,245	26,245	-	26,245
0205620N	170	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,585	29,585	29,585	-	29,585
0205632N	171	MK-48 ADCAP	15,853	15,853	15,853	-	15,853
0205633N	172	AVIATION IMPROVEMENTS	51,018	57,018	51,018	-	51,018
		C-2 Eight-Blade Composite Propeller System (Authorized in PE 0204152N)		[+6,000]			
0205667N	173	F-14 UPGRADE	1,228	1,228	10,228	-	10,228
		SAR Reconnaissance System Demonstrator			[+9,000]	9,000	
0205675N	174	OPERATIONAL NUCLEAR POWER SYSTEMS	53,435	53,435	53,435	-	53,435
0206313M	175	MARINE CORPS COMMUNICATIONS SYSTEMS	96,153	104,653	96,153	-	101,153

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Mobile Electronic Warfare Support System		[+8,500]		5,000	
0206623M	176	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	22,124	22,124	22,124	-	39,424
		High Mobility Artillery Rocket System (HIMARS)				17,300	
0206624M	177	MARINE CORPS COMBAT SERVICES SUPPORT	2,854	2,854	2,854	-	2,854
0207161N	178	TACTICAL AIM MISSILES	21,705	21,705	21,705	-	21,705
0207163N	179	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	12,140	12,140	12,140	-	12,140
0303109N	182	SATELLITE COMMUNICATIONS (SPACE)	37,778	37,778	37,778	-	37,778
0303140N	183	INFORMATION SYSTEMS SECURITY PROGRAM	21,530	21,530	21,530	-	21,530
0303150N	184	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM			-	-	-
0305160N	186	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	19,730	19,730	19,730	-	19,730
0305188N	187	JOINT C4ISR BATTLE CENTER (JBC)	7,795	7,795	9,795	-	9,795
		Interoperability Process Software Tools			[+2,000]	2,000	
0305192N	188	JOINT MILITARY INTELLIGENCE PROGRAMS	7,000	7,000	7,000	-	7,000
0305204M	189	TACTICAL UNMANNED AERIAL VEHICLES		5,000	-	-	-
		Dragon Warrior Unmanned Aerial Vehicle		[+5,000]			
0305204N	190	TACTICAL UNMANNED AERIAL VEHICLES	113,052	121,052	113,052	-	121,052
		Joint Forces Command Operational Testbed		[+1,000]		1,000	
		TUAV MSAG Technology		[+7,000]		7,000	
0305206N	191	AIRBORNE RECONNAISSANCE SYSTEMS	4,759	4,759	4,759	-	12,759
		Long-Range Optical Sensor Technology/Upgrade to an 18" Lens--TARPS Pod				5,000	
		Solid State Shutter Mechanism/Focal Plane Array				3,000	
0305207N	192	MANNED RECONNAISSANCE SYSTEMS	27,479	38,079	27,479	-	46,479
		Long-Range Optical Sensor Technology (Authorized in PE 0305207N)		[+5,000]		-	
		P-3 Squadron Sensor Upgrade		[+2,600]		1,000	
		Solid-State Shutter Mechanism (Authorized in PE 0305207M)		[+3,000]		-	
		SHARP				18,000	
0305208N	193	DISTRIBUTED COMMON GROUND SYSTEMS	4,482	4,482	4,482	-	4,482
0305927N	194	NAVAL SPACE SURVEILLANCE	2,038	1,438	2,038	-	1,438
		Naval Space Surveillance		[-600]		(600)	
0305972N	195	SPACE ACTIVITIES			2,000	-	2,000
		SPAWAR SATCOM Systems Integration Initiative			[+2,000]	2,000	
0308601N	196	MODELING AND SIMULATION SUPPORT	9,106	12,106	14,106	-	14,106
		C4ISR Modeling and Simulation/Distributed Engineering Plant		[+3,000]	[+5,000]	5,000	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0702207N	197	DEPOT MAINTENANCE (NON-IF)	34,166	34,166	34,166	-	34,166
0708011N	198	INDUSTRIAL PREPAREDNESS	59,626	69,626	59,626	-	69,626
		ManTech		[+10,000]		10,000	
0708730N	199	MARITIME TECHNOLOGY (MARITECH)	9,366	15,366	9,366	-	9,366
		MARITECH		[+6,000]			
XXXXXX	999	Classified Programs	531,940	531,940	531,940	15,000	546,940
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	8,476,677	8,834,477	8,665,865	238,658	8,715,335

Biodegradable polymers

The budget request included no funding for biodegradable polymers (PE 62121N).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $1.25 million in PE 62121N to aid in the development of polymer membrane methods for treating graywater (kitchen, shower, and cleaning solution), blackwater (sewage), and bilge water (oily contaminants) to acceptable levels prior to shipboard release.

The conferees agree to authorize an increase of $1.25 million in PE 62121N for biodegradable polymers.

Torpedoes and unmanned undersea vehicles

The budget request included $35.0 million in PE 62633N for undersea warfare weapons technology development.

The House bill and the Senate amendment would authorize the budget request for improvements to torpedoes and unmanned undersea vehicles.

The conferees agree to an increase of $2.0 million in PE 62633N for development of improvements for current and future torpedoes and unmanned undersea vehicles.

DP–2 thrust vectoring system proof-of-concept demonstration

The budget request included $39.7 million in PE 63217N for air systems and weapons advanced technology development and $9.0 million for NATO research and development. The budget request did not include funds for continuation of the DP–2 thrust vectoring system proof-of-concept demonstration. The budget request did include $6.4 million for the vectoring extremely short takeoff and landing (ESTOL) control tailless operation research (VECTOR) program, an international cooperative research program between the United States and the Federal Republic of Germany, as follows: $4.1 million in PE 63217N and $2.3 million in PE 63790N.

The House bill would authorize an increase of $9.5 million in PE 63217N to continue the DP–2 development program leading to a proof-of-concept demonstration of a one-half scale flight test vehicle.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.5 million for DP–2 demonstration in PE 63790N.

The conferees direct the Secretary of the Navy to provide an assessment of the program progress, plans and funding requirements for completion of the flight-test demonstration to the congressional defense committees with the submission of the fiscal year 2002 budget request.

The conferees are aware that a funding shortfall has developed in the VECTOR program. Given the cooperative nature of this program, along with the substantial benefits to future carrier aviation development, the conferees urge the Secretary of the Navy to review the program funding deficiencies and, if necessary, request a reprogramming action.

Virtual test bed for reconfigurable ship

The budget request included no funding for a virtual test bed for a reconfigurable ship.

The House bill would authorize an increase of $3.0 million in PE 63508N for a virtual test bed for advanced electrical ship systems.

The Senate amendment would authorize an increase of $2.0 million in PE 63508N for a virtual test bed for a reconfigurable ship.

The conferees agree to authorize an increase of $2.0 million in PE 63508N for a virtual test bed for a reconfigurable ship, as recommended in the House report accompanying H.R. 4205 (H. Rept. 106–616) and the Senate report accompanying S. 2549 (S. Rept. 106–292).

Fleet health technology and occupational lung disease

The budget request included $10.1 million in PE 63706N for medical development, including $4.8 million for the fleet health technology program.

The House bill would authorize an increase of $3.0 million in PE 63706N, including $500,000 to establish an occupational lung disease assessment program to determine if the incidence of sarcoidosis among naval personnel could be attributable to service aboard Navy ships. The House bill also noted and expressed concern about the reduction in the Department of the Navy's fleet health technology program from previous years' funding levels and in the priority given to the medical and occupational health and safety of Navy and Marine Corps personnel.

The Senate amendment would authorize the budget request.

The conferees note that recent developments of immune therapies by investigators at the Naval Medical Research Center have been shown to prevent the rejection of transplants without the need for continuous immunosuppressive drugs. The ability to transplant massive tissue segments without rejection could revolutionize the treatment of combat casualties who suffer significant tissue loss or organ damage from blast, missile fragments, or burns. Results obtained from testing in the laboratory show promise and the Chief of Naval Research has initiated a program to capitalize on these newly developed methods of treatment. The conferees believe that the further development of these therapies and confirmation of these therapies in definitive clinical trials could have profound effects upon the treatment of combat casualties and of civilians with organ failure.

The conferees agree to authorize an increase of $3.0 million in PE 63706N for fleet health technology for the Navy's program for the development of new immune strategies and procedures for tissue transplantation for the treatment of combat casualties with massive tissue loss.

The conferees also agree to authorize an increase of $500,000 in PE 63738D for the conduct of the occupational lung disease assessment as discussed in the House report accompanying H.R. 4205 (H. Rept. 106–616).

Common towed array

The budget request included $113.3 million in PE 63561N for advanced submarine systems development, including $4.5 million for the development of advanced towed array technology for submarines and surface ships.

The House bill would authorize an increase of $10.2 million in PE 63561N to accelerate the development and demonstration of advanced towed array systems for surface ships and submarines. The House report accompanying H.R. 4205 (H. Rept. 106–616) indicated that these additional funds were to be particularly focused on developing multiple-line and fiber optic affordable towed array technology that could result in high gain, volumetric towed arrays with significantly improved sonar system performance for both submarines and surface vessels.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million in PE 63561N to accelerate the development and demonstration of advanced towed array systems for surface ships and submarines. The conferees agree that these funds are not being designated for a specific program effort or contractor program, but that the Navy should use the additional funds to continue the efforts as described in the House report accompanying H.R. 4205 (H. Rept. 106–616).

Advanced land attack missile

The budget request included $19.8 million for research and development of the advanced land attack missile (ALAM) in PE 63795N.

The House bill and the Senate amendment would authorize the budget request.

The conferees note that the House report accompanying H.R. 1401 (H. Rept. 106–162) directed the Secretary of the Navy to report to the congressional defense committees the program plan and funding requirements for development of an advanced land attack missile (ALAM) system for the DD–21 land attack destroyer and other Naval combatants with the submission of the fiscal year 2001 budget request. The conferees also note the letter from the Under Secretary of Defense (Acquisition and Technology) to the Chairman, House Armed Services Committee, dated August 25, 1999, which stated that the Navy would pursue a multi-team industry competition for development of ALAM, and the Milestone 0 Acquisition Decision Memorandum, dated February 22, 2000, that designated the ALAM as a major defense acquisition program. The conferees further note that the Navy's ALAM program plan and funding included in the fiscal year 2001 budget request provide for completion of an ALAM analysis of alternatives and entry into the program risk and reduction phase in fiscal year 2001, competition and early prototyping by three to four contractors leading to an ALAM down-select/''fly-off'' by the end of fiscal year 2003, engineering and manufacturing development, initial procurement, and delivery of the ALAM system to the fleet in early fiscal year 2009 for the DD–21 Zumwalt-class destroyer.

The conferees agree to authorize a decrease of $10.8 million in PE 63795N for ALAM based on information made available to the conferees subsequent to passage of the House bill and the Senate amendment. The conferees place a high priority on completing the analysis of alternatives to determine the appropriate course of action for providing Naval fire support. The conferees direct the Secretary of the Navy to report to the congressional defense committees concurrent with the submission of the fiscal year 2002 budget request on recommended revisions to the ALAM program plan and the funding required to deploy a system as soon as technically feasible.

Joint strike fighter

The budget request included $131.6 million in PE 63800N and $129.5 million in PE 63800F to complete the demonstration and validation (DEMVAL) phase for the joint strike fighter (JSF) program. The budget request also included $296.0 million in PE 64800N and $299.5 million in PE 64800F to initiate the engineering and manufacturing development (EMD) phase for the JSF.

The House bill would authorize the budget request and contained several provisions related to JSF discussed elsewhere in this conference agreement.

The Senate amendment would authorize an increase of $212.1 million in PE 63800N and an increase of $212.1 million in PE 63800F to extend the DEMVAL phase. The Senate amendment would also authorize a decrease of all funding requested for the EMD phase, $296.0 million in PE 64800N and $299.5 million in PE 64800F, due to slips in program schedule. The Senate amendment contained a JSF provision discussed elsewhere in this conference agreement.

The conferees agree to authorize an overall decrease of $168.0 million in the JSF program, as follows:

(1) an increase of $111.5 million in PE 63800N;

(2) an increase of $113.5 million in PE 63800F;

(3) a decrease of $194.7 million in PE 64800N; and

(4) a decrease of $198.3 million in PE 64800F.

The conferees remain concerned about the readiness of the JSF program to enter the EMD phase, and note that significant delays in the schedule, particularly the flight program for the short take-off, vertical landing (STOVL) variant of the JSF, further increase the technical risk for entry into the EMD phase. A JSF provision discussed elsewhere in this conference agreement addresses conferee concerns surrounding the technical risk of premature entry into EMD.

The conferees are also concerned about the apparent pattern of additional contractor funding required to sustain the current DEMVAL activities of the program. Since the JSF program is potentially one of the largest acquisition programs in the Department of Defense, both competing contractors in this winner-take-all competition realize the significance of winner selection. However, the conferees are opposed to the requirement for industry to make additional, unreimbursed investments in the JSF program beyond existing contractual agreements. The conferees view the additional DEMVAL funding as necessary to provide for the execution of those projects presented in the budget request on the extended schedule. The conferees expect that risk mitigation projects, including the alternate engine, will be funded to the levels presented in the budget request.

Nonlethal research and technologies

The budget request included no funding for nonlethal research and technologies in PE 63851M.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $8.0 million for nonlethal research and technologies in PE 63851M.

The conferees agree to authorize an increase of $4.0 million in PE 63851M. Of the increased amount, $2.0 million will be used to develop a program in nonlethal environmental effects and remediation as recommended in the Senate report accompanying S. 2549 (S. Rept. 106–292).

Power node control centers

The budget request included no funding for power node control centers (PNCC) for integrating shipboard power functions such as switching, conversion, distribution, and system operation and protection.

The House bill would authorize an increase of $3.0 million in PE 63508N for PNCC.

The Senate amendment would authorize an increase of $3.0 million in PE 64300N for PNCC.

The conferees agree to authorize an increase of $3.0 million in PE 64300N for PNCC.

Advanced food service technology

The budget request included no funding for research and development of technologies that could lead to manpower reductions resulting from altering food service operations on ships.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $2.0 million in PE 64300N for advanced food service technology testing.

The conferees agree to authorize a an increase of $2.0 million in PE 64307N for advanced food service technology testing.

F–14 tactical reconnaissance

The budget request included $1.2 million for operational systems development of the F–14 aircraft.

The House bill would authorize an increase of $7.0 million in aircraft procurement for the integration and demonstration of a commercial synthetic aperture radar (SAR) in the F–14 tactical airborne reconnaissance pod system (TARPS). This demonstration was intended to mitigate the risk associated with the development of a SAR capability for the shared airborne reconnaissance program (SHARP).

The Senate amendment would authorize an increase of $9.0 million in PE 25667N for a similar purpose.

The conferees agree to authorize an increase of $9.0 million in PE 25677N to demonstrate the military utility of a tactical SAR reconnaissance capability by modifying and integrating non-developmental SAR technology into the F–14 TARPS.

The conferees note that this effort is specifically intended to mitigate the risk associated with providing an all-weather capability for SHARP. The conferees agree that these funds are not being designated for a specific contractor's program. The conferees also agree that, if the technology proves attractive during the risk mitigation program, the Navy should select SAR technology for the SHARP application using appropriate competitive procedures.

Marine Corps ground combat/supporting arms systems

The budget request included $22.1 million for Marine Corps ground combat and supporting arms systems research and development requirements.

The House bill would authorize an increase of $17.3 million in PE 63635M to support efforts by the Marine Corps to evaluate the potential that the high mobility artillery rocket system (HIMARS) might have to meet critical Marine Corps fire support requirements.

The Senate amendment would authorize an identical increase.

The conferees agree to authorize an increase of $17.3 million in PE 26623M to support Marine Corps plans to evaluate the ability of HIMARS to address deficiencies in organic fire support for Marine Corps forces ashore.

Tactical unmanned aerial vehicles

The budget request included $113.1 million for tactical unmanned aerial vehicles (TUAVs).

The House bill would authorize an increase of $1.0 million for the joint operational test bed (JOTB), and an increase of $7.0 million for TUAV multi-function, self-aligned gate array (MSAG) technology.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.0 million for the JOTB and an increase of $7.0 million for TUAV MSAG technology, a total authorization of $121.1 million in PE 35204N.

The conferees note that the Joint Forces Command is tasked with ensuring interoperability among military forces. The conferees are aware that the Joint Requirements Oversight Council endorsed the tactical control system (TCS) to provide this interoperability among unmmanned aerial vehicles (UAVs), and that the Joint Forces Command has recently established the JOTB to develop this capability, using a TCS and two Predator UAVs. The conferees strongly support UAV interoperability, the establishment of the JOTB, and the use of TCS and Predator UAVs to achieve this goal.

The conferees are also encouraged by results of MSAG antenna technology testing, and reaffirm their support for the ongoing MSAG advanced concept technology demonstration (ACTD). The JROC approved this ACTD based on the recommendation of the operational commanders in chief, who rated the MSAG effort number one of twelve candidates. The conferees are aware that the Navy may consider withdrawing its sponsorship of the ACTD. The conferees believe that the MSAG ACTD program should move forward. The conferees direct the Secretary of Defense to ensure that no change in the ACTD content or schedule will be effected by a change in sponsorship of the program.

Overview

The budget request for fiscal year 2001 contained an authorization of $13,685.6 million for Air Force, Research and Development in the Department of Defense.

The House bill would authorize $13,677.1 million.

The Senate amendment would authorize $13,897.3 million.

The conferees recommended an authorization of $13,779.1 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF					
0601102F	1	DEFENSE RESEARCH SCIENCES	206,149	209,149	206,149	-	209,149
		Upper Atmospheric and Astronomical Research		[+3,000]		3,000	
0602102F	2	MATERIALS	72,815	80,065	81,815	-	85,615
		Special Aerospace Materials and Manufacturing Processes		[+5,250]		4,500	
		Ultra-High Thermal Conductivity Graphite Materials		[+2,000]		1,800	
		Resin Systems for Engine Applications			[+2,000]	1,300	
		Laser Processing Tools			[+4,000]	3,200	
		Thermal Protection Systems			[+1,500]	1,000	
		Weathering and Corrosion on Aircraft Surfaces and Parts			[+1,500]	1,000	
0602201F	3	AEROSPACE FLIGHT DYNAMICS	48,775	49,775	54,775	-	50,775
		Composite Affordability Initiative		[+1,000]			
		Aeronautical Research			[+6,000]	2,000	
0602202F	4	HUMAN EFFECTIVENESS APPLIED RESEARCH	62,619	62,619	62,619	-	62,619
0602203F	5	AEROSPACE PROPULSION	116,262	122,262	124,262	-	119,462
		IHPTET/IHPRPT		[+6,000]		3,800	
		Variable Displacement Vane Pump			[+3,000]	1,800	
		PBO Membrane Fuel Cell			[+5,000]	2,600	
		Rocket Propulsion Technology				(5,000)	
0602204F	6	AEROSPACE SENSORS	65,644	65,644	65,644	-	65,644
0602269F	7	HYPERSONIC TECHNOLOGY PROGRAM			-	-	-
0602601F	8	SPACE TECHNOLOGY	57,687	57,687	68,287	-	64,487
		Tech-Sat 21Transfer			[-5,000]	-	
		Aluminum Aerostructures			[+3,000]	1,800	
		Space Survivability			[+5,600]	3,000	
		HAARP			[+7,000]	7,000	
		Integrated Microsatellite Technology Concept				(5,000)	
0602602F	9	CONVENTIONAL MUNITIONS	45,223	45,223	45,223	-	53,223
		XSS-10 Microsatellite Technology				8,000	
0602605F	10	DIRECTED ENERGY TECHNOLOGY	32,337	32,337	32,337	-	32,337
0602702F	11	COMMAND CONTROL AND COMMUNICATIONS	78,749	78,749	78,749	-	78,749
0602805F	12	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	10,144	10,144	10,144	-	10,144
0603106F	13	LOGISTICS SYSTEMS TECHNOLOGY	13,895	13,895	13,895	-	13,895

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603112F	14	ADVANCED MATERIALS FOR WEAPON SYSTEMS	21,678	26,928	21,678	-	26,178
		Special Aerospace Materials and Manufacturing Processes		[+5,250]		4,500	
0603202F	15	AEROSPACE PROPULSION SUBSYSTEMS INTEGRATION	34,440	34,440	34,440	-	34,440
0603203F	16	ADVANCED AEROSPACE SENSORS	28,311	30,311	34,311	-	31,811
		Combat Identification		[+2,000]		-	
		Integrated Demonstrations & Applications Laboratory (IDAL)			[+6,000]	3,500	
0603205F	17	FLIGHT VEHICLE TECHNOLOGY	2,445	2,445	4,445	-	3,845
		Fiber Optic Control Technologies			[+2,000]	1,400	
0603211F	18	AEROSPACE STRUCTURES	12,961	12,961	12,961	-	12,961
0603216F	19	AEROSPACE PROPULSION AND POWER TECHNOLOGY	41,964	41,964	41,964	-	41,964
0603227F	20	PERSONNEL, TRAINING AND SIMULATION TECHNOLOGY	6,491	6,491	6,491	-	6,491
0603231F	21	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	12,479	14,479	12,479	-	12,479
		Aircrew Laser Eye Protection		[+2,000]			
0603245F	22	FLIGHT VEHICLE TECHNOLOGY INTEGRATION	13,184	69,184	13,184	-	12,126
		21st Century Affordable Aircraft Thrust Demonstration Project		[+56,000]			
		Control Technologies and Adaptive Flight Control Algorithms				(1,058)	
0603253F	23	ADVANCED SENSOR INTEGRATION	5,350	5,350	5,350	-	5,350
0603270F	24	ELECTRONIC COMBAT TECHNOLOGY	25,882	25,882	25,882	-	25,882
0603302F	25	SPACE AND MISSILE ROCKET PROPULSION	24,283	57,983	24,283	-	24,283
		High Energy Propulsion Systems (Authorized in 0305182F)		[+23,700]			
		Low Cost Launch Technology (Authorized in 0603401F/0603173C)		[+10,000]			
0603311F	26	BALLISTIC MISSILE TECHNOLOGY		12,000	-	-	12,000
		Ballistic Missile Technology		[+12,000]		12,000	
0603401F	27	ADVANCED SPACECRAFT TECHNOLOGY	97,327	102,327	146,327	-	60,602
		Miniature Satellite Threat Reporting System (MSTRS)		[+5,000]	[+5,000]	1,500	
		Upper Stage Flight Experiment			[+5,000]	5,000	
		Scorpius/Low Cost Launch			[+5,000]	6,500	
		Space Maneuver Vehicle			[+15,000]	6,500	
		Solar Orbital Transfer Vehicle (SOTV)			[+5,000]	2,600	
		Micro-Satellite Technology (XSS-10) (Authorized in 0602602F)			[+12,000]	-	
		Composite Payload Fairings and Shrouds			[+2,000]	-	
		Second Integrated Space Technology Demonstration				(4,585)	
		Discoverer II				(54,240)	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603410F	28	SPACE SYSTEMS ENVIRONMENTAL INTERACTIONS TECHNOLOGY	3,412	3,412	3,412	-	3,412
0603444F	29	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	4,625	4,625	4,625	-	4,625
0603601F	30	CONVENTIONAL WEAPONS TECHNOLOGY	22,731	22,731	22,731	-	22,731
0603605F	31	ADVANCED WEAPONS TECHNOLOGY	33,371	33,371	33,371	-	25,371
		Transfer to Joint High Energy Laser Program				(8,000)	
0603707F	32	WEATHER SYSTEMS TECHNOLOGY			-	-	-
0603723F	33	ENVIRONMENTAL ENGINEERING TECHNOLOGY			-	-	-
0603726F	34	AEROSPACE INFO TECH SYS INTEGRATION	7,429	7,429	7,429	-	7,429
0603728F	35	BATTLESPACE C2 TECHNOLOGY			-	-	-
0603789F	36	C3I ADVANCED DEVELOPMENT	19,468	19,468	19,468	-	19,468
0603876F	37	SPACE-BASED LASER	63,216	63,216	93,216	-	73,216
		SBL Integrated Flight Experiment (IFX)			[+30,000]	10,000	
0603260F	38	INTELLIGENCE ADVANCED DEVELOPMENT	4,401	4,401	4,401	-	4,401
0603319F	39	AIRBORNE LASER PROGRAM	148,637	-	241,037	-	233,637
		Transfer to 0603XXXC		[-148,637]			
		Program Restoration			[+92,400]	85,000	
0603430F	40	ADVANCED EHF MILSATCOM (SPACE)	246,396	246,396	246,396	-	246,396
0603432F	41	POLAR MILSATCOM (SPACE)	26,068	26,068	26,068	-	26,068
0603434F	42	NAT POLAR-ORBITING OP ENVIRON SATELLITE SYS (SPACE)	76,654	76,654	76,654	-	76,654
0603438F	43	SPACE CONTROL TECHNOLOGY	9,728	9,728	9,728	-	9,728
0603441F	44	SPACE BASED INFRARED ARCHITECTURE (SPACE) - DEM/VAL			-	-	-
0603617F	45	COMMAND, CONTROL, AND COMMUNICATION APPLICATIONS	7,828	7,828	7,828	-	7,828
0603690F	46	INFORMATION OPERATIONS TECHNOLOGY	991	991	991	-	-
		Transfer funds to 0303140F				(991)	
0603742F	47	COMBAT IDENTIFICATION TECHNOLOGY	10,933	10,933	10,933	-	10,933
0603790F	48	NATO RESEARCH AND DEVELOPMENT(H)	5,509	5,509	5,509	-	5,509
0603800F	49	JOINT STRIKE FIGHTER	129,538	144,538	341,638	-	243,050
		JSF Alternate Engine Program		[+15,000]			
		Extend DEM/VAL			[+212,100]	113,512	
0603850F	50	INTEGRATED BROADCAST SERVICE (DEM/VAL)	24,488	15,788	24,488	-	15,788
		Integrated Broadcast Service		[-8,700]		(8,700)	
0603851F	51	INTERCONTINENTAL BALLISTIC MISSILE - DEM/VAL	39,246	39,246	58,446	-	51,446
		RSLP GPS Range Safety/Northern Edge Exercise Support			[+19,200]	12,200	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603854F	52	WIDEBAND MILSATCOM (SPACE)	134,029	134,029	116,029	-	121,029
		Wideband Gapfiller Satellite Design			[-18,000]	(8,000)	
		Global Broadcast System				(5,000)	
0603856F	53	AIR FORCE/NATIONAL PROGRAM COOPERATION (AFNPC)	3,370	1,370	3,370	-	2,370
		Air Force/ NRO Partnership		[-2,000]		(1,000)	
0603859F	54	POLLUTION PREVENTION (DEM/VAL)	2,543	2,543	2,543	-	2,543
0603860F	55	JOINT PRECISION APPROACH AND LANDING SYSTEMS - DEM/VAL	18,092	18,092	18,092	-	18,092
0603876F	56	SPACE-BASED LASER			-	-	-
0604237F	57	VARIABLE STABILITY IN-FLIGHT SIMULATOR TEST AIRCRAFT			-	-	-
0604327F	58	HARD & DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROG			-	-	-
0604012F	59	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,312	1,312	1,312	-	1,312
0604201F	60	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	712	712	712	-	-
		Program reduction				(712)	
0604222F	61	NUCLEAR WEAPONS SUPPORT	10,133	10,133	10,133	-	10,133
0604226F	62	B-1B	168,122	178,122	168,122	-	158,122
		Link 16 Data Link		[+10,000]		-	
		IDECM delays				(10,000)	
0604227F	63	DISTRIBUTED MISSION TRAINING (DMT)	3,782	3,782	3,782	-	3,782
0604233F	64	SPECIALIZED UNDERGRADUATE PILOT TRAINING	23,853	23,853	23,853	-	23,853
0604239F	65	F-22 EMD	1,411,786	1,411,786	1,411,786	-	1,411,786
0604240F	66	B-2 ADVANCED TECHNOLOGY BOMBER	48,313	142,313	53,313	-	115,313
		Smart Bomb Rack/500lb JDAM Integration		[+56,000]		56,000	
		Link 16/Center Instrument Display		[+38,000]		11,000	
		SATCOM Connectivity			[+5,000]	-	
0604270F	67	EW DEVELOPMENT	58,198	82,898	66,198	-	49,598
		Precision Location and Identification Technology (PLAID)		[+17,700]	[+8,000]	10,000	
		MALD		[+7,000]		1,200	
		CMWS- Air Force withdrawl from program.				(19,800)	
0604441F	68	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	569,188	569,188	569,188	-	569,188
0604442F	69	SPACE BASED INFRARED SYSTEM (SBIRS) LOW EMD	241,021	-	241,021	-	241,021
		Transfer to BMDO PE 0603871C		[-241,021]			
0604479F	70	MILSTAR LDR/MDR SATELLITE COMMUNICATIONS (SPACE)	236,841	237,841	232,841	-	237,341
		Automated Communication Satellite Management		[+5,000]		4,500	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		MILSTAR/Excess Satellite Engineering Effort		[-4,000]	[-4,000]	(4,000)	
0604480F	71	GLOBAL POSITIONING SYSTEM BLOCK IIF (SPACE)			-	-	-
0604600F	72	MUNITIONS DISPENSER DEVELOPMENT			-	-	-
0604602F	73	ARMAMENT/ORDNANCE DEVELOPMENT	8,876	23,876	8,876	-	20,876
		Miniaturized Munitions Capability		[+15,000]		12,000	
0604604F	74	SUBMUNITIONS	4,775	4,775	4,775	-	4,775
0604617F	75	AGILE COMBAT SUPPORT	668	668	668	-	3,414
		Civil, Fire, Environment, Shelter Engineering				2,746	
0604618F	76	JOINT DIRECT ATTACK MUNITION	1,157	26,157	1,157	-	11,157
		500lb JDAM		[+25,000]		10,000	
0604703F	77	AEROMEDICAL/CHEMICAL DEFENSE SYSTEMS	5,929	5,929	5,929	-	5,929
0604706F	78	LIFE SUPPORT SYSTEMS	14,758	7,858	14,758	-	12,208
		Joint Ejection Seat Program		[-10,900]		-	
		Standardized Cockpit and Crew Seats		[+4,000]		3,700	
		K-36 Ejection Seat Qualification				(6,250)	
0604708F	79	CIVIL, FIRE, ENVIRONMENTAL, SHELTER ENGINEERING	2,746	2,746	2,746	-	-
		Transfer to Agile Combat Support (PE 0604617F)				(2,746)	
0604727F	80	JOINT STANDOFF WEAPONS SYSTEMS	1,498	1,498	1,498	-	1,498
0604735F	81	COMBAT TRAINING RANGES	12,559	16,559	12,559	-	16,559
		AMODSM		[+4,000]		4,000	
0604740F	82	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	214	214	214	-	214
0604750F	83	INTELLIGENCE EQUIPMENT	1,298	1,298	1,298	-	1,298
0604754F	84	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	8,745	8,745	8,745	-	8,745
0604762F	85	COMMON LOW OBSERVABLES VERIFICATION SYSTEM (CLOVERS)	11,621	11,621	11,621	-	11,621
0604779F	86	JOINT INTEROPERABILITY OF TACTICAL C2 SYS (JINTACCS)	5,825	5,825	5,825	-	5,825
0604800F	87	JOINT STRIKE FIGHTER EMD	299,540	299,540	-	-	101,275
		Extend DEM/VAL			[-299,540]	(198,265)	
0604805F	88	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	19,851	19,851	19,851	-	19,851
0604851F	89	INTERCONTINENTAL BALLISTIC MISSILE - EMD	18,325	18,325	18,325	-	18,325
0604853F	90	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE) - EMD	332,952	332,952	332,952	-	332,952
0604XXXF	XX	EXTENDED RANGE CRUISE MISSILE		86,100			
		Increase (Authorized in PE 0207323F)		[+86,100]			
0605011F	91	RDT&E FOR AGING AIRCRAFT	14,204	26,204	14,204	-	24,204

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Aging Landing Gear Life Extension		[+12,000]		10,000	
0207249F	92	PRECISION ATTACK SYSTEMS	3,965	3,965	3,965	-	3,965
0305176F	93	COMBAT SURVIVOR EVADER LOCATOR	10,842	10,842	10,842	-	10,842
0604256F	94	THREAT SIMULATOR DEVELOPMENT	34,785	34,785	34,785	-	34,785
0604258F	95	TARGET SYSTEMS DEVELOPMENT	191	191	191	-	-
		Program reduction				(191)	
0604759F	96	MAJOR T&E INVESTMENT	54,057	54,057	54,057	-	54,057
0605101F	97	RAND PROJECT AIR FORCE	24,080	24,080	24,080	-	22,080
		Central Funding				(2,000)	
0605306F	98	RANCH HAND II EPIDEMIOLOGY STUDY	4,356	4,356	4,356	-	4,356
0605502F	99	SMALL BUSINESS INNOVATION RESEARCH			-	-	-
0605712F	100	INITIAL OPERATIONAL TEST & EVALUATION	28,238	28,238	28,238	-	28,238
0605807F	101	TEST AND EVALUATION SUPPORT	386,205	386,205	386,205	-	386,205
0605808F	102	DEVELOPMENT PLANNING			-	-	-
0605854F	103	POLLUTION PREVENTION			-	-	-
0605860F	104	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	7,906	7,906	7,906	-	7,906
0605864F	105	SPACE TEST PROGRAM (STP)	46,476	46,476	46,476	-	46,476
0909900F	106	FINANCING FOR EXPIRED ACCOUNT ADJUSTMENTS			-	-	-
1001004F	107	INTERNATIONAL ACTIVITIES	3,773	3,773	3,773	-	3,773
0101113F	108	B-52 SQUADRONS	50,787	50,787	50,787	-	50,787
0101120F	109	ADVANCED CRUISE MISSILE	4,182	4,182	4,182	-	4,182
0101122F	110	AIR-LAUNCHED CRUISE MISSILE (ALCM)	6,457	6,457	6,457	-	6,457
0102325F	111	JOINT SURVEILLANCE SYSTEM			-	-	-
0102326F	112	REG/SECTOR OPERATION CONTROL CENTER MOD PROG	992	992	992	-	992
0102411F	113	NORTH ATLANTIC DEFENSE SYSTEM			-	-	-
0102445F	114	COUNTERDRUG AEROSTATS			-	-	-
0207027F	115	AIR AND SPACE COMMAND AND CONTROL AGENCY (ASC2A)	24,769	24,769	24,769	-	24,769
0207131F	116	A-10 SQUADRONS	8,615	8,615	8,615	-	8,615
0207133F	117	F-16 SQUADRONS	124,903	124,903	124,903	-	119,903
		Auto GCAS				(5,000)	
0207134F	118	F-15E SQUADRONS	61,260	68,860	68,860	-	68,860
		BOL Countermeasures Integration		[+7,600]	[+7,600]	7,600	
0207136F	119	MANNED DESTRUCTIVE SUPPRESSION	14,670	14,670	14,670	-	14,670

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0207141F	120	F-117A SQUADRONS	3,912	3,912	3,912	-	3,912
0207161F	121	TACTICAL AIM MISSILES	21,706	21,706	21,706	-	21,706
0207163F	122	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	53,707	53,707	53,707	-	53,707
0207247F	123	AF TENCAP	9,826	13,826	11,826	-	13,826
		Hyperspectral Technology		[+4,000]	[+2,000]	-	-
		Hyperspectral research on Predator UAV				2,000	
		Hyperspectral research on high altitude reconnaissance platforms				2,000	
0207248F	124	SPECIAL EVALUATION PROGRAM	75,443	75,443	75,443	-	75,443
0207253F	125	COMPASS CALL	5,834	5,834	5,834	-	5,834
0207268F	126	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	166,926	166,926	166,926	-	166,926
0207277F	XXX	EAGLE VISION (Authorized in PE 0305208F)		4,500			
0207320F	127	SENSOR FUSED WEAPONS			-	-	-
0207323F	127A	EXTENDED RANGE CRUISE MISSILE			46,100	40,000	40,000
0207325F	128	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	120,281	120,281	120,281	-	116,281
		Defer pre-production operational test units per GAO recommendation				(4,000)	
0207412F	129	THEATER AIR CONTROL SYSTEMS	19,873	19,873	19,873	-	19,873
0207414F	130	COMBAT INTELLIGENCE SYSTEM			-	-	-
0207417F	131	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	35,653	35,653	35,653	-	35,653
0207423F	132	ADVANCED COMMUNICATIONS SYSTEMS	2,867	2,867	2,867	-	2,867
0207424F	133	EVALUATION AND ANALYSIS PROGRAM	81,027	81,027	81,027	-	81,027
0207433F	134	ADVANCED PROGRAM TECHNOLOGY	90,713	93,713	90,713	-	90,713
0207438F	135	THEATER BATTLE MANAGEMENT (TBM) C4I	41,068	41,068	41,068	-	41,068
0207581F	136	JOINT SURVEILLANCE & TARGET ATTACK RADAR SYS (JOINT STARS)	144,118	146,618	151,318	-	149,118
		Global Air Traffice Management (GATM)			[+7,200]	5,000	
0207590F	137	SEEK EAGLE	19,472	19,472	19,472	-	19,472
0207591F	138	ADVANCED PROGRAM EVALUATION	266,458	280,958	266,458	(900)	265,558
0207601F	139	USAF MODELING AND SIMULATION	17,624	17,624	17,624	-	17,624
0207605F	140	WARGAMING AND SIMULATION CENTERS	3,874	3,874	3,874	-	3,874
0208006F	141	MISSION PLANNING SYSTEMS	20,755	20,755	20,755	-	20,755
0208021F	142	INFORMATION WARFARE SUPPORT	1	1	1	-	-
		Program reduction				(1)	
0208031F	143	WAR RESERVE MATERIEL - EQUIPMENT/SECONDARY ITEMS	1,475	1,475	1,475	-	1,475
0208060F	144	THEATER MISSILE DEFENSES	19,824	19,824	19,824	-	19,824

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0208160F	145	TECHNICAL EVALUATION SYSTEM	98,263	98,263	98,263	-	98,263
0208161F	146	SPECIAL EVALUATION SYSTEM	74,240	74,240	74,240	-	74,240
0301357F	151	NUDET DETECTION SYSTEM			-	-	-
0302015F	153	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	34,410	34,410	34,410	-	34,410
0303110F	154	DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SPACE)	7,328	7,328	7,328	-	7,328
0303112F	155	AIR FORCE COMMUNICATIONS (AIRCOM)	11,478	11,478	11,478	-	11,478
0303131F	156	MIN ESSENTIAL EMERG COMMUNICATIONS NETWORK (MEECN)	15,302	20,302	15,302	-	15,302
		B-52 MMRT Configurations		[+5,000]			
0303140F	157	INFORMATION SYSTEMS SECURITY PROGRAM	7,212	7,212	12,212	-	12,003
		Lighthouse Cyber-Security			[+5,000]	3,800	
		Transfer from 0603690F				991	
0303141F	158	GLOBAL COMBAT SUPPORT SYSTEM	46,369	46,369	46,369	-	46,369
0303150F	159	GLOBAL COMMAND AND CONTROL SYSTEM	3,743	3,743	3,743	-	3,743
0303401F	160	COMMUNICATIONS SECURITY (COMSEC)	4,857	4,857	4,857	-	4,857
0303601F	161	MILSATCOM TERMINALS	17,797	17,797	20,797	-	17,797
		B-2 Connectivity			[+3,000]	-	-
0304311F	163	SELECTED ACTIVITIES			-	-	-
0305099F	164	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	8,508	8,508	8,508	-	8,508
0305110F	165	SATELLITE CONTROL NETWORK (SPACE)	58,643	58,643	58,643	-	58,643
0305111F	166	WEATHER SERVICE	19,942	19,942	19,942	-	19,942
0305114F	167	AIR TRAFFIC CONTROL, APPROACH, & LANDING SYS (ATCALS)	18,093	18,093	18,093	-	18,093
0305119F	168	MEDIUM LAUNCH VEHICLES (SPACE)			-	-	-
0305128F	169	SECURITY AND INVESTIGATIVE ACTIVITIES	467	467	467	-	467
0305137F	170	NATIONAL AIRSPACE SYSTEM (NAS) PLAN	200	200	200	-	-
		Program Reduction				(200)	
0305138F	171	INERTIAL UPPER STAGE (IUS)			-	-	-
0305144F	173	TITAN SPACE LAUNCH VEHICLES (SPACE)	25,815	25,815	25,815	-	25,815
0305158F	174	TACTICAL TERMINAL	238	238	238	-	-
		Program reduction				(238)	
0305159F	175	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)	45,149	38,049	45,149	-	41,599
		Defense Reconnaissance Support Program		[-7,100]		(3,550)	
0305160F	176	DEFENSE METEOROLOGICAL SATELLITE PROGRAM (SPACE)	25,372	25,372	25,372	-	25,372
0305164F	177	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	66,975	66,975	66,975	-	66,975

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0305165F	178	NAVSTAR GLOBAL POSITIONING SYS (SPACE & CONTROL SEGMENTS)	250,197	250,197	260,897	-	260,980
		Transfer from Missile Procurement			[+10,700]	-	-
		Amended budget submission				10,783	
0305182F	180	SPACELIFT RANGE SYSTEM (SPACE)	53,654	59,854	53,654	-	83,554
		New Flight Termination System		[700]		700	
		Space Launch Operations Complex		[+5,500]		5,500	
		High Energy Propulsion Systems/Edwards AFB test stands				23,700	
0305202F	181	DRAGON U-2 (JMIP)	27,546	31,546	33,546	-	32,546
		U-2 SYERS/SYERS Polarization Project		[+4,000]	[+6,000]	5,000	
0305205F	182	ENDURANCE UNMANNED AERIAL VEHICLES	109,215	109,215	127,215	-	109,215
		Improved Radar for Global Hawk			[+6,000]	-	-
		Global Hawk Air Surveillance Demonstration			[+12,000]	-	-
		Global Hawk EO/IR Sen Pkg/Repl of EO/IR Sen on Global Hawk UAV				[12,000]	
0305206F	183	AIRBORNE RECONNAISSANCE SYSTEMS	136,913	136,913	136,913	-	143,913
		Wideband integrated common data link				7,000	
0305207F	184	MANNED RECONNAISSANCE SYSTEMS		2,000	-	-	9,500
		Multi Link Antenna System		[+2,000]			
		ECARS				9,500	
0305208F	185	DISTRIBUTED COMMON GROUND SYSTEMS	21,330	21,330	21,330	-	25,830
		Eagle Vision IV				4,500	
0305906F	186	NCMC - TW/AA SYSTEM	19,309	19,309	19,309	-	19,309
0305910F	187	SPACETRACK (SPACE)	2,553	2,553	2,553	-	2,553
0305911F	188	DEFENSE SUPPORT PROGRAM (SPACE)	9,462	9,462	9,462	-	9,462
0305913F	189	NUDET DETECTION SYSTEM (SPACE)	17,088	17,088	17,088	-	12,088
		Program reduction				(5,000)	
0305917F	190	SPACE ARCHITECT			-	-	-
0305953F	191	EVOLVED EXPENDABLE LAUNCH VEHICLE (EELV) (SPACE)			-	-	-
0308601F	192	MODELING AND SIMULATION SUPPORT	1,177	1,177	1,177	-	1,177
0308699F	193	SHARED EARLY WARNING (SEW)	4,219	4,219	4,219	-	4,219
0401115F	194	C-130 AIRLIFT SQUADRON	60,496	60,496	60,496	-	60,496
0401119F	195	C-5 AIRLIFT SQUADRONS	92,530	92,530	92,530	-	92,530
0401130F	196	C-17 AIRCRAFT	176,439	176,439	176,439	-	176,439
0401214F	197	AIR CARGO MATERIAL HANDLING (463-L) (NON-IF)			-	-	-

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0401218F	198	KC-135S	487	487	487	-	487
0401219F	199	KC-10S	19,526	19,526	19,526	-	19,526
0404011F	200	SPECIAL OPERATIONS FORCES	1,109	1,109	1,109	-	1,109
0702207F	201	DEPOT MAINTENANCE (NON-IF)	1,515	1,515	1,515	-	1,515
0708011F	202	INDUSTRIAL PREPAREDNESS	53,082	57,582	53,082	-	56,882
		Specialty Aerospace Metals		[+4,500]		3,800	
0708026F	203	PROD, RELIABILITY, AVAILABILITY, MAINTAIN. PROG OFC (PRAMPO)	15,227	15,227	15,227	-	15,227
0708071F	204	JOINT LOGISTICS PROGRAM - AMMUNITION STANDARD SYSTEM	11,238	11,238	11,238	-	11,238
0708611F	205	SUPPORT SYSTEMS DEVELOPMENT	32,258	32,258	32,258	-	32,258
0708612F	206	COMPUTER RESOURCES SUPPORT IMP PROGRAM (CRSIP)	2,356	2,356	2,356	-	2,356
0901218F	207	CIVILIAN COMPENSATION PROGRAM	7,209	7,209	7,209	-	7,209
1001018F	208	NATO JOINT STARS	3,270	3,270	3,270	-	3,270
XXXXXX	999	Classified Programs	4,123,225	4,051,315	4,135,725	(109,037)	4,014,188
		ECONOMIC ADJUSTMENT		-	(42,100)		-
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF	13,685,576	13,677,108	13,897,336	93,568	13,779,144

XSS–10 micro-satellite technology demonstration

The budget request included no funding to complete and launch the XSS–10 micro-satellite technology demonstration.

The House bill would authorize the budget request.

The Senate amendment would authorize $12.0 million in PE 63401F to complete, launch, and operate the XSS–10 technology demonstration satellite.

The conferees agree to authorize $8.0 million in PE 62602F to complete the XSS–10 technology demonstration satellite. The conferees are aware that additional funds may be required to fully fund the launch and operation of the XSS–10. Therefore, the conferees direct the Secretary of the Air Force to reallocate the funds to complete the XSS–10 satellite and support its launch and operation from within funds authorized to be appropriated in PE 62601F and PE 63401F, as necessary.

Specialty aerospace metals

The budget request included $72.8 million for PE 62102F for applied research, $21.7 million in PE 63112F for advanced development of materials technologies for aerospace systems, and $53.1 million in PE 78011F for the Air Force's manufacturing technology program. The budget request included $57.7 million in 62601F for space technology.

The House bill would authorize a total increase of $15.0 million as follows: $5.25 million in PE 62102F; $5.25 million in PE 63112F; and $4.5 million in PE 78011F to establish an integrated program for the development and demonstration of special aerospace materials and materials manufacturing processes. The House bill would also encourage the Secretary of the Air Force to establish a continuing program for special aerospace metals and alloys as an integral part of the Air Force's science and technology and manufacturing technology programs.

The Senate amendment would authorize an increase of $3.0 million in PE 62601F for the aluminum aerostructures initiative.

The conferees agree to authorize an increase of $1.8 million in PE 62601F for the aluminum aerostructures and an increase of $12.8 million for aerospace specialty metals, of which $1.2 million would be used for the aluminum aerostructures initiative. The $12.8 million would be distributed as follows: $4.5 million in PE 62102F; $4.5 million in PE 63112F; and, $3.8 million in PE 78011F.

The conferees note the continuing need for advances in special aerospace metals and metal alloys for aircraft and space vehicle structures, propulsion, components, and weapon systems. Both the Navy and the Air Force are seeking access to materials that are lightweight, high strength, high performance, and capable of withstanding the stressing environments that are experienced by aerospace systems, and for the development and optimization of manufacturing processes for these materials. The conferees support the Air Force's efforts to develop and demonstrate a methodology for producing advanced aluminum aerostructures generating improved affordability, maintainability, and enhanced performance of current and future Air Force systems within the Advanced Aluminum Aerostructures initiative.

The conferees request that the Secretary of the Air Force assess requirements for advanced special aerospace metals and alloys and to report to the congressional defense committees on the plan for meeting those requirements with the submission of the fiscal year 2002 budget request.

Space-based radar

The budget request included $129.0 million for the Discoverer II space-based radar (SBR) program.

The House bill would authorize the budget request.

The Senate amendment would authorize the budget request.

The conferees agree to authorize $30.0 million for continued SBR risk reduction and technology development.

The conferees strongly support an effort to develop the technologies and operational concepts that could enable deployment of an SBR system to perform ground moving target indications (GMTI), digital terrain elevation data (DTED) collection, and synthetic aperture radar (SAR) imaging. The conferees believe that such a system may offer a cost-effective way to provide valuable new technical capabilities while complementing, and perhaps replacing, the capabilities of other existing systems. The conferees believe that the Secretary of Defense should evaluate options for eventual development and deployment of an operational SBR system. In addition, the conferees believe that the Air Force, U.S. Space Command, the Defense Advanced Research Projects Agency, and the National Reconnaissance Office should continue to work together to mature the necessary technologies, conduct an analysis of alternatives, and develop operational concepts to provide better information for this evaluation and to support a potential deployment.

Therefore, the conferees direct the Secretary of Defense to prepare an SBR roadmap to guide this overall effort. The roadmap should address several concerns: (1) the operational requirements for space-based GMTI, DTED, and SAR capabilities; (2) the relationship of an SBR system to other current and planned air and space-based assets that might provide such capabilities; (3) the technologies needed to enable an affordable and operationally effective SBR system; and (4) if a requirement for an SBR system is established, whether a space-based technology demonstrator would be cost-beneficial prior to an SBR system acquisition. The conferees direct the Secretary to submit a report to the congressional defense committees on the SBR roadmap by May 1, 2001.

Space maneuver vehicle

The budget request included no funding for the Space Maneuver Vehicle (SMV).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $15.0 million in PE 63401F for the SMV program.

The conferees agree to authorize an increase of $6.5 million in PE 63401F for acquisition of the ''second tail number'' X–40B demonstrator.

The conferees note that SMV development has been funded through congressional increases and are disappointed at the failure of the Secretary of the Air Force to request funding or provide efficient management for this program, notwithstanding repeated statements by Air Force and U.S. Space Command leaders indicating the importance of this program. The conferees urge the Air Force to request funding in future budget requests to support expeditious development.

The conferees also note that the full benefit of the Military Spaceplane concept, including the SMV, will not be realized without a low-cost reusable lower stage booster. The conferees direct the Secretary of the Air Force to provide a report to the congressional defense committees by April 1, 2001, on concepts, critical development paths, and applications for such a booster, and how it could fit into an overall Military Spaceplane system.

Space Based Laser program

The budget request included $137.7 million for the Space Based Laser (SBL) program, $63.2 million in the Air Force budget and $74.5 million in the Ballistic Missile Defense Organization budget.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $30.0 million in PE 63876F to support acceleration of the SBL Integrated Flight Experiment (IFX) and the SBL integrated test facility.

The conferees agree to authorize an increase of $10.0 million in PE 63876F to support acceleration of the IFX and the integrated test facility.

Electronic warfare development

The budget request included $58.2 million in PE 64270F for electronic warfare development.

The House bill would authorize an increase of $17.7 million in PE 64270F to continue development of the precision location and identification (PLAID) program, and an increase of $7.0 million in PE 64270F to increase the suitability of the miniature air-launched decoy (MALD) for operational use.

The Senate amendment contained a provision (sec. 226) that would authorize an increase of $8.0 million in PE 64270F for continued development of PLAID.

The Senate recedes on the provision.

The conferees agree to authorize a decrease of $8.6 million in PE 64270F, a total authorization of $49.6 million in electronic warfare development, as follows:

(1) an increase of $10.0 million for PLAID;

(2) an increase of $1.2 million for MALD; and

(3) a decrease of $19.8 million to reflect reapplication of prior year funds available due to Air Force withdrawal from the common missile warning system (CMWS) program.

Satellite control network

The budget request included $58.6 million in PE 35110F for satellite control network research and development.

The House bill would authorize the budget request and would require that $1.5 million be used for the Space Battlelab to evaluate the utility of commercial antenna networks for satellite control.

The Senate amendment would authorize the budget request.

The conferees agree to authorize the budget request without the restriction contained in the House bill.

The conferees direct the Secretary of the Air Force to conduct an evaluation of commercial technologies and services relevant to modernization of the satellite control network. The conferees believe that commercial technology may offer significant possibilities for modernizing the network, including its antennas, in a cost effective manner. The conferees direct the Secretary of the Air Force to submit a report on his evaluation to the congressional defense committees by April 1, 2001.

Manned reconnaissance systems

The budget request included no funding in PE 35207F for manned reconnaissance systems.

The House bill would authorize an increase of $2.0 million to complete a multi-link antenna system demonstration program on RC–135 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.5 million to demonstrate the potential to integrate the data from an offboard intelligence sensor controlled by RC–135 Combat Sent aircraft into the Combat Sent processing system. This concept would involve adapting the expeditionary common automatic recovery system (ECARS) to control and precisely position

the offboard platform to technically extend the reach of the Combat Sent aircraft into denied areas during a conflict. This concept would also provide for the safe, unassisted recovery of the offboard sensor. Since this data can be critical to responding to emerging threats during high intensity operations, the conferees believe that this effort should be supported.

Overview

The budget request for fiscal year 2001 contained an authorization of $10,238.2 million for Defense-Wide, Research and Development in the Department of Defense.

The House bill would authorize $11,077.8 million.

The Senate amendment would authorize $11,043.1 million.

The conferees recommended an authorization of $10,681.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE					
0601101D	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	2,007	2,007	2,007	-	2,007
0601101E	2	DEFENSE RESEARCH SCIENCES	90,415	90,415	90,415	-	100,415
		Advanced Photonics Research/Advanced Photonics Composite Res			[3,000]	[3,000]	
		Spin Electronics				10,000	
0601103D	3	UNIVERSITY RESEARCH INITIATIVES	253,627	263,127	259,127	-	257,627
		MEMS Sensors		[+9,500]		9,500	
		Military Personnel Research Institute			[+4,000]	4,000	
		Infrasound Detection Basic			[+1,500]	1,000	
		Spin Electronics				(10,000)	
		Transfer High Energy Laser				(500)	
0601105D	4	GULF WAR ILLNESS	16,978	16,978	16,978	-	16,978
0601108D	xx	HIGH ENERGY LASER RESEARCH DEVELOPMENT		10,000			
		High Energy Lasers (Transfer to PE 0602890D)		[+10,000]			
0601111D	5	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RES	6,715	6,715	6,715	-	6,715
0601114D	6	DEF EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RES	9,859	19,859	24,859	-	22,000
		DEPSCoR		[+10,000]	[+15,000]	12,141	
0601384BP	7	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	33,197	37,697	38,197	-	39,897
		Chemical and Biological Defense		[+3,000]		3,000	
		Chemical Agent Detection-Optical Computing		[+1,500]	[+2,000]	2,000	
		Thin Film Technology			[+3,000]	1,700	
0602110E	8	NEXT GENERATION INTERNET	15,000	15,000	15,000	-	15,000
0602173C	9	SUPPORT TECHNOLOGIES - APPLIED RESEARCH	37,747	47,747	49,747	-	39,747
		Wide Band Gap Materials		[+10,000]	[+2000]	2,000	
		NTW Follow-On Kill Vehicle Technology			[+10,000]	-	
0602227D	10	MEDICAL FREE ELECTRON LASER	15,029	15,029	15,029	-	15,029
0602228D	11	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE	14,236	14,236	14,236	-	14,236
0602234D	12	LINCOLN LABORATORY RESEARCH PROGRAM	18,602	18,602	20,702	-	20,102
		Bio-Defense Research			[+2,100]	1,500	
0602301E	13	COMPUTING SYSTEMS AND COMMUNICATIONS TECHNOLOGY	376,592	331,592	361,292	-	331,592
		Computing Systems and Communications Technology		[-45,000]		-	
		Mobile Autonomous Robot Software				(15,000)	
		Program reduction due to program growth				(30,000)	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0602302E	14	EXTENSIBLE INFORMATION SYSTEMS	69,282	49,282	69,282	-	52,282
		Extensible Information Systems		[-20,000]		-	
		Program reduction due to program growth				(17,000)	
0602383E	15	BIOLOGICAL WARFARE DEFENSE	162,064	142,064	162,064	-	147,064
		Biological Warfare Defense		[-20,000]		-	
		Program Reduction				(15,000)	
0602384BP	16	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	73,600	78,600	81,600	-	78,400
		Chemical and Biological Defense		[+5,000]		-	
		Hybrid Sensor Suite			[+8,000]	4,800	
0602702E	17	TACTICAL TECHNOLOGY	121,051	121,051	321,051	-	214,894
		Remotely Controlled Combat Systems Initiative			[+200,000]	100,000	
		Advanced Rotorcraft Technology				(5,657)	
		Transfer to Compact Lasers				(500)	
0602708E	18	INTEGRATED COMMAND AND CONTROL TECHNOLOGY	31,761	31,761	38,761	-	38,761
		High Definition Systems			[+7,000]	7,000	
0602712E	19	MATERIALS AND ELECTRONICS TECHNOLOGY	249,812	249,812	252,812	-	251,812
		3-D Structure Research			[+3,000]	2,000	
0602715BR	20	NUCLEAR SUSTAINMENT & COUNTERPROLIFERATION TECHNOLOGIES	230,928	213,928	230,928	-	212,428
		Nuclear Sustainment and Counterproliferation Technology		[-20,000]		-	
		Thermionics for Space Powered Systems		[+3,000]		2,500	
		Program Reduction/Program Growth				(21,000)	
0602787D	21	MEDICAL TECHNOLOGY	8,680	8,680	8,680	-	8,680
0602890D	xx	HIGH ENERGY LASER RESEARCH DEVELOPMENT	-	25,000		-	30,000
		High Energy Laser Applied Research (Includes all Laser Transfers)		[+25,000]		30,000	
0305108K	22	COMMAND AND CONTROL RESEARCH			-	-	-
0603002D	23	MEDICAL ADVANCED TECHNOLOGY	2,043	2,043	2,043	-	2,043
0603104D	24	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	8,964	8,964	13,964	-	11,764
		Ammunition Risk Analysis Capability			[+5,000]	2,800	
0603121D	25	SO/LIC ADVANCED DEVELOPMENT	8,622	8,622	8,622	-	8,622
0603122D	26	COMBATING TERRORISM TECHNOLOGY SUPPORT	41,307	45,307	51,307	-	49,307
		Chem-Bio Detectors			[+5,000]	3,000	
		Blast Mitigation Testing			[+3,000]	3,000	
		Facial Recognition Acess Control Technology		[+4,000]	[+2,000]	2,000	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603160BR	27	COUNTERPROLIFERATION ADV DEVELOPMENT TECHNOLOGIES	77,391	100,554	77,391	-	77,391
0603173C	28	SUPPORT TECHNOLOGIES - ADV TECHNOLOGY DEVELOPMENT	93,249	122,249	130,249	-	121,549
		Exoatmospheric Interceptor Technology (EIT)		[+5,000]		-	
		Robust Adaptive Algorithms/RF/IR Data Fusion Testbed		[+4,000]		2,800	
		Magdalena Ridge Observatory			[+9,000]	-	
		Wide Band Gap			[+10,000]	10,000	
		Excalibur Low Cost Launch			[+3,000]	6,500	
		Atmospheric Inteceptor Technology		[+20,000]	[+15,000]	9,000	
0603174C	29	SPACE BASED LASERS (SBL)	74,537	74,537	74,537	-	74,537
0603225D	30	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	16,670	16,670	16,670	-	16,670
0603232D	31	AUTOMATIC TARGET RECOGNITION	7,534	7,534	7,534	-	7,534
0603285E	32	ADVANCED AEROSPACE SYSTEMS	26,821	26,821	26,821	-	14,821
		Orbital Express Space Operations Architecture				(12,000)	
0603384BP	33	CHEMICAL & BIOLOGICAL DEFENSE PROG - ADVANCED DEV	46,594	46,594	67,694	-	56,144
		Chem-Bio Individual Sampler			[+2,700]	2,000	
		Consequence Management Information System			[+6,400]	4,000	
		Chem-Bio Advanced Materials research			[+3,500]	2,800	
		Small Unit Bio Detector			[+8,500]	750	
		Anthrax Vaccine				[1,000]	
0603704D	34	SPECIAL TECHNICAL SUPPORT	10,777	15,777	15,777	-	14,777
		Complex System Design		[+5,000]	[+5,000]	4,000	
0603711BR	35	ARMS CONTROL TECHNOLOGY	52,930	52,930	52,930	-	52,930
0603712S	36	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	23,082	26,082	31,382	-	26,382
		Competitive Sustainment Initiative		[+3,000]	[+8,000]	3,000	
		Air Logistics			[+300]	300	
0603716D	37	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	51,357	51,357	56,357	-	50,557
		UXO Detection and Remediation			[+5,000]	4,000	
		Texas Regional Institute for Environmental Studies (TRIES)		[3,000]		[2,000]	
		Invasive Species Program				(1,400)	
		Proposed Rules/Regulations				(3,400)	
0603727D	38	JOINT WARFIGHTING PROGRAM	7,607	7,607	7,607	-	7,607
0603738D	39	COOPERATIVE DOD/VA MEDICAL RESEARCH			-	-	500
		Occupational Lung Disease/Review of Biopsies				500	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603739E	40	ADVANCED ELECTRONICS TECHNOLOGIES	191,800	191,800	191,800	-	191,800
0603747E	41	ELECTRIC VEHICLES			-	-	-
0603750D	42	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	116,425	117,425	116,425	-	117,425
		Ultra-wideband Radar/Radar Vision 2000		[+1,000]		1,000	
0603755D	43	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	164,027	164,027	164,027	-	164,027
0603760E	44	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	128,863	128,863	128,863	-	128,863
0603761E	45	COMMUNICATION AND SIMULATION TECHNOLOGY			-	-	-
0603762E	46	SENSOR AND GUIDANCE TECHNOLOGY	182,225	182,225	178,225	-	134,125
		Surface Target Identification for Engagement				(8,000)	
		Discoverer II				(40,100)	
0603763E	47	MARINE TECHNOLOGY	30,304	30,304	30,304	-	30,304
0603764E	48	LAND WARFARE TECHNOLOGY	134,249	134,249	134,249	-	133,249
		Advanced Land Warfare Concept Exploration				(1,000)	
0603765E	49	CLASSIFIED DARPA PROGRAMS	101,387	101,387	101,387	-	101,387
0603805S	50	DUAL USE APPLICATION PROGRAMS			-	-	-
0603832D	51	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	56,971	56,971	61,971	-	59,971
		WMD Simulation Capability			[+5,000]	3,000	
0605160D	52	COUNTERPROLIFERATION SUPPORT	1,483	1,483	1,483	-	1,483
0603228D	56	PHYSICAL SECURITY EQUIPMENT	35,108	35,108	35,108	-	26,107
		Reduction for program growth				(9,001)	
0603708D	57	INTEGRATED DIAGNOSTICS			-	-	-
0603709D	58	JOINT ROBOTICS PROGRAM	10,294	10,294	10,294	-	10,294
0603714D	59	ADVANCED SENSOR APPLICATIONS PROGRAM	15,534	25,034	20,534	9,500	30,034
		HAARP			[+5,000]	5,000	
0603736D	60	CALS INITIATIVE	1,585	1,585	3,585	-	3,585
		Integrated Data Environment (IDE)			[+2,000]	2,000	
0603790T	61	NATO RESEARCH AND DEVELOPMENT			-	-	-
0603851D	62	ENVIRON SECURITY TECHNICAL CERTIFICATION PROG	24,906	24,906	34,906	-	28,906
		Remediation of Uexploded Ordnances			[+10,000]	4,000	
0603857J	63	ALL SERVICE COMBAT IDENTIFICATION EVALUATION TEAM (ASCIET)			-	-	-
0603861C	64	THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM - TMD - DEM/VAL			-	-	-
0603868C	65	NAVY THEATER WIDE MISSILE DEFENSE SYSTEM	382,671	407,671	442,671	-	462,671
		Advanced Technology Kill Vehicle		[+15,000]		-	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Radar Technology Demonstration		[+10,000]		-	
		Accelerate NTW SM-3 Incerceptor			[+60,000]	-	
		Advanced Technology Kill Vehicle/Radar Competition, Program Acceleration				80,000	
0603869C	66	MEADS CONCEPTS - DEM/VAL	63,175	63,175	63,175	-	53,475
		Reduction for Program Growth				(9,700)	
0603870C	67	BOOST PHASE INTERCEPT THEATER MISSILE DEF ACQ - DEM/VAL			-	-	-
0603871C	68	NATIONAL MISSILE DEFENSE - DEM/VAL	1,740,238	2,066,259	1,869,238	-	1,875,238
		Risk Reduction		[+85,000]	[+129,000]	129,000	
		Transfer From PE 0604442F (SBIRS Low)		[+241,021]			
		NMD C2 Radar Prototyping Program				6,000	
0603872C	69	JOINT THEATER MISSILE DEFENSE - DEM/VAL			5,000	-	-
		BMD Liquid Fueled SurrogateTarget (Authorized in 0603874C)			[+5,000]	-	
0603873C	70	FAMILY-OF SYSTEMS ENGINEERING AND INTEGRATION (FOS E&I)	231,248	255,848	231,248	-	231,248
0603874C	71	BMD TECHNICAL OPERATIONS	270,718	315,118	280,218	-	291,218
		Liquid Surrogate Targets		[+9,000]		2,500	
		Wide Bandwidth Information Infrastructure		[+15,000]		9,000	
		Advanced Optical Data and Sensor Fusion			[+3,000]	3,000	
		Advanced Research Center			[+6,500]	6,000	
0603875C	72	INTERNATIONAL COOPERATIVE PROGRAMS	116,992	116,992	104,992	-	124,992
		RAMOS			[-20,000]	-	
		Arrow System Improvement Plan				8,000	
		Arrow Enhanced Interoperability			[+8,000]	-	
0603876C	73	THREAT AND COUNTERMEASURES	22,621	22,621	22,621	-	22,621
0603XXXC	XXX	AIRBORNE LASER PROGRAM		231,037			
		Increase		[+82,400]			
		Transfer From 0603319F		[+148,637]			
0603884BP	74	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - DEM/VAL	83,800	83,800	83,800	-	83,800
0603892D	75	ASAT			20,000	-	-
		KE-ASAT			[+20,000]	-	
0603920D	76	HUMANITARIAN DEMINING	12,728	12,728	12,728	-	12,728
0603923D	77	COALITION WARFARE	11,839	11,839	11,839	-	6,000
		Program Deferral				(5,839)	
0604722D	78	JOINT SERVICE EDUCATION AND TRAINING SYSTEMS DEVELOPMENT			-	-	-

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0605104T	79	TECHNICAL STUDIES, SUPPORT AND ANALYSIS			-	-	-
0605110T	80	PARTNERSHIP FOR PEACE (PFP) INFORMATION MGT SYS (PIMS)	1,932	1,932	1,932	-	1,932
0901585C	81	PENTAGON RESERVATION	4,772	4,772	4,772	-	4,772
0604384BP	82	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - EMD	100,815	100,815	102,915	-	100,815
		Next Generation Anthrax Vaccine (Authorized in PE 0603384BP)			[+2,100]	-	
0604709D	83	JOINT ROBOTICS PROGRAM - EMD	11,553	11,553	13,153	-	11,553
		WMD Response System			[+1,600]	-	
0604764K	84	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	14,685	14,685	14,685	-	14,685
0604771D	85	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,250	16,250	16,250	-	16,250
0604805D	86	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			-	-	-
0604861C	87	THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM - TMD - EMD	549,945	549,945	549,945	-	549,945
0604865C	88	PATRIOT PAC-3 THEATER MISSILE DEFENSE ACQUISITION - EMD	81,016	81,016	81,016	-	81,016
0604867C	89	NAVY AREA THEATER MISSILE DEFENSE - EMD	274,234	274,234	274,234	-	274,234
0605013D	90	INFORMATION TECHNOLOGY DEVELOPMENT	12,000	15,600	12,000	-	12,000
		TRICARE Encounter Data System		[+3,600]			
0605013S	91	INFORMATION TECHNOLOGY DEVELOPMENT	1,671	1,671	1,671	-	1,671
0605014S	92	INFORMATION TECHNOLOGY DEVELOPMENT (FIELD ACTIVITY)	26,797	26,797	26,797	-	26,797
0605015S	93	INFORMATION TECH DEV (STANDARD PROCUREMENT SYSTEM)	15,772	15,772	15,772	-	15,772
0303129K	94	DEFENSE MESSAGE SYSTEM	11,340	11,340	11,340	-	11,340
0303140K	95	INFORMATION SYSTEMS SECURITY PROGRAM	18,210	18,210	18,210	-	18,210
0303141K	96	GLOBAL COMBAT SUPPORT SYSTEM	22,287	22,287	22,287	-	22,287
0305840K	97	ELECTRONIC COMMERCE	28,094	28,094	28,094	-	28,094
0603858D	98	UNEXPLODED ORDNANCE DETECTION AND CLEARANCE	1,204	1,204	1,204	-	1,204
0604942D	99	ASSESSMENTS AND EVALUATIONS			-	-	-
0604943D	100	THERMAL VICAR	4,882	4,882	4,882	-	4,882
0605104D	101	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	30,597	30,597	30,597	-	30,597
0605110BR	102	CRITICAL TECHNOLOGY SUPPORT	3,927	3,927	3,927	-	3,927
0605114E	103	BLACK LIGHT	5,000	5,000	5,000	-	5,000
0605116D	104	GENERAL SUPPORT TO C3I	3,769	3,769	3,769	-	8,769
		Information Assurance: JCOATS-IO (Authorization transferred from 0305190D)				5,000	
0605117D	105	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	32,173	32,173	80,273	-	72,173
		Classified Program Increase				40,000	
0605123D	106	AFCC ENGINEERING AND INSTALLATION	6,000	6,000	6,000	-	6,000

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0605124D	107	SPECIAL APPLICATIONS PROGRAM	9,122	9,122	9,122	-	9,122
0605126J	108	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	21,200	21,200	21,200	-	21,200
0605128BR	109	CLASSIFIED PROGRAM			-	-	-
0605128D	110	CLASSIFIED PROGRAM USD(P)			-	-	-
0605130D	111	FOREIGN COMPARATIVE TESTING	31,697	31,697	31,697	-	31,697
0605160BR	112	COUNTERPROLIFERATION SUPPORT			-	-	-
0605384BP	113	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	23,907	23,907	23,907	-	23,907
0605502BP	114	SMALL BUSINESS INNOVATIVE RESEARCH - CHEM BIO DEF			-	-	-
0605502D	115	SMALL BUSINESS INNOVATIVE RESEARCH			-	-	-
0605502E	116	SMALL BUSINESS INNOVATIVE RESEARCH			-	-	-
0605710D	117	CLASSIFIED PROGRAMS - C3I	641	641	641	-	641
0605790D	118	SMALL BUSINESS INNOVATION RESEARCH ADMIN	1,728	1,728	1,728	-	1,728
0605798S	119	DEFENSE TECHNOLOGY ANALYSIS	5,048	5,048	5,048	-	5,048
0605801K	120	DEFENSE TECHNICAL INFORMATION SERVICES (DTIC)	45,350	45,350	45,350	-	45,350
0605803S	121	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	8,776	8,776	8,776	-	8,776
0605804D	122	DEVELOPMENT TEST AND EVALUATION	43,915	43,915	43,915	-	43,915
0605898E	123	MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	34,679	34,679	34,679	(2,000)	32,679
0604805D	124	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	9,629	9,629	9,629	-	9,629
0208045K	125	C3 INTEROPERABILITY	37,072	37,072	37,072	-	37,072
0208052J	126	JOINT ANALYTICAL MODEL IMPROVEMENT PROGRAM	11,941	11,941	11,941	-	11,941
0302016K	130	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	641	641	641	-	641
0302019K	131	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	5,704	5,704	5,704	-	5,704
0303126K	132	LONG-HAUL COMMUNICATIONS (DCS)	1,416	1,416	1,416	-	1,416
0303127K	133	SUPPORT OF THE NATIONAL COMMUNICATIONS SYSTEM	5,019	5,019	5,019	-	5,019
0303131K	134	MIN ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	7,099	7,099	7,099	-	7,099
0303140G	135	INFORMATION SYSTEMS SECURITY PROGRAM	290,771	290,771	297,571	-	292,571
		Information Operations Technology Center Alliance			[+5,000]	-	
		Trusted Rubix			[+1,800]	1,800	
0303149J	136	C4I FOR THE WARRIOR	5,486	5,486	5,486	-	5,486
0303149K	137	C4I FOR THE WARRIOR	405	405	405	-	405
0303153K	138	JOINT SPECTRUM CENTER	8,735	8,735	8,735	-	8,735
0304210BB	139	SPECIAL RECONNAISSANCE CAPABILITIES (SRC) PROGRAM	3,800	3,800	5,800	-	3,800
		Virtual Worlds Initiative			[+2,000]	-	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0305102BQ	141	DEFENSE IMAGERY AND MAPPING PROGRAM	74,975	96,975	81,975	-	94,975
		GeoSar		[+15,000]		15,000	
		National Technology Alliance NIMA Viewer/Commercial Mapping Visulization Toolkit		[+3,000]	[+5,000]	3,000	
		Rome Lab		[+4,000]		-	
		Smart Maps/Spatio-temporal Database Research			[+2,000]	2,000	
0305127V	142	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	444	444	444	-	444
0305159I	143	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)			-	-	-
0305190D	144	C3I INTELLIGENCE PROGRAMS	25,182	25,182	35,182	-	25,182
		JCOATS-IO (Authorization transferred to 0605116D)			[+5,000]	-	
		Information Assurance Testbed			[+5,000]	-	
0305202G	145	DRAGON U-2 (JMIP)	4,379	4,379	4,379	-	4,379
0305206G	146	AIRBORNE RECONNAISSANCE SYSTEMS	13,514	13,514	13,514	-	13,514
0305207G	147	MANNED RECONNAISSANCE SYSTEMS	4,543	4,543	4,543	-	4,543
0305208L	150	DISTRIBUTED COMMON GROUND SYSTEMS	994	994	994	-	994
0305885G	152	TACTICAL CRYPTOLOGIC ACTIVITIES	95,671	97,671	95,671	-	95,671
		COTS VME Receiver Technology for SIGINT Applications		[+1,000]			
		Commercial Silicon Germanium Integrated Circuits		[+1,000]			
0305889G	153	COUNTERDRUG INTELLIGENCE SUPPORT			-	-	-
0708011S	154	INDUSTRIAL PREPAREDNESS	7,090	7,090	7,090	-	7,090
0902298J	155	MANAGEMENT HEADQUARTERS (OJCS)	12,540	12,540	12,540	-	12,540
0902740J	156	JOINT SIMULATION SYSTEM	24,095	24,095	24,095	-	24,095
1001017D	157	PARTNERSHIP FOR PEACE ACTIVITIES			-	-	-
1160279BB	158	SM BUSINESS INNOVATIVE RES/SMALL BUS TECH TRANS PILOT PROG			-	-	-
1160401BB	159	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	7,360	7,360	7,360	-	7,360
1160402BB	160	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	7,778	7,778	7,778	-	7,778
1160404BB	161	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	133,520	147,720	133,520	-	138,820
		CV-22 Osprey Radar Improvements		[+9,200]		6,000	
		MC-130 Autonomous Landing Guidance System		[+5,000]		4,500	
		Advanced Lightweight Grenade Launcher				2,800	
		CV-22 Post Initial Operational Capability Block 10 changes				(3,000)	
		C-130 Engine Infrared Suppression				(5,000)	
1160405BB	162	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	3,022	5,022	3,022	-	4,022
		Special Operations Tactical Video System		[+2,000]		1,000	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
1160407BB	163	SOF MEDICAL TECHNOLOGY DEVELOPMENT	2,065	2,065	2,065	-	2,065
1160408BB	164	SOF OPERATIONAL ENHANCEMENTS	87,071	87,071	92,671	-	73,571
		Advanced Lightweight Grenade Launcher (Authorized in PE 1160404 BB)			[+5,600]	-	
		Program Reduction				(13,500)	
XXXXXX		JOINT TECHNOLOGY INFORMATION CENTER INITIATIVE			20,000	20,000	20,000
XXXXXX		DIRECTED ENERGY			[50,000]		
XXXXX	999	Classified Programs	1,323,435	1,421,435	1,463,435	49,316	1,372,751
		ECONOMIC ADJUSTMENT		-	(1,500)		-
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE	10,238,242	11,077,763	11,043,142	443,410	10,681,652
		OPERATIONAL TEST & EVAL, DEFENSE					
0604940D	1	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	121,401	139,401	141,401	-	110,401
		CTEIP		[+18,000]		-	
		Program Increase			[+20,000]	-	
		Threat Simulations/Targets				(5,000)	
		Program Delays				(6,000)	
0605118D	2	OPERATIONAL TEST AND EVALUATION	17,172	17,172	17,172	-	17,172
0605131D	3	LIVE FIRE TESTING	9,712	9,712	11,212	-	11,212
		Reality Fire-Fighting Training			[+1,500]	1,500	
0605804D	4	DEVELOPMENT TEST AND EVALUATION	53,275	53,275	53,275	-	53,275
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	201,560	219,560	223,060	(9,500)	192,060

Chemical and Biological Defense Program

The budget request included $835.8 million for the Chemical and Biological Defense Program (CBDP), including $473.9 million for procurement and $361.9 million for research and development.

The House bill would authorize an increase of $4.5 million in PE 61384BP, including $3.0 million for chemical and biological defense basic research and $1.5 million for chemical agent detection via optical computing; and $5.0 million in PE 62384BP for chemical and biological defense applied research.

The Senate amendment would authorize increases for the following chemical and biological defense program activities: $2.0 million for chemical agent detection via optical computing and $3.0 million for thin film technology in PE 61384BP; $8.0 million to accelerate development of a light-weight, man portable hybrid sensor using thin film technology in PE 62384BP; $2.7 million for the chemical-biological individual sampler, $6.4 million for the consequence management information system, $3.5 million for the evaluation of advanced materials that contain reactive technologies to be added to textiles for protection against chemical and biological warfare agents, and $8.5 million for the Small Unit Biological Detector in PE 63384BP; $2.1 million for a next generation anthrax vaccine in PE 64384BP; $2.5 million for the procurement of thirteen enhanced nuclear, biological, and chemical (NBC) kits; and $1.8 million for the procurement of equipment in support of Weapons of Mass Destruction, Civil Support Teams (WMD–CST).

The conferees agree to authorize an increase for the following chemical and biological defense program activities: $6.7 million in PE 61384BP for chemical and biological defense basic research, including $3.0 million for chemical and biological defense, $2.0 million for chemical agent detection via optical computing, and $1.7 million for thin film technology in PE 61384BP; $4.8 million in PE 62384BP for a hybrid sensor suite using thin film technology; and $9.55 million in PE 63384BP, including $2.0 million for the chemical and biological individual sampler, $4.0 million for the consequence management information system, $2.8 million for evaluation of advanced materials containing reactive materials that may be added to textiles for protection against chemical and biological warfare agents, $750,000 for the small unit biological detector, and $1.0 million for second generation anthrax vaccine development. The conferees also agree to authorize increases of $2.5 million for procurement of NBC Defense Enhancement kits for Marine Expeditionary Units and $900,000 for procurement of equipment for Weapons of Mass Destruction, Civil Support Teams.

The conferees support initiatives for research, development, and demonstration of advanced chemical and biological defense technologies and systems. The conferees note, however, the growing tendency to fund individual chemical and biological defense projects directly within the budget accounts of the military services. The conferees emphasize that this practice violates the intent and purpose of Congress in establishing the consolidated chemical and biological defense program. The conferees direct the Under Secretary of Defense (Acquisition, Technology, and Logistics) to ensure that such initiatives compete for funding within the appropriate program elements of the joint chemical and biological defense program and the Defense Advanced Research Projects Agency's biological defense program on the basis of technical merit and the anticipated ability of the technology or system to meet joint and service unique needs.

Nuclear sustainment and counterproliferation technologies

The budget request included $230.9 million in PE 62715BR for nuclear sustainment and counterproliferation technologies, including $60.7 million for weapons effects technologies.

The House bill would authorize an increase of $3.0 million for thermionics for space powered systems and a decrease of $20.0 million to adjust for program growth in PE 62715BR.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $2.5 million for thermionics for space powered systems and a decrease of $21.0 million to adjust for program growth in PE 62715BR.

The conferees note that partnerships between universities, government laboratories, and industry accelerate the testing, development, and fielding of blast mitigation technologies for protection of U.S. missions and military installations abroad. The conferees strongly support such partnerships and encourage the Defense Threat Reduction Agency to continue to provide funding for this important initiative.

Blast mitigation testing

The budget request included $10.0 million in PE 63122D for blast mitigation testing.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $3.0 million in PE 63122D for blast mitigation testing.

The conferees agree to authorize an increase of $3.0 million in PE 63122D to accelerate the testing and certification of blast mitigation effects technology.

The conferees note these funds would allow the Department of Defense to accelerate the testing and analysis of building components and improve building design standards and guidelines for use in new construction applications.

Chemical and biological detectors

The budget request included $300,000 in PE 63122D to continue to develop aerogel and fiber optic based technologies for chemical and biological collector and detector prototypes.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million in PE 63122D for aerogel and fiber optic based technologies for chemical and biological collector and detector prototypes.

The conferees agree to authorize an increase of $3.0 million in PE 63122D for aerogel and fiber optic based technologies for chemical and biological collector and detector prototypes.

Facial recognition access control technology

The budget request included no funding in PE 63122D for facial recognition access control technology.

The House bill would authorize an increase of $4.0 million in PE 63122D for facial recognition access control technology.

The Senate amendment would authorize an increase of $2.0 million in PE 63122D for facial recognition access control technology.

The conferees agree to authorize an increase of $2.0 million in PE 63122D for facial recognition access control technology.

The conferees note these funds will be used to further the efforts of the Department of Defense to develop, test and evaluate this surveillance, identification, and access control technology, and allow prototype development and testing.

Technologies for detection and transport of pollutants attributable to live-fire activities

The budget request included $9.0 million for research, development, testing, and evaluation (RDT&E) related to the environmental remediation of unexploded ordnance (UXO), $5.0 million in PE 63716D for development of UXO technology through the Strategic Environmental Research and Development Program (SERDP) and $4.0 million in PE 63851D for demonstration/validation through the Environmental Security Technology Certification Program (ESTCP).

The House bill would authorize $3.0 million within SERDP for the Texas Regional Institute for Environmental Studies (TRIES).

The Senate amendment contained a provision (sec. 222) that would authorize an increase of $5.0 million in SERDP (PE 63716D) for the development of technologies to map the presence and transport of constituents related to live-fire activities. The Senate amendment would also authorize an increase of $10.0 million in ESTCP (PE 63851D) for demonstration/validation of UXO remediation technology.

The Senate recedes on the provision.

The conferees agree to authorize $2.0 million within SERDP (PE 63716D) for TRIES. The conferees also agree to authorize an increase of $4.0 million for ESTCP (PE 63851D) and $4.0 million for SERDP (PE 63716D) to conduct RDT&E activities that will begin to address the full range of issues associated with the detection and remediation of constituents attributable to military live-fire training activities that impact a variety of hydrogeological areas.

The Department of Defense (DOD) has informed the conferees that its potential liability for remediation of unexploded ordnance may exceed $100.0 billion. It is evident to the conferees that increased emphasis in this area is essential.

Specifically, the conferees expect that the increased funding will be used for the research, development, and demonstration/validation of viable, cost effective technologies to detect, analyze, and map the presence and transport of live-fire constituents. Demonstration/validation of these technologies shall to the extent practicable be conducted at sites where detection and possible remediation of live-fire constituents is underway. Such efforts will help the military departments meet the extraordinary environmental detection and remediation challenges at active, inactive, closed, transferred, and transferring ranges. Performance measures shall be established for all technologies developed with these additional funds to facilitate implementation and utilization by the DOD.

Weapons of mass destruction attack-effects-response assessment capability at U.S. Joint Forces Command

The budget request included $56.971 million in PE 63832D for the Joint Wargaming Simulation Management Office.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million in PE 63832D for the development and installation of a weapon of mass destruction attack-effects-response assessment capability for the Joint Task Forces-Civil Support that was recently established as part of the U.S. Joint Forces Command (USJFCOM). This program will allow USJFCOM, along with government agencies, state, and local authorities, to model chemical, biological or radiological incidents from the initial detection of the attack and initial effects through the medical response to the incident in an integrated, interoperable manner.

The conferees agree to authorize an increase of $3.0 million in PE 63832D for the development and installation of a weapon of mass destruction attack-effects-response assessment capability at USJFCOM.

Ballistic Missile Defense Organization funding and programmatic guidance

The budget request included approximately $4.5 billion for the Ballistic Missile Defense Organization (BMDO), including Procurement, Research, Development, Test and Evaluation (RDT&E) and military construction.

The House bill would authorize an increase of $669.6 million in RDT&E funding for BMDO, including transfers of funds from the Air Force for the Space Based Infrared System (SBIRS) Low and the Airborne Laser Program.

The Senate amendment would authorize an increase of $240.0 million in RDT&E funding for BMDO.

The conferees agree to authorize an overall increase of $264.1 million for BMDO RDT&E, as specified below. The conferee's recommendations for BMDO military construction are provided elsewhere in this conference agreement. The conferees' recommendations regarding the Airborne Laser and SBIRS-Low programs are also provided elsewhere in this conference agreement.

SUPPORT TECHNOLOGY

The conferees continue to support BMDO's efforts in the area of wide bandgap electronic materials and devices. To support this important technology effort, the conferees recommend an increase of $2.0 million in PE 62173C and an increase of $10.0 million in PE 63173C.

The conferees continue to support the Atmospheric Interceptor Technology (AIT) program to develop advanced interceptor kill vehicle technologies. The conferees recommend an increase of $9.0 million in PE 63173C to support the AIT program.

The conferees have supported BMDO's efforts to evaluate innovative and low-cost launch technologies. The conferees recommend an increase of $6.5 million in PE 63173C to support low cost launch technology, including the Excalibur concept. The conferees also agree to authorize an increase of $6.5 million in the Air Force budget (PE 63401F) for low cost launch, including the Scorpius concept.

The conferees note that the Director of BMDO has identified a need for additional funding to develop robust adaptive algorithms to counter evolving and off-nominal ballistic missile threats. The conferees recommend an increase of $2.8 million in PE 63173C to support such algorithm development.

The conferees remain concerned that funding for innovative ballistic missile defense technology projects continues to be insufficient to support BMDO's future needs. The conferees recommend that the Director of BMDO identify funds throughout the Future Years Defense Program sufficient to support a technology program that hedges against rapidly evolving missile threats.

NATIONAL MISSILE DEFENSE

The budget request included approximately $1.8 billion for the National Missile Defense (NMD) program, including Procurement and RDT&E. The conferees note that the Director of BMDO has identified a number of areas in which additional funds could be utilized to enhance risk reduction and testing activities. The Director identified $129.0 million in critical risk reduction unfunded requirements. Therefore, the conferees recommend an increase of $129.0 million in PE 63871C for NMD risk reduction.

The conferees understand that BMDO is considering entering into a competition for the NMD X-band ground-based radars (GBR) that would be deployed following the initial deployment of the GBR site in Alaska. The conferees direct the Director of BMDO to conduct an analysis of the advantages and disadvantages of a competitive approach to follow-on GBR development and deployment, and provide a report to the congressional defense committees by April 1, 2001. The conferees also agree to authorize an increase of $6.0 million in PE 63871C to support initial technology development and evaluation for the NMD capability–2 (C–2) radar.

The conferees are concerned by potential delays in the NMD program associated with the development of the ground-based interceptor (GBI) booster. The conferees believe that BMDO should evaluate options for reducing technical and schedule risks associated with the GBI, including the development of a backup booster option involving proven technologies. The conferees direct the Director of BMDO to submit a report to the congressional defense committees by April 1, 2001, on plans for mitigating the booster problems.

NAVY THEATER WIDE

The conferees continue to support the Navy Theater Wide (NTW) program and urge the Secretary of Defense to accelerate this important program to the extent permitted by the pace of technological development. The conferees agree to authorize an overall increase of $80.0 million in PE 63868C to accelerate the NTW program and to begin work on an advanced technology kill vehicle. Of this amount, the conferees agree to authorize the use of $65.0 million for acceleration of the Standard Missile–3 (SM–3) and to support continuation of NTW radar competition.

The conferees believe that BMDO should immediately begin to define and develop the necessary technology for the SM–3 block II kill vehicle. The conferees agree to authorize an increase of $15.0 million in PE 63868C to support the development of advanced NTW kill vehicle concepts employing light-weight non-toxic pumped-propulsion and active/passive sensor technology.

The conferees are concerned that the Navy has relied on congressional increases in the NTW program to support development of radar technologies and systems to support the ballistic missile defense mission. The conferees note that neither the Navy nor BMDO has budgeted for Navy missile defense radar requirements, as identified in the Navy's radar roadmap. The conferees believe that acceleration of the NTW program may be problematic unless these requirements are clearly defined. Such efforts are too important to remain unfunded in upcoming budget requests. The conferees believe that radar upgrades are primarily a Navy responsibility because they must be thoroughly integrated across the range of Navy missions, and that such upgrades cannot be funded exclusively through BMDO or through congressional increases. The conferees direct the Secretary of Defense to define the appropriate management and funding responsibilities between the Navy and BMDO regarding the development and acquisition of radars that support the Navy ballistic missile defense mission, and to ensure that appropriate funds are requested to support these activities.

MEDIUM EXTENDED AIR DEFENSE SYSTEM

The budget request included $63.2 million for the Medium Extended Air Defense System (MEADS). The conferees recommend a decrease of $9.7 million in PE 63869C due to growth in the MEADS program.

BMD TECHNICAL OPERATIONS

The conferees continue to support BMDO's effort to develop a theater missile defense surrogate target based on a liquid fuel engine. The conferees agree to authorize an increase of $2.5 million in PE 63874C to continue this effort.

The conferees continue to support the Army Space and Missile Defense Command's Advanced Research Center (ARC) and agree to authorize an increase of $6.0 million in PE 63874C in support of the ARC.

The conferees support BMDO's efforts to improve missile defense technologies and capabilities against advanced theater ballistic missile threats. One promising area of research is in optical data and sensor fusion for detection and discrimination of advanced threats, missile plumes, and penetration aids using advanced image processing and optical discrimination algorithms. The conferees agree to authorize an increase of $3.0 million in PE 63874C for BMDO to continue this work.

BMDO has succeeded in employing wide-band information technologies to link geographically dispersed radar and missile hardware-in-the-loop test facilities to improve ground testing of theater missile defense systems and increase the probability of successful flight testing. The conferees believe that this approach can be used in other areas, including battle management and command, control, communications, and intelligence (C3I). Therefore, the conferees agree to authorize an increase of $9.0 million in PE 63874C to support continued development of a wide-band information infrastructure for BMDO.

INTERNATIONAL COOPERATIVE PROGRAMS

The budget request included $117.0 million for BMDO International Cooperative Programs, including $81.2 million for Israeli Cooperative Projects and $35.8 million for the Russian-American Observation Satellites (RAMOS) program.

The conferees acknowledge that the budget request included $45.0 million to support continued acquisition of the Arrow Third Battery. The conferees agree to authorize an increase of $8.0 million in PE 63875C to initiate the Arrow System Improvement Plan.

Defense imagery and mapping program

The budget request included $75.0 million in PE 35102BQ.

The House bill would authorize an increase of $22.0 million in PE 35102BQ: $4.0 million for Rome Laboratory moving target exploitation efforts; $3.0 million for the National Technology Alliance and the National Imagery and Mapping Agency (NIMA) Viewer development; and $15.0 million for the Geo-Synthetic Aperture Radar (GeoSAR) program.

The Senate amendment would authorize an increase of $7.0 million in PE 35102BQ: $5.0 for the NIMA Viewer; and $2.0 million for the ''Smart Maps'' initiative.

The conferees agree to authorize an increase of $20.0 million in PE 35102BQ: $3.0 million for the development of a Commercial Mapping and Visualization Toolkit, which includes the NIMA Viewer concept; $15.0 million for the GeoSAR program; and $2.0 million for the ''Smart Maps'' initiative.

The conferees agree that the mapping and visualization toolkit development funds are not being designated for a specific contractor program, but that NIMA should use the additional funds to continue efforts to upgrade its commercial mapping and visualization toolkit, and give appropriate consideration to competitive commercial sources for conducting this work.

Special operations tactical systems development

The budget request included $133.5 million for special operations tactical systems development in PE11644BB. The budget request did not include funding to continue the development of many programs, including the MC–130 autonomous landing guidance system, the CV–22 terrain following radar upgrades, or the advanced lightweight grenade launcher.

The House bill would authorize an increase of $14.2 million in PE 11644BB, as follows: $9.2 million for the CV–22 terrain following radar improvements; and, $5.0 million for continued development of the MC–130 autonomous landing guidance system.

The Senate amendment would authorize an increase of $5.6 million in PE 11648BB, Special Operations Forces operational enhancements, for the purpose of continuing research and development of the advanced lightweight grenade launcher.

The conferees agree to authorize an increase of $13.3 million in PE 11644BB, special operations tactical systems development to be distributed as follows: $4.5 million for the MC–130 autonomous landing guidance system; $6.0 million for the CV–22 terrain following radar upgrades; and, $2.8 million for the advanced lightweight grenade launcher.

The conferees also understand that there may be slippage in the CV–22 post initial operational capability block 10 changes. Additionally, the C–130 engine infrared suppression program has been canceled due to higher priority requirements. Therefore, the conferees agree to a reduction of $3.0 million for the CV–22 block 10 changes and a reduction of $5.0 million for the C–130 engine infrared suppression program.

ITEMS OF SPECIAL INTEREST

Common imagery processor

The House report accompanying H.R. 4392, the Intelligence Authorization Act for Fiscal Year 2001 (H. Rept. 106–620), would direct that, of the amounts appropriated pursuant to that Act in PE 35208F and PE 35208N for the distributed common ground system (DCGS), no more than 25 percent could be obligated or expended until the Department of Defense submits a plan to the congressional defense and intelligence committees that details how the common imagery processor (CIP) will be integrated into the Navy imagery system (NAVIS) and how the NAVIS funcionality could be incorporated into the common imagery ground/surface system (CIGSS) structure.

The conferees agree that the Department should take full advantage of functions and capabilities already owned by the government. In general, the conferees do not support expenditure of funds to recreate existing capabilities absent compelling arguments. In this light, the conferees believe there is potential for integrating capabilities of the CIP, NAVIS, and CIGSS.

Therefore, the conferees direct the Assistant Secretary of Defense for Command, Contol, Communications, and Intelligence, in consultation with the Director, National Imagery and Mapping Agency, to submit a plan to the congressional defense and intelligence agencies by March 15, 2001, which outlines an appropriate path for migrating tactical imagery programs, including the CIP, NAVIS, and CIGSS, to integrated solutions within the CIGSS architecture.

Defense Space Reconnaissance Program

The Defense Space Reconnaissance Program (DSRP) has served an important role in providing direct interactions between the National Reconnaissance Office (NRO) and operational military commanders and other elements of the Department of Defense. In recent years, however, the DSRP has become a less uniquely effective entity as overt NRO support to the military has increased and reduced classification barriers have greatly increased military customer knowledge of space-based systems. In fact, the NRO now maintains a Military Support Division, directed by a general officer tasked to interact directly with the military customers of the NRO.

The conferees understand that the Director of the NRO has recently recommended that the DSRP be reestablished as the budgetary mechanism for defense augmentation of NRO programs to meet tactical military needs. The conferees believe that this proposal merits careful consideration.

At the same time, the conferees believe that the Secretary of Defense needs to evaluate the overall role of the NRO in supporting tactical military forces. The conferees believe that the following issues must be addressed as part of an overall review of space intelligence support to the warfighter: (1) the appropriate role for the NRO to play in supporting military operations and exercises, such that the NRO does not duplicate unnecessarily the responsibilities and capabilities of organizations, such as the National Imagery and Mapping Agency, the National Security Agency, or U.S. Space Command that are specifically tasked to support their various military customers; (2) whether some or all of the funds and responsibilities currently included in the NRP, the DSRP, and the service Tactical Exploitation of National Capabilities (TENCAP) programs for supporting military operations and exercises should be consolidated; (3) whether a revitalized DSRP would be the best mechanism for giving the Unified Commands a role in determining future space intelligence and reconnaissance capability requirements and raising the visibility of space reconnaissance matters within the Department of Defense program planning and resource allocation process; and (4) the role of a revitalized DSRP in funding NRO system developments to satisfy unique military or service requirements.

The conferees direct the Secretary of Defense to provide the congressional defense and intelligence committees a report by May 1, 2001, on his assessment and recommendations regarding these matters.

Future scout and cavalry system

The conferees have strongly supported the Army's future scout and cavalry system (FSCS) development effort in a joint program with the United Kingdom and are concerned to note actions taken by the Army to eliminate funding for the FSCS engineering and manufacturing development phase. As a result, funding for the Advanced Technology Demonstration (ATD) phase was eliminated in the fiscal year 2001 Department of Defense Appropriations Conference Report. The conferees note the Army has recently developed a plan to include FSCS technologies within its transformation efforts and recognize the FSCS ATD will provide a basis to evaluate the integration of land-system technologies through a platform demonstration. The conferees believe the FSCS program is well positioned to develop leap-ahead technologies for future land systems and support Army intentions to request reprogramming authority necessary to carry this program through the ATD phase of the development effort.

Modernized hellfire/common missile

The budget request included $5.0 million for the modernized Hellfire program to explore risk reduction opportunities. The conferees understand the Army is considering the possibility of moving toward a common chemical energy missile and that the modernized Hellfire program would serve as the baseline for this effort. The conferees fully support the Army's goal to reduce the different types of anti-tank missile systems in its future tactical inventory. However, this goal was not supported by a request for funds in the fiscal year 2001 budget. Therefore, the conferees direct the Army to ensure that fiscal year 2001 funds for the modernized Hellfire are used, in part, to initiate a program definition study to determine the potential of a common ground and air-to-ground missile. Furthermore, the conferees expect the Army to begin funding this effort in the fiscal year 2002 budget submission.

National Imagery and Mapping Agency pre-acquisition activities

Congress has repeatedly addressed the critical need to conduct thorough and effective pre-acquisition activities before embarking on a path to make the necessary improvements to the National Imagery and Mapping Agency's (NIMA) tasking, processing, exploitation, and dissemination (TPED) capabilities. The conferees agree that NIMA needs to conduct comprehensive pre-acquisition activities and will require substantial additional funds for this purpose.

The conferees believe that these pre-acquisition activities should accomplish several goals: (1) to apply new information technology and modern business practices across the imagery and geospatial enterprise, to include such concepts as federated management and migrating legacy systems based on proprietary software to an open systems architecture; (2) to develop a realistic program plan and acquisition strategy related to the role of NIMA, its oversight mechanisms, and its contractors, including the use of an overarching systems integration contract (perhaps along the lines of the National Missile Defense Lead Systems Integrator contract), unless the Department of Defense (DOD) can demonstrate that it would be more efficient and effective for the government to retain the integration role; (3) to develop a realistic plan to manage the transition of the current systems and personnel of the United States Imagery and Geospatial Information System (USIGS) to the new, modern architecture; (4) to ensure that all imagery and geospatial systems within DOD and other intelligence community agencies (including tactical programs, airborne systems, and commercial capabilities) are incorporated into an integrated imagery TPED architecture; and (5) to provide appropriate basis for migrating the TPED architecture from an imagery and geospatial TPED architecture to one capable of processing intelligence of multiple types (a so-called ''MULTI-INT'' architecture).

The conferees understand that the plan of the NIMA Director is to consider all options for TPED, to include making significant changes to the current architecture. The conferees agree that the review should be thorough, and that NIMA should retain only those previous architectural efforts and program planning that withstand fresh scrutiny. The conferees do not intend for NIMA to delay progress in important ongoing activities (including such programs as NIMA libraries and softcopy exploitation, now in the fielding phase) while the pre-acquisition effort is underway.

The conferees believe that direct and personal involvement by the Deputy Secretary of Defense and the Director of Central Intelligence (DCI) are necessary to ensure that the large resource investment to correct TPED deficiencies is properly managed and adequately supported by all DOD and Intelligence Community components. Therefore, the conferees request the Deputy Secretary and the DCI to direct all subordinate departments, agencies, and organizations to fully support NIMA TPED pre-acquisition activities. This must include providing overall guidance, developing concepts and system technical interfaces, and organizing and training intelligence providers and customers to maximize the imagery TPED functions. As noted above, the scope of this effort clearly must involve all imagery and geospatial information systems, including open-source systems. It should also include: all collection systems (spacecraft, aircraft, unmanned aerial vehicles, etc.); all tasking, data, storage, processing, exploitation, analysis, dissemination (including communications) and collaboration systems; and all

databases and the specific interfaces. In short, this pre-acquisition effort should refine and define the end-to-end information management processes for U.S. imagery and geospatial data systems so that intelligence can be provided to all customers at all levels.

The conferees expect that the policy and programmatic knowledge gained and the system-level specifications that result from the pre-acquisition activity will be used to focus NIMA's TPED development and acquisition efforts. The conferees expect the Deputy Secretary of Defense and the DCI to develop a realistic TPED transition plan with rigorous cost assessments and to submit that plan to Congress concurrent with future budget requests.

The conferees recognize that the fiscal year 2001 budget request and the Future Years Defense Program (FYDP) reflected additional resources to satisfy TPED requirements. This reflects the first firm commitment by the Deputy Secretary of Defense that the Department would provide additional resources to support TPED modernization. Although the conferees recognize that better funding estimates will result from the pre-acquisition activities addressed above, the administration must continue near- and long-term efforts to identify funding commitments in the fiscal year 2002 budget request and the FYDP that match the critical requirements in this area.

In the near-term, the conferees believe that the Department should take a number of steps to ensure the TPED efforts begin efficiently and promptly. These actions should include the following:

(1) NIMA should establish a focused, capable, and empowered program office that:

(a) remains separate from ongoing acquisition efforts;

(b) reports directly to the NIMA corporate acquisition executive for the Director of NIMA; and

(c) maintains clear and agreed upon relationships with the management oversight staffs, partnering program offices, and customers.

(2) NIMA should modify the current TPED study contracts as necessary to develop or to assist the Department in developing the following:

(a) a NIMA enterprise-wide 2005-era vision for the imagery TPED architecture, as modernized by new information management technology and business practices;

(b) a 2005-era concept of operations for all products, services, and business operations;

(c) a range of architectural approaches for a 2005-era USIGS that would account for current and near-term systems, and that are designed to facilitate transition from the current architecture;

(d) an acquisition strategy and program plan that clearly outlines program management, including the role of the NIMA program office and use of a systems integrator, contracts for advisory and assistance services (CAAS), and federally funded research and development centers;

(e) a source selection strategy;

(f) draft interface control documents, interagency memoranda, and one or more requests for proposal (as determined by the acquisition strategy) with all reference documents, to include statements of objectives, requirements, and operational concepts;

(g) a draft transition plan for all segments of the imagery and geospatial architecture, both internal and external to NIMA; and

(h) cost estimates and budget profiles for complete life cycle costs.

(3) NIMA's plan to achieve the actions in item (2) above shall be reviewed by the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, and the Deputy Director of Central Intelligence for Community Management.

The conferees direct the Secretary of Defense, in coordination with the DCI, to take these actions by February 1, 2001, and submit a report by that date to the congressional defense and intelligence committees that describes the implementation of these actions.

Nuclear Detonation Detection System

The conferees note that the Nuclear Detonation (NUDET) Detection System (NDS) Electromagnetic Pulse (EMP) V sensors are currently scheduled to fly on the next generation Global Positioning System (GPS) Block IIF satellites. These sensors support the mission areas of Integrated Tactical Warning and Attack Assessment (ITWAAA), Treaty Monitoring, and Nuclear Force Management (NFM). The conferees recognize that these sensors are necessary to providing the Commander in Chief of U.S. Strategic Command with the robust battle damage assessment capability required to adequately advise the National Command Authority during Single Integrated Operations Plan (SIOP) execution. In addition, these sensors are critical for arms control monitoring and verification.

Therefore, the conferees support efforts to procure the NDS EMP V sensors in time to fly on the first GPS IIF satellites. The conferees direct the Secretary of the Air Force to ensure that there is no loss in sensor coverage.

Radar technology insertion program

The conferees understand that the Air Force recently conducted a review of the Joint Surveillance and Target Attack Radar System (JSTARS) acquisition program, and confirmed the requirement for the Radar Technology Insertion Program (RTIP). Conferees note that RTIP capability will offer a major enhancement to the current JSTARS fleet and strongly urge the Air Force to install RTIP into any JSTARS aircraft produced after RTIP goes into production.

Space launch ranges

The conferees are concerned that continuing to vest the Air Force with sole fiscal responsibility for the space launch ranges is increasingly problematic. The conferees note that several recent congressional hearings and governmental studies indicate that: (1) the Air Force is transitioning to use of commercial launch services and the commercial launch industry is, and will remain, the predominant user of these ranges; (2) because it does not recover the costs of its management, operation, and modernization of the ranges, the Air Force provides a substantial subsidy to the commercial launch industry, which is less justifiable as the commercial launch industry matures; (3) the Air Force has done an inadequate job of maintaining and modernizing the ranges, and inadequate funding for the ranges is causing equipment to become outdated; and (4) the commercial launch industry does not believe that the Air Force manages the ranges efficiently, often leading to costly launch delays.

The conferees urge the Secretary of Defense to give consideration to expanding the sources of funding for range modernization, maintenance, and operations and to transition responsibility for range management, modernization, maintenance, and operations from the Air Force to joint responsibility between a combination of the Air Force, other state and federal agencies, and the commercial sector. The conferees believe that such approaches may offer the opportunities to improve both military and commercial launch capabilities.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 201–202)

The House bill contained provisions (secs. 201–202) that would authorize the recommended fiscal year 2001 funding levels for all research, development, test, and evaluation accounts.

The Senate amendment contained similar provisions.

The conference agreement includes these provisions.

Subtitle B—Program Requirements, Restrictions, and Limitations

Management of Space-Based Infrared System-Low (sec. 211)

The House bill contained a provision (sec. 212) that would transfer during fiscal year 2001 the management authority over the Space-Based Infrared System (SBIRS) Low program from the Air Force to the Ballistic Missile Defense Organization (BMDO).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would delay the transfer of the SBIRS-Low program to BMDO until fiscal year 2002.

Joint strike fighter program (sec. 212)

The House bill contained a provision (sec. 213) that would require the Secretary of Defense to certify to the congressional defense committees that the joint strike fighter (JSF) is technologically mature enough prior to allowing the JSF program to enter the engineering and manufacturing development (EMD) phase.

The Senate amendment contained a provision (sec. 215) that would require a report from the Secretary of Defense on the technical exit criteria for the JSF to enter EMD and on the impact of any changes the Department of Defense had made to the acquisition strategy. The Senate amendment would also provide a waiver of an amount of funds from the transfer authority ceiling in the event the Department decided to reprogram funds within the JSF program to support EMD activities.

The House recedes with an amendment that would require the Secretary of Defense to provide a report on the technical exit criteria for the JSF to enter EMD. The provision would require that, prior to entering EMD, the Secretary of Defense would have to certify to the congressional defense committees that the technical exit criteria have been met, that key technologies are sufficiently mature, and that the short takeoff and vertical landing variant of the design selected for EMD has accumulated at least 20 flight test hours. The provision would also provide a waiver of transfer authority ceiling in the event the Department were to decide that it needed to reprogram funds within the JSF program.

Fiscal year 2002 joint field experiment (sec. 213)

The Senate amendment contained a provision (sec. 211) that would require the Secretary of Defense to plan in fiscal year 2001, and execute in fiscal year 2002, a major joint field experiment. This experiment would include elements from all military services and special operations forces that represent equipment, organizations, and concepts intended to counter threats to U.S. national security in the year 2010 and beyond.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to submit to the congressional defense committees by March 1, 2001, a report on the concept plan for this joint field experiment that includes: (1) the objectives of the experiment; (2) participating forces; (3) experiment schedule

and location(s); (4) funding requirements for each participating joint command, defense agency, and service component; and (5) identified shortfalls in funding required for the experiment that are not included in the fiscal year 2002 budget request for each of the participating joint commands, defense agencies, and service components.

The conferees agree to authorize an increase of $2.0 million in PE 63727N to facilitate the planning in fiscal year 2001 of this major joint field experiment to be executed in fiscal year 2002.

Nuclear aircraft carrier design and production modeling (sec. 214)

The budget request included $38.3 million in PE 64567N for aircraft carrier contract design. The budget request did not include funds specifically designated for converting nuclear aircraft carrier designs to a three-dimensional, computer-based system.

The House bill would authorize $5.0 million of the budget request to begin development of an aircraft carrier design product model for the CVNX.

The Senate amendment contained a provision (sec. 212) that would authorize an increase of $10.0 million in PE 64567N to develop an electronic product model of the CVNX–1 and applicable sections of CVN–77 nuclear aircraft carrier design. The Senate amendment would also direct the Navy to provide an analysis of the potential costs and benefits of extending this product model effort for use in supporting the Nimitz-class ships in the fleet.

The House recedes with an amendment that would authorize an increase of $8.0 million in PE 64567N to develop an electronic product model of the CVNX–1 and applicable sections of CVN–77. The amendment would also require the Secretary of the Navy to provide a report on the cost effectiveness of converting design data to an electronic form and developing a three-dimensional design product model for the CVNX class aircraft carrier.

DD–21 class destroyer program (sec. 215)

The Senate amendment contained a provision (sec. 213) that would authorize the Secretary of the Navy to pursue a technology insertion approach to DD–21 that would commence construction of the first DD–21 in fiscal year 2004 followed by a fiscal year 2009 delivery. The provision would also express the sense of Congress that there are compelling reasons to commence DD–21 construction in fiscal year 2004 followed by sequential construction of DD–21 destroyers until a total of 32 are built. The provision would further direct the Secretary of Defense and the Secretary of the Navy to submit certain reports on DD–21.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Limitation on Russian American Observation Satellites program (sec. 216)

The Senate amendment contained a provision (sec. 219) that would prohibit the expenditure or obligation of funds for the Russian American Observation Satellites (RAMOS) program until 30 days after the Secretary of Defense submits to Congress a report concerning the protection of advanced military technology that may be associated with the RAMOS program.

The House bill contained no similar provision.

The House recedes.

Joint Biological Defense Program (sec. 217)

The Senate amendment contained a provision (sec. 220) that would prohibit the obligation of funds to procure the vaccine for the biological agent anthrax until the Secretary of Defense makes a notification and delivers a report to the congressional defense committees.

The House bill contained no similar provision.

The House recedes with an amendment that would establish permissible actions related to the obligation of funds to procure the anthrax vaccine and would require the Secretary to report within seven days to the Congress all obligations in connection with the qualified procurement of anthrax vaccine with a value greater than $5.0 million.

The conferees note that the anthrax virus is only one of several biological agents Department of Defense officials have testified could pose a threat to military personnel. The conferees are concerned that the myriad issues associated with the production and acquisition of the anthrax vaccine may also apply to other biological warfare defense vaccine research, development, and procurement programs. It is incumbent on the Secretary to develop a plan, including milestones, for modernizing all vaccines used or anticipated to be used to immunize military personnel against biological agents. In the development of that plan, the Secretary should take such action, including procuring vaccines from more than one manufacturer, if necessary or appropriate, to ensure military personnel immunization policies and plans can be effectively implemented.

Section 1703 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160) required the Secretary of Defense to report annually on the status and plans of chemical and biological defense research, development and procurement programs. In the report to be submitted in calendar year 2001 and the subsequent three reports, the costs incurred by, and payments made to, each contractor or other entity engaged in the production, storage, distribution, or marketing of the anthrax vaccine administered by the Department of Defense should be provided. In the report to be submitted in calendar year 2001, the following information should be included: (1) an estimate and update of the life cycle costs of the anthrax vaccination program; (2) a description of the anthrax vaccine acquisition strategy; (3) an assessment of government requirements (defense and non-defense) for the anthrax vaccine; (4) an assessment of the financial and manufacturing ability of the manufacturer of the anthrax vaccine to meet government requirements; and (5) a description of any activity related to any anthrax vaccine license with significant implications for the Department of Defense.

Report on biological warfare defense vaccine research and development programs (sec. 218)

The Senate amendment contained a provision (sec. 221) that would direct the Secretary of Defense to report on the Department of Defense (DOD) program to develop and procure vaccines for biological warfare agents no later than February 1, 2001. The provision would require the Secretary to develop a design for a government-owned, contractor-operated (GOCO) vaccine production facility and provide a determination on the utility of such a facility to support civilian vaccine production, and an analysis of possible vaccine production for international use.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the requirements of the report to include an estimated establishment cost and schedule for the GOCO facility, and an evaluation of the non-military use of such a facility on the production of vaccines for U.S. Armed Forces.

Cost limitations applicable to F–22 aircraft program (sec. 219)

The Senate amendment contained a provision (sec. 214) that would provide one percent relief on the engineering and manufacturing (EMD) development cost cap for the F–22 aircraft if the funds are required for testing, as certified by the Director of Operational Test and Evaluation (DOT&E) and the Undersecretary of Defense for Acquisition, Technology, and Logistics (USD AT&L).

The House bill contained no similar provision.

The House recedes with an amendment that would provide one and one half percent relief on the EMD cost cap for the F–22 aircraft program, if the use of these funds is required for testing, as certified by DOT&E after consultation with USD AT&L. The amendment would also reestablish the EMD and production cost caps, as established by section 217 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85).

Unmanned advanced capability combat aircraft and ground combat vehicles (sec. 220)

The Senate amendment contained a provision (sec. 217) that would establish an initiative to promote the use of unmanned combat systems and technologies with the goal that, within 10 years, one-third of U.S. military operational deep strike aircraft will be unmanned and, within 15 years, one-third of all ground combat vehicles will be unmanned. The Senate amendment would authorize $200.0 million in research, development, test and evaluation in PE 62702E to accelerate the technologies that will lead to the development and fielding of remotely controlled air combat vehicles by 2010 and remotely controlled ground combat vehicles by 2015.

The House bill contained no similar provision.

The House recedes with an amendment.

The conferees support the need to strengthen Army, Navy, and Air Force efforts to exploit the significant potential of unmanned combat aircraft and ground vehicles to effectively accomplish many critical combat missions while avoiding risk to aircraft and ground vehicle crews. The amendment reaffirms the goal established in section 217 of the Senate amendment of developing and fielding advanced capability unmanned combat aircraft and ground vehicles such that one-third of the operational deep strike aircraft in the year 2010 and one-third of the ground combat vehicles acquired through the Army's future combat system development program by the year 2015 could be unmanned.

The conferees direct the Secretary of Defense to submit a report to the congressional defense committees that describes the development and demonstration efforts of the services together with the Defense Advanced Research Projects Agency (DARPA) that will be required to support the established goals. The report shall be submitted in conjunction with the fiscal year 2002 budget request and will include the acquisition strategy required to achieve the established goals, including necessary funding, analysis of alternatives, and potential contributions to, or impacts to current and planned deep strike combat aircraft and ground combat vehicles.

The conferees recommend that efforts to develop and to demonstrate unmanned combat aircraft and ground combat vehicles should be focused initially on the highest risk mission areas. For aircraft, this mission area is defined as those early entry deep strike missions for suppression of enemy air defenses and other highest priority targets. The amendment also addresses commonality between the Air Force and Navy programs. The conferees expect that significant air vehicle systems commonality and interoperability between the Navy and Air Force

variants is achievable, specifically in the areas of electronics, avionics, datalinks, and operating stations. The conferees also recognize the importance of low observable (LO) designs in future systems. To that end, Air Force should proceed with development of air vehicle three and validate the LO design of the unmanned combat air vehicle (UCAV) system. Accordingly, the Navy should fully explore the advantages of LO technology in their design of the unmanned combat air vehicle (UCAV-N) system.

In its analysis of alternatives, the Navy should examine a force of 10 to 20 UCAVs per carrier airwing. For ground combat vehicles, the capabilities currently anticipated for the Army's new objective force currently under development in collaboration with DARPA offer the most appropriate focus for application of unmanned vehicle capability.

To accelerate efforts toward achieving these aggressive goals, the conferees authorize an increase of $100.0 million in PE 62702E, as follows: $50.0 million for the Air Force's UCAV program; $25.0 million for the Navy's UCAV-N program; and, $25.0 million for the Army-DARPA joint program on the Future Combat System (FCS). The conferees expect DARPA and the services to work the additional funding, responsibilities, and timelines into the existing memorandum of agreements for these three programs.

The conferees recognize that an increase of $46.0 million is authorized in PE 63005A for enabling technologies for the FCS, as noted elsewhere in this report. The request for the additional funds came from the Department of the Army's unfunded priority list. The conferees note that the Army transformation program hinges on the success of FCS as it is the centerpiece of the service's new ground warfare strategy. The conferees urge the Department to fully fund this critical program in the future.

Global Hawk high altitude endurance unmanned aerial vehicle (sec. 221)

The Senate amendment contained a provision (sec. 216) that would require a demonstration of the Global Hawk high altitude endurance unmanned aerial vehicle (HAE UAV) in a counter-drug surveillance scenario.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to initiate this demonstration no later than March 1, 2001. The provision would also direct the Secretary to conduct the demonstration and the parallel radar development effort using funds authorized to be appropriated for Drug Interdiction and Counter-drug Activities, Defense.

Army space control technology development (sec. 222)

The Senate amendment contained a provision (sec. 218) that would authorize $20.0 million for the Kinetic Energy Anti-Satellite (KE-ASAT) program, $5.0 million for other Army space control technology development, and prohibit the obligation of funds for other Army space control technology until funds for the KE-ASAT program have been released to the KE-ASAT program manager.

The House bill contained no similar provision.

The House recedes with an amendment that would specify that, of the funds authorized to be appropriated for Army space control technology development, $3.0 million shall be available for the KE-ASAT program.

Subtitle C-Ballistic Missile Defense

Funding for fiscal year 2001 (sec. 231)

The House bill contained a provision (sec. 231) that would authorize funds for the National Missile Defense Program, including funds for the Space-Based Infrared System (SBIRS)-Low program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize funds for the National Missile Defense program, but not the SBIRS-Low program. Matters related to SBIRS-Low are addressed elsewhere in this report.

Reports on ballistic missile threat posed by North Korea (sec. 232)

The House bill contained a provision (sec. 233) that would require that, not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, or 60 days after enactment of this Act, the President shall submit to Congress a report on the North Korean ballistic missile threat to the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that, not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, the President shall submit to Congress a report on the North Korean ballistic missile threat to the United States.

Plan to modify ballistic missile defense architecture (sec. 233)

The House bill contained a provision (sec. 234) that would require the Director of the Ballistic Missile Defense Organization to develop a plan to adapt ballistic missile defense systems and architectures to counter threats to the United States, U.S. Armed Forces deployed outside the United States, and other U.S. national security interests that are posed by ballistic missiles with ranges of 1,500 to 2,500 miles.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Management of Airborne Laser program (sec. 234)

The House bill contained a provision (sec. 235) that would designate the Airborne Laser (ABL) program as a program element of the ballistic missile defense program managed by the Ballistic Missile Defense Organization (BMDO).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of the Air Force to obtain the approval of the Director of BMDO before making any change to the ABL funding profile, schedule, or technical requirements, and for the Director of BMDO, in coordination with the Secretary of the Air Force, to submit a report to the congressional defense committees on the role of the ABL in current U.S. missile defense architecture.

As addressed elsewhere in this conference agreement, the conferees recommend a funding increase of $85.0 million for the ABL program, the amount needed in fiscal year 2001 to keep the Program Definition and Risk Reduction aircraft on schedule to conduct the first lethal demonstration during fiscal year 2003. The conferees direct the Secretary of the Air Force to spend these additional fiscal year 2001 funds consistent with the fiscal year 2000 program plan. Absent the development of technical problems, the conferees believe that the ABL program should remain on schedule for a lethal demonstration in fiscal year 2003 and initial operational capability in fiscal year 2008.

Subtitle D—High Energy Laser Programs

High energy laser programs (secs. 241–250)

The House bill contained a provision (sec. 211) that would authorize funding for high energy laser (HEL) research and development, and would require the Secretary of Defense to designate a senior civilian official in the Office of the Secretary of Defense (OSD) to oversee, coordinate, prioritize, and conduct planning and programming for the HEL programs. The provision would also express a sense of Congress concerning the appropriate funding levels for HEL research and development, require the establishment of a memorandum of agreement between the Secretary of Defense and the Administrator of the National Nuclear Security Administration to conduct joint laser research programs, and establish certain reporting requirements.

The Senate amendment contained a similar provision (sec. 917) that would authorize funding for HEL programs, require the Secretary of Defense to implement the organizational recommendations included in the High Energy Laser Master Plan of March 24, 2000, and require other actions related to the management of HEL.

The Senate recedes with an amendment that would require the Secretary of Defense to implement the recommendations included in the High Energy Laser Master Plan recommendations and would address other matters related to HEL program funding and management. The amendment would also require the Secretary of Defense, in consultation with the Deputy Undersecretary of Defense for Science and Technology, to evaluate whether to include other directed energy science and technology programs in the new high energy laser management structure.

Subtitle E—Other Matters

Reports on mobile offshore base concept and potential use for certain purposes of technologies associated with that concept (sec. 251)

The Senate amendment contained a provision (sec. 241) that would require the Secretary of Defense to submit a report on the mobile offshore base that would contain a cost-benefit analysis for the base and a recommendation on whether a program should be established, with lead service designation and schedule.

The House bill contained no similar provision.

The House recedes with an amendment that would require an additional report from the Secretary of the Navy on the potential application and feasibility of using existing technologies, including those associated with the mobile offshore base concept, to a sea-based platform for support of naval aviation training. This report should be viewed as a matter totally disassociated with the potential requirement for a mobile offshore base, with the exception of potential sharing of technologies.

Air Force science and technology planning (sec. 252)

The Senate amendment contained a provision (sec. 242) that would require the Secretary of the Air Force to submit a report to the congressional defense committees on the long-term challenges and short-term objectives of the Air Force science and technology (S&T) program.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the reporting requirement for the Air Force, clarify the planning requirement, and require the Comptroller General to report on the results of the review and an assessment regarding the extent to which the review was conducted in compliance with the requirements of this section.

Enhancement of authorities regarding education partnerships for purposes of encouraging scientific study (sec. 253)

The Senate amendment contained a provision (sec. 243) that would amend section 2194

of title 10, United States Code, to enhance authorities relating to education partnerships to encourage scientific study.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the types of property eligible for transfer under the authorities of this provision.

Recognition of those individuals instrumental to naval research efforts during the period from before World War II through the end of the Cold War (sec. 254)

The House bill contained a provision (section 241) that would recognize those individuals instrumental in the establishment and conduct of oceanographic and scientific research partnerships between the Federal Government and academic institutions during the period beginning before World War II and continuing through the end of the Cold War, support efforts by the Secretary of the Navy and the Chief of Naval Research to honor those individuals, and express appreciation for the ongoing efforts of the Office of Naval Research to support oceanographic and scientific research and the development of researchers in scientific fields related to the missions of the Navy and the Marine Corps.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Acoustic mine detection technology

The Senate amendment contained a provision (sec. 223) that would authorize an increase of $2.5 million in PE 62712A for research in acoustic mine detection.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $2.5 million in PE 62712A for research in acoustic mine detection, as noted elsewhere in this conference report.

Additional authorization for weathering and corrosion technology for aircraft surfaces and parts

The Senate amendment contained a provision (sec. 203) that would authorize an increase of $1.5 million in PE 62102F for weathering and corrosion technology for aircraft surfaces and parts.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $1.0 million in PE 62102F for research, development, test, and evaluation technologies and processes to address weathering and corrosion of aircraft surfaces and parts, as noted elsewhere in this report.

The conferees direct that all applicable competitive procedures be used in the award of contracts or other agreements under this program and that cost sharing be used to the maximum extent practicable.

Air logistics technology

The Senate amendment contained a provision (sec. 225) that would authorize an increase of $300,000 in PE 63712S for air logistics technology.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $300,000 in PE 63712S for air logistics technology, as noted elsewhere in this conference report.

Ammunition risk analysis research

The Senate amendment contained a provision (sec. 229) that would authorize an increase of $5.0 million in PE 63104D for research in ammunition risk analysis.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $5.0 million in PE 63104D for research in ammunition risk analysis, as noted elsewhere in this conference report.

Funding for comparisons of medium armored vehicles

The Senate amendment contained a provision (sec. 230) that would authorize an increase of $40.0 million to support a comparative evaluation by the Army of medium armored combat vehicles.

The House bill contained no similar provision.

The Senate recedes.

Joint technology information center initiative

The Senate amendment contained a provision (sec. 228) that would authorize $20.0 million for the Joint Technology Information Center Initiative.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $20.0 million in Research, Development, Test and Evaluation, Defensewide, for the Joint Technology Information Center initiative.

Navy information technology center and human resource enterprise strategy

The budget request included $15.3 million in PE 65013N for information technology development.

The House bill would authorize the budget request.

The Senate amendment contained a provision (sec. 227) that would authorize an increase of $5.0 million in PE 65013N for the Navy's single integrated human resources strategy (SIHRS).

The Senate recedes on the provision.

The conferees agree to authorize an increase of $8.0 million in PE 65013N for the business process re-engineering of Navy legacy systems through the SIHRS.

Sense of Congress concerning commitment to deployment of National Missile Defense System

The House bill contained a provision (sec. 232) that would:

(1) reaffirm the policy of the United States declared in the National Missile Defense (NMD) Act of 1999 (Public Law 106–38); (2) find that an effective NMD system is technologically feasible; (3) find that hostile ''rogue'' nations are capable of posing missile threats to the United States sufficient to justify deployment of an NMD system; and (4) express the sense of Congress that the action of the President in signing the NMD Act of 1999 entails a commitment by the President to execute the policy declared in that Act.

The Senate amendment contained no similar provision.

The House recedes.

Technology for mounted maneuver forces

The Senate amendment contained a provision (sec. 224) that would authorize an increase of $5.0 million in PE 65326A to test and evaluate future operational technologies for use by mounted maneuver forces.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $3.5 million in PE 65326A to test and evaluate future operational technologies for use by mounted maneuver forces, as noted elsewhere in this conference report.

TITLE III—OPERATION AND MAINTENANCE

Overview

The budget request for fiscal year 2001 contained an authorization of $108,746.1 million for Operation and Maintenance in the Department of Defense and $1,154.4 for Working Capital Fund Accounts in fiscal year 2001.

The House bill would authorize $109,415.5 million for Operation and Maintenance and $1,503.4 for Working Capital Fund Accounts.

The Senate amendment would authorize $108,904.7 million for Operation and Maintenance and $1,154.4 for Working Capital Fund Accounts.

The conferees recommended an authorization of $109,750.2 million for Operation and Maintenance and $1,154.4 for Working Capital Fund Accounts for fiscal year 2001. The conference agreement reflects reductions reflected in the fiscal year 2001 Department of Defense Appropriations Act (Public Law 106–259). Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE III					
OPERATION & MAINTENANCE & WORKING CAPITAL FUNDS					
Operation and Maintenance, Army	19,123,731	19,489,617	19,031,031	156,650	19,280,381
Operation and Maintenance, Navy	23,300,154	23,324,809	23,276,154	466,456	23,766,610
Operation and Maintenance, Marine Corps	2,705,658	2,851,678	2,746,558	120,633	2,826,291
Operation and Maintenance, Air Force	22,346,977	22,351,164	22,389,077	48,244	22,395,221
Operation and Maintenance, Defense-wide	11,920,069	11,673,852	11,912,069	(179,500)	11,740,569
Operation and Maintenance, Army Reserve	1,521,418	1,565,918	1,526,418	40,000	1,561,418
Operation and Maintenance, Navy Reserve	960,946	967,646	965,946	18,000	978,946
Operation and Maintenance, Marine Corps Reserve	133,959	150,469	138,959	10,200	144,159
Operation and Maintenance, Air Force Reserve	1,885,859	1,890,859	1,890,859	18,000	1,903,859
Operation and Maintenance, Army National Guard	3,182,335	3,236,835	3,222,335	51,500	3,233,835
Operation and Maintenance, Air National Guard	3,446,375	3,461,875	3,450,875	22,000	3,468,375
Office of the Inspector General	144,245	144,245	144,245	0	144,245
United States Court of Appeals for the Armed Forces	8,574	8,574	8,574	0	8,574
Environmental Restoration, Army	389,932	389,932	389,932	0	389,932
Environmental Restoration, Navy	294,038	294,038	294,038	0	294,038
Environmental Restoration, Air Force	376,300	376,300	376,300	0	376,300
Environmental Restoration, Defense-Wide	23,412	23,412	23,412	(2,000)	21,412
Environmental Restoration, Formerly Used Defense Sites	186,499	186,499	231,499	45,000	231,499
Drug Interdiction and Counter-drug Activities, Defense	836,300	841,500	845,300	32,700	869,000
Defense Health Program	11,310,423	11,571,523	11,401,723	169,700	11,480,123
Former Soviet Union Threat Reduction	458,400	433,400	458,400	(15,000)	443,400

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
Overseas Humanitarian, Disaster, & Civic Aid	64,900	55,800	55,400	(9,000)	55,900
Payment to Kaho' Olawe Island Fund	25,000	25,000	25,000	0	25,000
Overseas Contingency Operation Transfer Fund	4,100,577	4,100,577	4,100,577	0	4,100,577
Quality of Life Enhancement	0	0	0	10,500	10,500
Subtotal Operation and Maintenance	108,746,081	109,415,522	108,904,681	1,004,083	109,750,164
REVOLVING FUNDS					
Defense Working Capital Fund	916,276	916,276	916,276	0	916,276
National Defense Sealift Fund	388,158	737,109	388,158	0	388,158
National Defense Stockpile Transaction Fund (Routine & Ongoing Sales)	(150,000)	(150,000)	(150,000)	0	(150,000
National Defense Stockpile Transaction Fund (Excess of Routine Sales)	0	0	0	0	0
Subtotal Working Capital Funds	1,154,434	1,503,385	1,154,434	0	1,154,434
Total Operation and Maintenance & Working Capital Funds	109,900,515	110,918,907	110,059,115	1,004,083	110,904,598

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
OPERATIONS AND MAINTENANCE, ARMY					
BUDGET ACTIVITY 01: OPERATING FORCES					
LAND FORCES	**3,330,899**	**3,453,199**	**3,390,899**	**73,000**	**3,403,899**
010 DIVISIONS	1,174,856	1,189,156	1,194,856	0	1,177,856
Military Gator/Battlefield Mobility Enhancements		[9,300]		3,000	
Soldier Support--Field Kitchen Burn Unit (MBU)		[5,000]		0	
Corrosion Control			[10,000]	0	
Battlefield Mobility Enhancement System			[10,000]	0	
020 CORPS COMBAT FORCES	321,297	321,297	321,297	0	321,297
030 CORPS SUPPORT FORCES	350,844	350,844	390,844	0	350,844
Aviations Spares			[40,000]	0	
040 ECHELON ABOVE CORPS FORCES	503,390	503,390	503,390	0	503,390
050 LAND FORCES OPERATIONS SUPPORT	980,512	980,512	980,512	0	969,512
JCS Exercises				(11,000)	
TRAINING RANGE MODERNIZATION/MANAGEMENT		108,000		76,000	81,000
Integerated Training Area Management				2,000	
Modern Burner Unit				3,000	
LAND FORCES READINESS	**2,370,841**	**2,508,291**	**2,370,841**	**39,000**	**2,409,841**
060 FORCE READINESS OPERATIONS SUPPORT	1,144,565	1,144,565	1,144,565	0	1,144,565
070 LAND FORCES SYSTEMS READINESS	531,614	531,614	531,614	0	516,614
Strike Force Funding				(15,000)	
080 LAND FORCES DEPOT MAINTENANCE	694,662	819,662	694,662	50,000	745,662
CORROSION CONTROL		12,450		0	
Maintenance Automatic Identification Technology				1,000	
LOGTECH				0	3,000
Apprenticeship Program				3,000	
LAND FORCES READINESS SUPPORT	**3,879,341**	**3,879,341**	**3,974,341**	**0**	**3,879,341**
090 BASE OPERATIONS SUPPORT (OPERATING FORCES)	2,698,913	2,698,913	2,698,913	0	2,698,913
100 REAL PROPERTY MAINTENANCE (OPERATING FORCES)	916,378	916,378	1,011,378	0	916,378
110 MANAGEMENT AND OPERATIONAL HEADQUARTERS	131,042	131,042	131,042	0	131,042

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
120	UNIFIED COMMANDS	82,388	82,388	82,388	0	82,388
130	ADDITIONAL ACTIVITIES	50,620	50,620	50,620	0	50,620
	TOTAL, BA 01: OPERATING FORCES	**9,581,081**	**9,840,831**	**9,736,081**	**112,000**	**9,693,081**
	BUDGET ACTIVITY 02: MOBILIZATION					
	MOBILITY OPERATIONS	**526,913**	**526,913**	**531,913**	**0**	**526,913**
140	STRATEGIC MOBILIZATION	309,219	309,219	309,219	0	309,219
150	ARMY PREPOSITIONED STOCKS	130,471	130,471	130,471	0	130,471
160	INDUSTRIAL PREPAREDNESS	66,557	66,557	66,557	0	66,557
170	REAL PROPERTY MAINTENANCE (MOBILITY OPERATIONS)	20,666	20,666	25,666	0	20,666
	TOTAL, BA 02: MOBILIZATION	**526,913**	**526,913**	**531,913**	**0**	**526,913**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING	**364,026**	**371,026**	**369,026**	**0**	**364,026**
180	OFFICER ACQUISITION	73,963	73,963	73,963	0	73,963
190	RECRUIT TRAINING	15,728	15,728	15,728	0	15,728
200	ONE STATION UNIT TRAINING	14,618	14,618	14,618	0	14,618
210	SENIOR RESERVE OFFICERS' TRAINING CORPS	134,581	141,581	134,581	0	134,581
	Senior ROTC Recruiting		[7,000]			
220	BASE OPERATIONS SUPPORT (ACCESSION TRAINING)	75,468	75,468	75,468	0	75,468
230	REAL PROPERTY MAINTENANCE (ACCESSION TRAINING)	49,668	49,668	54,668	0	49,668
	BASIC SKILL/ ADVANCE TRAINING	**2,193,890**	**2,236,292**	**2,253,890**	**7,500**	**2,201,390**
240	SPECIALIZED SKILL TRAINING	242,799	257,799	242,799	0	247,799
	Speclized Skill Training				5,000	
250	FLIGHT TRAINING	323,414	323,414	323,414	0	323,414
260	PROFESSIONAL DEVELOPMENT EDUCATION	100,260	100,260	100,260	0	97,760
	NDU				(2,500)	
270	TRAINING SUPPORT	417,639	421,639	467,639	0	422,639
	Range Upgrade			[50,000]	0	
	Institutional Training Support				5,000	

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
280	BASE OPERATIONS SUPPORT (BASIC SKILL/ADVANCED TRAINING)	845,136	845,136	845,136	0	845,136
290	REAL PROPERTY MAINTENANCE (BASIC SKILL/ADVANCED TRAINING)	264,642	264,642	274,642	0	264,642
	INSTITUTIONAL TRAINING		15,000		0	
	CRYPTOLOGIC SKILL TRAINING		4,000		0	
	DEPOT APPRENTICESHIP PROGRAM		4,402		0	
	RECRUITING/OTHER TRAINING	**895,653**	**895,653**	**898,653**	**(3,500)**	**892,153**
300	RECRUITING AND ADVERTISING	385,251	385,251	385,251	0	382,251
	Contract Studies				(3,000)	
310	EXAMINING	77,700	77,700	77,700	0	77,700
320	OFF-DUTY AND VOLUNTARY EDUCATION	87,629	87,629	87,629	0	87,629
330	CIVILIAN EDUCATION AND TRAINING	79,207	79,207	79,207	(5,000)	74,207
340	JUNIOR RESERVE OFFICERS' TRAINING CORPS	77,491	77,491	80,491	4,500	81,991
350	BASE OPERATIONS SUPPORT (RECRUIT/OTHER TRAINING)	188,375	188,375	188,375	0	188,375
	TOTAL, BA 03: TRAINING AND RECRUITING	**3,453,569**	**3,502,971**	**3,521,569**	**4,000**	**3,457,569**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SECURITY PROGRAMS	**472,588**	**472,588**	**472,588**	**0**	**472,588**
360	SECURITY PROGRAMS	472,588	472,588	472,588	0	472,588
	LOGISTICS OPERATIONS	**1,551,090**	**1,551,090**	**1,551,090**	**5,000**	**1,556,090**
370	SERVICEWIDE TRANSPORTATION	488,831	488,831	488,831	0	488,831
380	CENTRAL SUPPLY ACTIVITIES	365,993	365,993	365,993	(5,000)	360,993
390	LOGISTICS SUPPORT ACTIVITIES	356,748	356,748	356,748	0	366,748
	System Technical Support				10,000	
400	AMMUNITION MANAGEMENT	339,518	339,518	339,518	0	339,518
	SERVICEWIDE SUPPORT	**3,289,407**	**3,249,407**	**3,295,907**	**(41,000)**	**3,248,407**
410	ADMINISTRATION	327,113	327,113	327,113	0	327,113
420	SERVICEWIDE COMMUNICATIONS	466,906	466,906	466,906	0	466,906
430	MANPOWER MANAGEMENT	164,992	164,992	164,992	0	163,992
	Travel				(1,000)	
440	OTHER PERSONNEL SUPPORT	154,893	154,893	154,893	0	154,893

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
450	OTHER SERVICE SUPPORT	739,315	739,315	739,315	0	739,315
460	ARMY CLAIMS	112,851	72,851	112,851	(40,000)	72,851
470	REAL ESTATE MANAGEMENT	69,439	69,439	69,439	0	69,439
480	BASE OPERATIONS SUPPORT (SERVICEWIDE SUPPORT)	1,076,077	1,076,077	1,077,577	0	1,076,077
	Clara Barton Center for Domestic Preparedness			[1,500]	0	
490	REAL PROPERTY MAINTENANCE (SERVICEWIDE SUPPORT)	177,821	177,821	182,821	0	177,821
	SUPPORT OF OTHER NATIONS	**249,083**	**230,383**	**249,083**	**(18,700)**	**230,383**
500	INTERNATIONAL MILITARY HEADQUARTERS	194,381	194,381	194,381	0	181,981
	NATO Administrative Growth				(12,400)	
510	MISC. SUPPORT OF OTHER NATIONS	54,702	48,402	54,702		48,402
	Admistrative Cost Growth				(6,300)	
520	EXPANSION OF NATO	0	0	0	0	0
	SUPPORT OF NATO OPERATIONS		(12,400)			
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**5,562,168**	**5,503,468**	**5,568,668**	**(54,700)**	**5,507,468**
	UNDISTRIBUTED:					
	JCS Exercises		[-11,000]			
	Classified Programs		[-2,700]		(4,000)	
	Section 912 Headquarters Reduction		[-27,086]			
	Real Property Maintenance		[280,360]		170,000	
	Automatic Identification Technology		[4,000]			
	Ultra Lightweigh Camouflage Net System		[15,000]			
	Army Workload Performance System		[2,000]			
	System Technical Support		[40,000]			
	WCF Cash Balances/Rate Stabilization		[-55,550]			
	WRM Prepositioned Equipment Support		[40,000]			
	DFAS Program Growth		[-19,590]			
	Civilian Under-execution			[-4,600]		
	Excess Carryover--Defense Working Capital Funds			[-40,000]	(40,500)	
	Foreign Currency Fluctuation		[-150,000]	[-292,100]		

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Ceremonial Rifles			[2,500]		
WMD-CST			[7,500]	5,850	
Pentagon Renovation, Unobligated Balances				(2,000)	
Contract and Advisory Services				(20,000)	
Defense Joint Accounting System				(14,000)	
TOTAL		**115,434**	**(327,200)**	**95,350**	**95,350**
TOTAL, OPERATIONS AND MAINTENANCE, ARMY	**19,123,731**	**19,489,617**	**19,031,031**	**156,650**	**19,280,381**
OPERATIONS AND MAINTENANCE, NAVY					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS	**4,267,564**	**4,297,564**	**4,424,564**	**182,000**	**4,449,564**
010 MISSION AND OTHER FLIGHT OPERATIONS	2,636,230	2,636,230	2,793,230	0	2,788,230
Aviation Spares			[75,000]	70,000	
TACAMO Spares			[82,000]	82,000	
020 FLEET AIR TRAINING	798,956	798,956	798,956	0	798,956
030 INTERMEDIATE MAINTENANCE	59,407	59,407	59,407	0	59,407
040 AIR OPERATIONS AND SAFETY SUPPORT	102,182	102,182	102,182	0	102,182
050 AIRCRAFT DEPOT MAINTENANCE	648,745	678,745	648,745	20,000	678,745
P-3 Aircraft Depot Maintenance		[10,000]		10,000	
060 AIRCRAFT DEPOT OPERATIONS SUPPORT	22,044	22,044	22,044	0	22,044
SHIP OPERATIONS	**6,334,227**	**6,542,377**	**6,646,527**	**189,000**	**6,523,227**
070 MISSION AND OTHER SHIP OPERATIONS	2,237,075	2,240,925	2,312,075	0	2,237,075
Man Overboard system		[3,850]			
Spares			[75,000]	0	
080 SHIP OPERATIONAL SUPPORT AND TRAINING	539,919	539,919	539,919	0	539,919
090 INTERMEDIATE MAINTENANCE	393,478	393,478	393,478	0	393,478
100 SHIP DEPOT MAINTENANCE	2,113,052	2,295,352	2,350,352	142,000	2,302,052
AOE Maintenance		[40,000]	[40,000]	0	
LHA Midlife			[32,000]	32,000	
BMB Maintenance			[22,000]	15,000	

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
110	SHIP DEPOT OPERATIONS SUPPORT	1,050,703	1,072,703	1,050,703	0	1,050,703
	Berthing Barge Maintenance		[22,000]			
	COMBAT OPERATIONS/SUPPORT	**1,667,580**	**1,667,580**	**1,674,580**	**8,500**	**1,676,080**
120	COMBAT COMMUNICATIONS	371,080	371,080	371,080	0	371,080
130	ELECTRONIC WARFARE	16,452	16,452	16,452	0	16,452
140	SPACE SYSTEMS AND SURVEILLANCE	167,779	167,779	167,779	0	167,779
150	WARFARE TACTICS	141,835	141,835	141,835	0	140,835
	JCS Exercises				(1,000)	
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	257,981	257,981	264,981	7,000	264,981
170	COMBAT SUPPORT FORCES	548,600	548,600	548,600	0	551,100
	Man Overboard System				2,500	
180	EQUIPMENT MAINTENANCE	163,062	163,062	163,062	0	163,062
190	DEPOT OPERATIONS SUPPORT	791	791	791	0	791
	WEAPONS SUPPORT	**1,386,942**	**1,386,942**	**1,408,942**	**21,800**	**1,408,742**
200	CRUISE MISSILE	139,779	139,779	139,779	0	139,779
210	FLEET BALLISTIC MISSILE	816,722	816,722	816,722	0	816,522
	Arms Control				(200)	
220	IN-SERVICE WEAPONS SYSTEMS SUPPORT	48,635	48,635	48,635	0	48,635
230	WEAPONS MAINTENANCE	381,806	381,806	403,806	0	403,806
	MK-45 Overhaul			[12,000]	12,000	
	CIWS Overhaul			[10,000]	10,000	
	WORKING CAPITAL FUND SUPPORT	**19,100**	**19,100**	**19,100**	**0**	**19,100**
240	NWCF SUPPORT	19,100	19,100	19,100	0	19,100
	BASE SUPPORT	**3,017,265**	**3,017,265**	**3,167,265**	**0**	**3,017,265**
250	REAL PROPERTY MAINTENANCE	866,050	866,050	1,016,050	0	866,050
260	BASE SUPPORT	2,151,215	2,151,215	2,151,215	0	2,151,215
	TOTAL, BA 01: OPERATING FORCES	**16,692,678**	**16,930,828**	**17,340,978**	**401,300**	**17,093,978**
	BUDGET ACTIVITY 02: MOBILIZATION					
	READY RESERVE AND PREPOSITIONING FORCES	**428,418**	**460,418**	**428,418**	**0**	**428,418**

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
270	SHIP PREPOSITIONING AND SURGE	428,418	428,418	428,418	0	428,418
	WRM/MATERIALS STOCKS		32,000			
	ACTIVATIONS/INACTIVATIONS	**196,403**	**196,403**	**196,403**	**0**	**196,403**
280	AIRCRAFT ACTIVATIONS/INACTIVATIONS	2,939	2,939	2,939	0	2,939
290	SHIP ACTIVATIONS/INACTIVATIONS	193,464	193,464	193,464	0	193,464
	MOBILIZATION PREPAREDNESS	**44,113**	**44,113**	**44,113**	**0**	**44,113**
300	FLEET HOSPITAL PROGRAM	23,707	23,707	23,707	0	23,707
310	INDUSTRIAL READINESS	1,112	1,112	1,112	0	1,112
320	COAST GUARD SUPPORT	19,294	19,294	19,294	0	19,294
	TOTAL, BA 02: MOBILIZATION	**668,934**	**700,934**	**668,934**	**0**	**668,934**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING	**174,633**	**174,633**	**174,633**	**0**	**174,633**
330	OFFICER ACQUISITION	90,121	90,121	90,121	0	90,121
340	RECRUIT TRAINING	6,594	6,594	6,594	0	6,594
350	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,918	77,918	77,918	0	77,918
	BASIC SKILLS AND ADVANCED TRAINING	**913,264**	**914,154**	**942,564**	**4,300**	**917,564**
360	SPECIALIZED SKILL TRAINING	276,861	276,861	281,161	0	281,161
	NULKA Training			[4,300]	4,300	
370	FLIGHT TRAINING	342,553	342,553	342,553	0	342,553
380	PROFESSIONAL DEVELOPMENT EDUCATION	107,625	107,625	107,625	0	107,625
390	TRAINING SUPPORT	186,225	186,225	211,225	0	186,225
	Range Upgrades			[25,000]	0	
	DEPOT APPRENTICESHIP PROGRAM		890			
	RECRUITING, AND OTHER TRAINING AND EDUCATION	**354,956**	**354,956**	**357,956**	**3,000**	**357,956**
400	RECRUITING AND ADVERTISING	180,737	180,737	180,737	0	180,737
410	OFF-DUTY AND VOLUNTARY EDUCATION	86,613	86,613	86,613	0	86,613
420	CIVILIAN EDUCATION AND TRAINING	56,234	56,234	56,234	0	56,234
430	JUNIOR ROTC	31,372	31,372	34,372	3,000	34,372
	BASE SUPPORT	**522,786**	**522,786**	**537,786**	**0**	**522,786**

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
440	REAL PROPERTY MAINTENANCE	198,071	198,071	213,071	0	198,071
450	BASE SUPPORT	324,715	324,715	324,715	0	324,715
	TOTAL, BA 03: TRAINING AND RECRUITING	**1,965,639**	**1,966,529**	**2,012,939**	**7,300**	**1,972,939**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT	**1,346,099**	**1,330,542**	**1,346,099**	**0**	**1,346,099**
460	ADMINISTRATION	618,145	618,145	618,145	0	618,145
470	EXTERNAL RELATIONS	19,987	19,987	19,987	0	19,987
480	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	114,660	114,660	114,660	0	114,660
490	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	97,812	97,812	97,812	0	97,812
500	OTHER PERSONNEL SUPPORT	187,270	187,270	187,270	0	187,270
510	SERVICEWIDE COMMUNICATIONS	308,225	292,668	308,225	0	308,225
520	MEDICAL ACTIVITIES	0	0	0	0	0
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT	**1,728,826**	**1,728,826**	**1,728,826**	**0**	**1,728,826**
530	SERVICEWIDE TRANSPORTATION	186,105	186,105	186,105	0	186,105
540	ENVIRONMENTAL PROGRAMS	0	0	0	0	0
550	PLANNING, ENGINEERING AND DESIGN	355,482	355,482	355,482	0	355,482
560	ACQUISITION AND PROGRAM MANAGEMENT	721,560	721,560	721,560	0	721,560
570	AIR SYSTEMS SUPPORT	303,087	303,087	303,087	0	303,087
580	HULL, MECHANICAL AND ELECTRICAL SUPPORT	61,092	61,092	61,092	0	61,092
590	COMBAT/WEAPONS SYSTEMS	47,240	47,240	47,240	0	47,240
600	SPACE AND ELECTRONIC WARFARE SYSTEMS	54,260	54,260	54,260	0	54,260
	SECURITY PROGRAMS	**622,854**	**625,854**	**622,854**	**0**	**622,854**
610	SECURITY PROGRAMS	622,854	622,854	622,854	0	622,854
	ASHORE FORCE PROTECTION		3,000			
	SUPPORT OF OTHER NATIONS	**8,508**	**8,508**	**8,508**	**0**	**8,508**
620	INTERNATIONAL HEADQUARTERS AND AGENCIES	8,508	8,508	8,508	0	8,508
	BASE SUPPORT	**266,616**	**266,616**	**281,616**	**0**	**266,616**
630	REAL PROPERTY MAINTENANCE	109,485	109,485	124,485	0	109,485
640	BASE SUPPORT	157,131	157,131	157,131	0	157,131

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
CANCELLED ACCOUNTS	**0**	**0**	**0**	**0**	**0**
650 CANCELLED ACCOUNT	0	0	0	0	0
PROBLEM DISBURSEMENTS	**0**	**0**	**0**	**0**	**0**
660 PROBLEM DISBURSEMENTS	0	0	0	0	0
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**3,972,903**	**3,960,346**	**3,987,903**	**0**	**3,972,903**
UNDISTRIBUTED:					
JCS Exercises		[-1,014]			
Classified Programs		[-3,752]		(11,144)	
Section 912 Headquarters Reduction		[-13,340]			
Environmenmtal Leadership Programs		[5,000]		3,000	
Real Property Maintenance		[162,170]		90,000	
Intergrated Broadcast Service		[-15,100]			
Acquisition Management		[-45,681]			
WCF Cash Balance/Rate Stabilization		[-227,250]			
Foreign Language Program		[3,000]		3,000	
Contract and Advisory Services		[-14,061]		(10,000)	
Civilian Under-execution		[-53,800]	[-53,800]		
Excess Carryover--Defense Working Capital Funds			[-585,700]		
Foreign Currency Fluctuation		[-30,000]	[-105,100]		
MTAPP			[2,000]	2,000	
Information Technology Center			[5,000]		
Call Center			[3,000]		
Pentagon Renovation, Unobligated Balances				(2,000)	
Defense Joint Accounting System				(7,000)	
Comunications Program Growth				(10,000)	
TOTAL		**(233,828)**	**(734,600)**	**57,856**	**57,856**
TOTAL, OPERATIONS AND MAINTENANCE, NAVY	**23,300,154**	**23,324,809**	**23,276,154**	**466,456**	**23,766,610**

OPERATIONS AND MAINTENANCE, MARINE CORPS

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
BUDGET ACTIVITY 01: OPERATING FORCES					
EXPEDITIONARY FORCES	**1,908,545**	**1,976,145**	**1,972,245**	**66,000**	**1,974,545**
010 OPERATIONAL FORCES	420,702	443,802	443,802	0	452,702
Initial Issue		[23,100]	[23,100]	22,000	
ULCANS				10,000	
020 FIELD LOGISTICS	235,561	243,061	235,561	0	244,561
Corrosion Control		[7,500]		4,000	
Equipment Maintenance				5,000	
030 DEPOT MAINTENANCE	97,194	129,194	137,794	20,000	117,194
Maintenance of Aging Equipment		[10,000]		0	
Corrosion Control			[7,500]	0	
040 BASE SUPPORT	760,299	760,299	760,299	0	760,299
050 REAL PROPERTY MAINTENANCE	394,789	394,789	394,789	0	394,789
PERSONAL SUPPORT EQUIPMENT		5,000		5,000	5,000
USMC PREPOSITIONING	**86,281**	**97,481**	**86,281**	**0**	**86,281**
060 MARITIME PREPOSITIONING	82,390	82,390	82,390	0	82,390
070 NORWAY PREPOSITIONING	3,891	3,891	3,891	0	3,891
MPS REPLENISHMENT/REPLACEMENT STOCKS		11,200			
TOTAL, BA 01: OPERATING FORCES	**1,994,826**	**2,073,626**	**2,058,526**	**66,000**	**2,060,826**
BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
ACCESSION TRAINING	**86,386**	**86,386**	**86,386**	**0**	**86,386**
080 RECRUIT TRAINING	10,655	10,655	10,655	0	10,655
090 OFFICER ACQUISITION	300	300	300	0	300
100 BASE SUPPORT	55,649	55,649	55,649	0	55,649
110 REAL PROPERTY MAINTENANCE	19,782	19,782	19,782	0	19,782
BASIC SKILLS AND ADVANCED TRAINING	**205,972**	**209,972**	**205,972**	**0**	**205,972**
120 SPECIALIZED SKILLS TRAINING	32,975	32,975	32,975	0	32,975
130 FLIGHT TRAINING	166	166	166	0	166
140 PROFESSIONAL DEVELOPMENT EDUCATION	8,704	8,704	8,704	0	8,704

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
150	TRAINING SUPPORT	84,417	84,417	84,417	0	84,417
160	BASE SUPPORT	50,948	50,948	50,948	0	50,948
170	REAL PROPERTY MAINTENANCE	28,762	28,762	28,762	0	28,762
	INSTITUTIONAL TRAINING		4,000			
	RECRUITING AND OTHER TRAINING EDUCATION	**140,518**	**152,618**	**143,518**	**7,000**	**147,518**
180	RECRUITING AND ADVERTISING	100,001	107,501	100,001	0	100,001
190	OFF-DUTY AND VOLUNTARY EDUCATION	17,961	17,961	17,961	0	17,961
200	JUNIOR ROTC	11,917	11,917	14,917	3,000	14,917
210	BASE SUPPORT	8,006	8,606	8,006	0	8,006
220	REAL PROPERTY MAINTENANCE	2,633	2,633	2,633	0	2,633
	STAFFING FOR VOLUNTARY EDUCATION PROGRAM		4,000		4,000	4,000
	TOTAL, BA 03: TRAINING AND RECRUITING	**432,876**	**448,976**	**435,876**	**7,000**	**439,876**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT	**277,956**	**277,956**	**277,956**	**(2,000)**	**275,956**
230	SPECIAL SUPPORT	204,293	204,293	204,293	0	204,293
240	SERVICEWIDE TRANSPORTATION	31,414	31,414	31,414	(2,000)	29,414
250	ADMINISTRATION	25,811	25,811	25,811	0	25,811
260	BASE SUPPORT	14,157	14,157	14,157	0	14,157
270	REAL PROPERTY MAINTENANCE	2,281	2,281	2,281	0	2,281
	CANCELLED ACCOUNT	**0**	**0**	**0**	**0**	**0**
280	CANCELLED ACCOUNT	0	0	0	0	0
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**277,956**	**277,956**	**277,956**	**(2,000)**	**275,956**
	UNDISTRIBUTED:					
	Real Property Maintenance		[38,320]		35,000	
	Ultra Lightweight Camouflage System		[15,000]			
	Foreign Currency Fluctuation		[-2,200]	[-25,800]		
	MPS Replenishment/Replacement Stocks				15,000	
	Contract and Advisory Services				(367)	

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
TOTAL		**51,120**	**(25,800)**	**49,633**	**49,633**
TOTAL, OPERATIONS AND MAINTENANCE, MARINE CORPS	**2,705,658**	**2,851,678**	**2,746,558**	**120,633**	**2,826,291**
OPERATIONS AND MAINTNENANCE, AIR FORCE					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS	**8,673,688**	**8,755,788**	**8,773,688**	**800**	**8,674,488**
010 PRIMARY COMBAT FORCES	2,363,665	2,363,665	2,363,665	0	2,363,665
020 PRIMARY COMBAT WEAPONS	306,379	306,379	306,379	0	306,379
030 COMBAT ENHANCEMENT FORCES	205,101	205,101	205,101	0	205,101
040 AIR OPERATIONS TRAINING	774,341	774,341	774,341	0	774,341
050 DEPOT MAINTENANCE	1,341,224	1,419,024	1,341,224	0	1,341,224
ENGINE R&M IMPROVEMENTS		4,300		0	
060 COMBAT COMMUNICATIONS	1,093,924	1,093,924	1,093,924	(2,000)	1,091,924
070 BASE SUPPORT	1,849,247	1,849,247	1,949,247	0	1,849,247
080 REAL PROPERTY MAINTENANCE	739,807	739,807	739,807	0	742,607
Keesler AFB, Weatherproofing			[2,800]	2,800	
COMBAT RELATED OPERATIONS	**1,536,955**	**1,536,955**	**1,536,955**	**(3,700)**	**1,533,255**
090 GLOBAL C3I AND EARLY WARNING	680,464	680,464	680,464	0	688,964
Tethered Aerostat Radar System				8,500	
100 NAVIGATION/WEATHER SUPPORT	154,153	154,153	154,153	0	154,153
110 OTHER COMBAT OPS SUPPORT PROGRAMS	280,971	280,971	280,971	0	280,971
120 JCS EXERCISES	37,052	37,052	37,052	(12,200)	24,852
130 MANAGEMENT/OPERATIONAL HEADQUARTERS	124,998	124,998	124,998	0	124,998
140 TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	259,317	259,317	259,317	0	259,317
SPACE OPERATIONS	**1,279,808**	**1,279,808**	**1,279,808**	**0**	**1,279,808**
150 LAUNCH FACILITIES	234,395	234,395	234,395	0	234,395
160 LAUNCH VEHICLES	116,766	116,766	116,766	0	116,766
170 SPACE CONTROL SYSTEMS	248,564	248,564	248,564	0	248,564
180 SATELLITE SYSTEMS	53,473	53,473	53,473	0	53,473
190 OTHER SPACE OPERATIONS	114,729	114,729	114,729	0	114,729

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
200 BASE SUPPORT	377,605	377,605	377,605	0	377,605
210 REAL PROPERTY MAINTENANCE	134,276	134,276	134,276	0	134,276
TOTAL, BA 01: OPERATING FORCES	**11,490,451**	**11,572,551**	**11,590,451**	**(2,900)**	**11,487,551**
BUDGET ACTIVITY 02: MOBILIZATION					
MOBILITY OPERATIONS	**3,159,544**	**3,167,244**	**3,204,244**	**0**	**3,159,544**
220 AIRLIFT OPERATIONS	1,653,084	1,653,084	1,653,084	0	1,653,084
230 AIRLIFT OPERATIONS C3I	37,961	37,961	37,961	0	37,961
240 MOBILIZATION PREPAREDNESS	146,133	146,133	146,133	0	146,133
250 DEPOT MAINTENANCE	305,244	305,244	305,244	0	305,244
260 PAYMENTS TO TRANSPORTATION BUSINESS AREA	429,775	429,775	429,775	0	429,775
270 BASE SUPPORT	466,832	466,832	511,532	0	466,832
280 REAL PROPERTY MAINTENANCE	120,515	120,515	120,515	0	120,515
AFLOAT PREPOSITIONED FLEET--AF		7,700			
TOTAL, BA 02: MOBILIZATION	**3,159,544**	**3,167,244**	**3,204,244**	**0**	**3,159,544**
BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
ACCESSION TRAINING	**266,841**	**267,241**	**266,841**	**(6,600)**	**260,241**
290 OFFICER ACQUISITION	68,142	68,142	68,142	0	68,142
300 RECRUIT TRAINING	4,302	4,302	4,302	0	4,302
310 RESERVE OFFICER TRAINING CORPS (ROTC)	61,522	61,922	61,522	0	61,922
Open Air Force Senior ROTC Support		[400]		400	
320 BASE SUPPORT (ACADEMIES ONLY)	68,220	68,220	68,220	0	61,220
Facility Investment Strategy				(7,000)	
330 REAL PROPERTY MAINTENANCE (ACADEMIES ONLY)	64,655	64,655	64,655	0	64,655
BASIC SKILLS AND ADVANCED TRAINING	**1,669,169**	**1,674,169**	**1,669,169**	**(2,000)**	**1,667,169**
340 SPECIALIZED SKILL TRAINING	256,003	256,003	256,003	0	256,003
350 FLIGHT TRAINING	618,293	618,293	618,293	0	618,293
360 PROFESSIONAL DEVELOPMENT EDUCATION	109,263	109,263	109,263	0	109,263
370 TRAINING SUPPORT	75,599	75,599	75,599	0	75,599

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
380	DEPOT MAINTENANCE	11,626	11,626	11,626	0	11,626
390	BASE SUPPORT (OTHER TRAINING)	471,268	471,268	471,268	(2,000)	469,268
400	REAL PROPERTY MAINTENANCE (OTHER TRAINING)	127,117	127,117	127,117	0	127,117
	INSTITUTIONAL TRAINING		5,000			
	RECRUITING, AND OTHER TRAINING AND EDUCATION	**305,491**	**305,491**	**308,491**	**2,000**	**307,491**
410	RECRUITING AND ADVERTISING	113,524	113,524	113,524	0	113,524
420	EXAMINING	3,483	3,483	3,483	0	3,483
430	OFF DUTY AND VOLUNTARY EDUCATION	87,032	87,032	87,032	0	87,032
440	CIVILIAN EDUCATION AND TRAINING	69,633	69,633	69,633	(1,000)	68,633
450	JUNIOR ROTC	31,819	31,819	34,819	3,000	34,819
	TOTAL, BA 03: TRAINING AND RECRUITING	**2,241,501**	**2,246,901**	**2,244,501**	**(6,600)**	**2,234,901**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	LOGISTICS OPERATIONS	**3,131,611**	**3,131,611**	**3,206,611**	**2,000**	**3,133,611**
460	LOGISTICS OPERATIONS	985,411	985,411	1,060,411	0	987,411
	Readiness Spares Packages			[75,000]	0	
	Engine Reliability & Maintainability Program				2,000	
470	TECHNICAL SUPPORT ACTIVITIES	396,144	396,144	396,144	0	396,144
480	SERVICEWIDE TRANSPORTATION	222,395	222,395	222,395	0	222,395
490	DEPOT MAINTENANCE	55,398	55,398	55,398	0	55,398
500	BASE SUPPORT	1,131,172	1,131,172	1,131,172	0	1,131,172
510	REAL PROPERTY MAINTENANCE	341,091	341,091	341,091	0	341,091
	SERVICEWIDE ACTIVITIES	**1,624,374**	**1,603,874**	**1,624,374**	**(6,900)**	**1,617,474**
520	ADMINISTRATION	153,206	143,206	153,206	0	153,206
530	SERVICEWIDE COMMUNICATIONS	322,654	322,654	322,654	0	322,654
540	PERSONNEL PROGRAMS	146,783	146,783	146,783	0	146,783
550	RESCUE AND RECOVERY SERVICES	59,073	59,073	59,073	0	59,073
560	ARMS CONTROL	41,094	30,594	41,094	(6,900)	34,194
570	OTHER SERVICEWIDE ACTIVITIES	590,249	590,249	590,249	0	590,249
580	OTHER PERSONNEL SUPPORT	35,109	35,109	35,109	0	35,109

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
590	CIVIL AIR PATROL CORPORATION	13,917	13,917	13,917	0	13,917
600	BASE SUPPORT	237,050	237,050	237,050	0	237,050
610	REAL PROPERTY MAINTENANCE	25,239	25,239	25,239	0	25,239
	SECURITY PROGRAMS	**685,834**	**685,834**	**685,834**	**0**	**685,834**
620	SECURITY PROGRAMS	685,834	685,834	685,834	0	685,834
	SUPPORT TO OTHER NATIONS	**13,662**	**13,662**	**13,662**	**(1,100)**	**12,562**
630	INTERNATIONAL SUPPORT	13,662	13,662	13,662	0	12,562
	NATO & International Program Growth				(1,100)	
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**5,455,481**	**5,434,981**	**5,530,481**	**(6,000)**	**5,449,481**
	UNDISTRIBUTED:					
	Classified Programs		[15,801]		10,144	
	JCS Exercises		[-12,200]			
	Section 912 Headquarters Reduction		[-14,500]			
	Real Property Maintnenance		[176,040]		90,000	
	LD/HD Flight Crew Training		[5,100]			
	Aircraft Spares		[45,000]		70,800	
	Integrated Broadcast Service		[15,100]			
	Acquisition Management		[-8,800]			
	WCF Cash Balance/Stablization		[-222,200]			
	Contract and Advisory Services		[-4,633]		(41,000)	
	DFAS Program Growth		[-27,521]			
	Excess Carryover--Defense Working Capital Funds			[-52,200]	(52,200)	
	Foreign Currency Fluctuation		[-37,700]	[-157,600]		
	NBC Sustainment			[29,200]		
	Pentagon Renovation				(2,000)	
	Travel				(5,000)	
	Defense Joint Accounting System				(7,000)	
	TOTAL		**(70,513)**	**(180,600)**	**63,744**	**63,744**
	TOTAL, OPERATIONS AND MAINTNENANCE, AIR FORCE	**22,346,977**	**22,351,164**	**22,389,077**	**48,244**	**22,395,221**

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
OPERATIONS AND MAINTENANCE, DEFENSE-WIDE					
BUDGET ACTIVITY 01: OPERATING FORCES					
010 JOINT CHIEFS OF STAFF	396,489	388,575	401,489	0	421,489
Exercise Program		[-32,914]			
Mobility Enhancements		[25,000]	[5,000]	25,000	
020 SPECIAL OPERATIONS COMMAND	1,263,572	1,263,572	1,263,572	0	1,263,572
TOTAL, BA 01: OPERATING FORCES	**1,660,061**	**1,652,147**	**1,665,061**	**25,000**	**1,685,061**
BUDGET ACTIVITY 02: MOBILIZATION					
030 DEFENSE LOGISTICS AGENCY	45,677	45,677	45,677	0	45,677
TOTAL, BA 02: MOBILIZATION	**45,677**	**45,677**	**45,677**	**0**	**45,677**
BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
040 AMERICAN FORCES INFORMATION SERVICE	10,999	10,999	10,999	0	10,999
050 DEFENSE ACQUISITION UNIVERSITY	100,331	100,331	102,331	0	102,331
IT Organization Composite Research				2,000	
060 DEFENSE FINANCE AND ACCOUNTING SERVICE	15,354	15,354	15,354	0	15,354
070 DEFENSE HUMAN RESOURCES ACTIVITY	78,299	78,299	78,299	(5,000)	73,299
080 DEFENSE SECURITY SERVICE	7,445	7,445	7,445	0	7,445
090 DEFENSE THREAT REDUCTION AGENCY	1,089	1,089	1,089	0	1,089
100 SPECIAL OPERATIONS COMMAND	49,158	49,158	49,158	0	49,158
TOTAL, BA 03: TRAINING AND RECRUITING	**262,675**	**262,675**	**264,675**	**(3,000)**	**259,675**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
110 AMERICAN FORCES INFORMATION SERVICE	94,525	94,525	94,525	0	94,525
120 CIVIL MILITARY PROGRAMS	88,431	88,431	88,431	0	88,431
130 CLASSIFIED AND INTELLIGENCE	4,207,597	4,207,597	4,207,597	0	4,207,597
140 CLASSIFIED AND INTELLIGENCE (FY 98/99)	0	0	0	0	0
150 CLASSIFIED AND INTELLIGENCE (NO YEAR)	0	0	0	0	0
160 DEFENSE CONTRACT AUDIT AGENCY	348,658	348,658	348,658	(2,000)	346,658

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
170	DEFENSE FINANCE AND ACCOUNTING SERVICE	1,416	1,416	1,416	0	2,416
	MOCAS Enhancements				1,000	
180	DEFENSE HUMAN RESOURCES ACTIVITY	184,856	184,856	184,856	(5,000)	179,856
190	DEFENSE INFORMATION SYSTEMS AGENCY	755,197	755,197	755,197	0	755,197
200	DEFENSE LEGAL SERVICES AGENCY	12,596	12,596	12,596	0	12,596
210	DEFENSE LOGISTICS AGENCY	1,143,496	1,165,496	1,144,696	0	1,143,496
	Document Conversion		[10,000]		4,000	
	CTMA Program		[12,000]		0	
	MOCAS Enhancements			[1,200]	0	
	Equipment Purchases				(4,000)	
220	DEFENSE POW /MISSING PERSONS OFFICE	14,827	14,827	14,827	0	14,827
230	DEFENSE SECURITY COOPERATION AGENCY	67,598	65,312	64,498	0	57,598
	Partnership for Peace		[-2,286]	[-3,100]	(10,000)	
240	DEFENSE SECURITY SERVICE	126,929	126,929	126,929	0	126,929
250	DEFENSE THREAT REDUCTION AGENCY	215,624	214,624	215,624	(2,000)	213,624
260	DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	1,434,204	1,434,204	1,434,204	0	1,434,204
270	JOINT CHIEFS OF STAFF	157,883	157,361	157,883	0	157,883
	Section 912 Headquarters Reductions		[-522]			
280	OFFICE OF ECONOMIC ADJUSTMENT	22,495	22,495	22,495	0	22,495
290	OFFICE OF THE SECRETARY OF DEFENSE	417,126	412,680	420,626	0	413,626
	Section 912 Headquarters Reductions		[-4,446]		0	
	Joint Spectrum Center Data Base Upgrade			[8,500]	0	
	Environmental Security Cooperation				(1,000)	
	Studies and Analysis				(5,000)	
	DESCIM			[-5,000]	(5,000)	
	Clara Barton Center				1,500	
	CTMA-Depot Level Activities				6,000	
300	OFFICE OF THE SECRETARY OF DEFENSE (NO YEAR)	0	0	0	0	0
310	SPECIAL OPERATIONS COMMAND	43,864	42,182	43,864	0	43,864
	Section 912 Headquarters Reductions		[-1,682]			

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
320	WASHINGTON HEADQUARTERS SERVICES	299,334	265,375	299,334	0	289,334
	Low Priority Programs				(10,000)	
330	NATURAL DISASTERS	0	0	0	0	0
340	SPECIAL PROGRAMS	315,000	115,000	315,000	(200,000)	115,000
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**9,951,656**	**9,729,761**	**9,953,256**	**(231,500)**	**9,720,156**
	UNDISTRIBUTED:					
	Classified Programs		[-44,332]			
	Section 912 Headquarters Reduction		[-12,586]			
	Eagle Vision Commercial Imagery		[6,000]			
	Civilian Under-execution		[-900]	[-27,500]		
	Foreign Currency Fluctuation		[-10,100]	[-27,200]		
	Legacy		[6,500]	[6,100]	6,500	
	Defense Travel System			[-20,000]		
	Information Security Scholarship Program			[20,000]	[15,000]	
	Command Information Superiority Architecture			[2,000]		
	Information Protection Research Institute			[10,000]	[5,000]	
	International Student ProgramAT Senior Military		[2,000]		2,000	
	Recruiter-High School Guidance Counselor Internet Connection		[2,000]		2,000	
	IMPACT AID		[35,000]	[20,000]	35,000	
	Pentagon Renovation				(2,000)	
	Defense Joint Accounting System				(13,500)	
	Middle East Regional Security Issues			[1,000]	[1,000]	
	TOTAL		**(16,408)**	**(16,600)**	**30,000**	**30,000**
	TOTAL, OPERATIONS AND MAINTENANCE, DEFENSE-WIDE	**11,920,069**	**11,673,852**	**11,912,069**	**(179,500)**	**11,740,569**
	OPERATIONS AND MAINTENANCE, ARMY RESERVE					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	LAND FORCES	**680,318**	**692,318**	**680,318**	**0**	**680,318**
010	DIVISION FORCES	9,921	9,921	9,921	0	9,921

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
020	CORPS COMBAT FORCES	22,544	22,544	22,544	0	22,544
030	CORPS SUPPORT FORCES	218,697	218,697	218,697	0	218,697
040	ECHELON ABOVE CORPS FORCES	103,347	103,347	103,347	0	103,347
050	LAND FORCES OPERATIONS SUPPORT	325,809	325,809	325,809	0	325,809
	EXTENDED COLD WEATHER SYSTEM		12,000			
	LAND FORCES READINESS	**211,288**	**211,288**	**216,288**	**0**	**211,288**
060	FORCES READINESS OPERATIONS SUPPORT	129,020	129,020	129,020	0	129,020
070	LAND FORCES SYSTEM READINESS	35,501	35,501	35,501	0	35,501
080	DEPOT MAINTENANCE	46,767	46,767	51,767	0	46,767
	LAND FORCES READINESS SUPPORT	**461,815**	**461,815**	**461,815**	**0**	**461,815**
090	BASE SUPPORT	345,771	345,771	345,771	0	345,771
100	REAL PROPERTY MAINTENANCE	114,704	114,704	114,704	0	114,704
110	UNIFIED COMMANDS	0	0	0	0	0
120	ADDITIONAL ACTIVITIES	1,340	1,340	1,340	0	1,340
	TOTAL, BA 01: OPERATING FORCES	**1,353,421**	**1,365,421**	**1,358,421**	**0**	**1,353,421**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
130	ADMINISTRATION	34,708	34,708	34,708	0	34,708
140	SERVICEWIDE COMMUNICATIONS	22,482	22,482	22,482	0	22,482
150	PERSONNEL/FINANCIAL ADMINISTRATION	41,594	41,594	41,594	0	41,594
160	RECRUITING AND ADVERTISING	69,213	78,213	69,213	0	69,213
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**167,997**	**176,997**	**167,997**	**0**	**167,997**
	UNDISTRIBUTED:					
	Additional Military Technicians		[25,000]		20,500	
	Funeral Honors		[3,000]			
	Real Property Maintenance				15,000	
	Extended Cold Weather Clothing Sustem				4,500	
	TOTAL		**23,500**		**40,000**	**40,000**

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
TOTAL, OPERATIONS AND MAINTENANCE, ARMY RESERVE	**1,521,418**	**1,565,918**	**1,526,418**	**40,000**	**1,561,418**
OPERATIONS AND MAINTNENANCE, NAVY RESERVE					
BUDGET ACTIVITY 01: OPERATING FORCES					
RESERVE AIR OPERATIONS	**478,297**	**478,297**	**478,297**	**0**	**478,297**
010 MISSION AND OTHER FLIGHT OPERATIONS	355,803	355,803	355,803	0	355,803
020 FLEET AIR TRAINING	0	0	0	0	0
030 INTERMEDIATE MAINTENANCE	17,381	17,381	17,381	0	17,381
040 AIR OPERATION AND SAFETY SUPPORT	3,384	3,384	3,384	0	3,384
050 AIRCRAFT DEPOT MAINTENANCE	101,391	101,391	101,391	0	101,391
060 AIRCRAFT DEPOT OPS SUPPORT	338	338	338	0	338
RESERVE SHIP OPERATIONS	**130,106**	**130,106**	**135,106**	**10,000**	**140,106**
070 MISSION AND OTHER SHIP OPERATIONS	48,182	48,182	48,182	0	48,182
080 SHIP OPERATIONAL SUPPORT AND TRAINING	621	621	621	0	621
090 INTERMEDIATE MAINTENANCE	11,207	11,207	11,207	0	11,207
100 SHIP DEPOT MAINTENANCE	68,721	68,721	73,721	10,000	78,721
110 SHIP DEPOT OPERATIONS SUPPORT	1,375	1,375	1,375	0	1,375
RESERVE COMBAT OPERATIONS SUPPORT	**34,850**	**34,850**	**34,850**	**0**	**34,850**
120 COMBAT SUPPORT FORCES	34,850	34,850	34,850	0	34,850
RESERVE WEAPONS SUPPORT	**5,436**	**5,436**	**5,436**	**0**	**5,436**
130 WEAPONS MAINTENANCE	5,436	5,436	5,436	0	5,436
BASE SUPPORT	**206,409**	**206,409**	**206,409**	**0**	**206,409**
140 REAL PROPERTY MAINTENANCE	63,728	63,728	63,728	0	63,728
150 BASE SUPPORT	142,681	142,681	142,681	0	142,681
TOTAL, BA 01: OPERATING FORCES	**855,098**	**855,098**	**860,098**	**10,000**	**865,098**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**105,848**	**105,848**	**105,848**	**0**	**105,848**
160 ADMINISTRATION	7,004	7,004	7,004	0	7,004
170 CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	1,847	1,847	1,847	0	1,847

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
180	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	27,713	27,713	27,713	0	27,713
190	SERVICEWIDE COMMUNICATIONS	63,070	63,070	63,070	0	63,070
200	COMBAT/WEAPONS SYSTEMS	5,566	5,566	5,566	0	5,566
210	GENERAL DEFENSE INTELLIGENCE PROGRAM	648	648	648	0	648
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT	**0**	**0**	**0**	**0**	**0**
220	AIR SYSTEMS SUPPORT	0	0	0	0	0
	CANCELLED ACCOUNTS	**0**	**0**	**0**	**0**	**0**
230	CANCELLED ACCOUNTS	0	0	0	0	0
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**105,848**	**105,848**	**105,848**	**0**	**105,848**
	UNDISTRIBUTED:					
	Rcruiting and Advertising		[3,700]			
	Recruiting Support		[3,000]			
	Real Property Maintenance				5,000	
	Flyhours				3,000	
	Total		**6,700**		**8,000**	**8,000**
	TOTAL, OPERATIONS AND MAINTNENANCE, NAVY RESERVE	**960,946**	**967,646**	**965,946**	**18,000**	**978,946**
	OPERATIONS AND MAINTENANCE, MARINE CORPS RESERVE					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	MISSION FORCES					
010	TRAINING	17,938	17,938	17,938	0	23,138
	TRAINING CENTER IMPROVEMENTS		1,200		0	
	INITIAL ISSUE		5,200		5,200	
020	OPERATING FORCES	46,561	46,561	46,561	0	46,561
030	BASE SUPPORT	17,024	17,024	17,024	0	17,024
040	REAL PROPERTY MAINTENANCE	8,330	8,330	8,330	2,000	10,330
050	DEPOT MAINTENANCE	9,014	11,014	14,014	3,000	12,014
	MAINTENANCE OF AGING EQUIPMENT		2,000			
	CORROSION CONTROL COATING		1,000			

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
TOTAL, BA 01: OPERATING FORCES	**98,867**	**110,267**	**103,867**	**10,200**	**109,067**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
060 RECRUITING AND ADVERTISING	7,907	9,907	7,907	0	7,907
070 SPECIAL SUPPORT	11,317	11,317	11,317	0	11,317
080 SERVICEWIDE TRANSPORTATION	484	484	484	0	484
090 ADMINISTRATION	7,628	7,628	7,628	0	7,628
100 BASE SUPPORT	7,756	7,756	7,756	0	7,756
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**35,092**	**37,092**	**35,092**	**0**	**35,092**
UNDISTRIBUTED					
Real Property Maintenance		[3,100]			
TOTAL		**3,110**	**0**	**0**	**0**
TOTAL, OPERATIONS & MAINTENANCE, MARINE CORPS RES	**133,959**	**150,469**	**138,959**	**10,200**	**144,159**
OPERATIONS AND MAINTENANCE, AIR FORCE RESERVE					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS					
010 PRIMARY COMBAT FORCES	1,199,990	1,199,990	1,199,990	0	1,199,990
020 MISSION SUPPORT OPERATIONS	49,309	49,309	49,309	0	49,309
030 DEPOT MAINTENANCE	281,177	281,177	286,177	7,000	288,177
040 BASE SUPPORT	224,138	224,138	224,138	0	224,138
050 REAL PROPERTY MAINTENANCE	45,661	45,661	45,661	0	45,661
TOTAL, BA 01: OPERATING FORCES	**1,800,275**	**1,800,275**	**1,805,275**	**7,000**	**1,807,275**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
060 ADMINISTRATION	47,817	47,817	47,817	0	47,817
070 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	20,094	20,094	20,094	0	20,094

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
080	RECRUITING AND ADVERTISING	10,562	10,562	10,562	0	10,562
090	OTHER PERSONNEL SUPPORT	6,457	6,457	6,457	0	6,457
100	AUDIOVISUAL	654	654	654	0	654
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**85,584**	**85,584**	**85,584**	**0**	**85,584**
	UNDISTRIBUTED					
	Real Property Maintenance				4,000	
	Flyhours				2,000	
	Technician Pilot Retention Bonus		[5,000]		5,000	
	TOTAL		**5,000**		**11,000**	**11,000**
	TOTAL, OPERATIONS & MAINTENANCE, AIR FORCE RESERVE	**1,885,859**	**1,890,859**	**1,890,859**	**18,000**	**1,903,859**
	OPERATIONS AND MAINTENANCE, ARMY NATIONAL GUARD					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	LAND FORCES	**1,639,496**	**1,663,496**	**1,659,496**	**12,000**	**1,651,496**
010	DIVISIONS	420,846	420,846	440,846	0	420,846
	Initial Issue			[20,000]	0	
020	CORPS COMBAT FORCES	743,303	743,303	743,303	0	743,303
030	CORPS SUPPORT FORCES	192,504	192,504	192,504	0	192,504
040	ECHELON ABOVE CORPS FORCES	184,399	184,399	184,399	0	184,399
050	LAND FORCES OPERATION SUPPORT	98,444	98,444	98,444	0	110,444
	EXTENDED COLD WEATHER CLOTHING SYSTEM		24,000		12,000	
	LAND FORCES READINESS	**262,419**	**262,419**	**262,419**	**0**	**262,419**
060	LAND FORCES SYSTEM READINESS	72,247	72,247	72,247	0	72,247
070	DEPOT MAINTENANCE	190,172	190,172	190,172	0	190,172
	LAND FORCES READINESS SUPPORT	**1,085,439**	**1,085,439**	**1,105,439**	**0**	**1,085,439**
080	BASE OPERATIONS	460,632	460,632	460,632	0	460,632
090	REAL PROPERTY MAINTENANCE	202,431	202,431	222,431	0	202,431
100	MANAGEMENT AND OPERATIONAL HEADQUARTERS	422,376	422,376	422,376	0	422,376
	TOTAL, BA 01: OPERATING FORCES	**2,987,354**	**3,011,354**	**3,027,354**	**12,000**	**2,999,354**

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
110 STAFF MANAGEMENT	73,993	73,993	73,993	0	73,993
120 INFORMATION MANAGEMENT	20,115	20,115	20,115	0	20,115
130 PERSONNEL ADMINISTRATION	33,627	33,627	33,627	0	33,627
140 RECRUITING AND ADVERTISING	67,246	67,246	67,246	0	67,246
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**194,981**	**194,981**	**194,981**	**0**	**194,981**
UNDISTRIBUTED					
Additional Military Technicians		[30,500]		20,500	
Real Property Maintenance				19,000	
TOTAL		**30,500**		**39,500**	**39,500**
TOTAL, OPERATIONS & MAINTENANCE, ARMY NATIONAL GUARD	**3,182,335**	**3,236,835**	**3,222,335**	**51,500**	**3,233,835**
OPERATIONS AND MAINTNENANCE, AIR NATIONAL GUARD					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS					
010 AIRCRAFT OPERATIONS	2,216,504	2,216,504	2,216,504	0	2,216,504
020 MISSION SUPPORT OPERATIONS	368,761	368,761	373,261	0	368,761
Distribution Mission Training			[4,500]	0	
030 BASE SUPPORT	291,414	291,414	291,414	0	291,414
040 REAL PROPERTY MAINTENANCE	104,385	104,385	104,385	0	104,385
050 DEPOT MAINTENANCE	452,932	452,932	452,932	16,500	469,432
EXTENDED COLD WEATHER CLOTHING SYSTEM		6,000			
TOTAL, BA 01: OPERATING FORCES	**3,433,996**	**3,439,996**	**3,438,496**	**16,500**	**3,450,496**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
SERVICEWIDE ACTIVITIES					
060 ADMINISTRATION	2,668	2,668	2,668	0	2,668

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
070	RECRUITING AND ADVERTISING	9,711	15,711	9,711	0	13,211
	RECRUITING SUPPORT		3,500		3,500	
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**12,379**	**21,879**	**12,379**	**3,500**	**15,879**
	UNDISTRIBUTED					
	Extended Cold Weather Clothing System				2,000	
	TOTAL				**2,000**	**2,000**
	TOTAL, OPERATIONS & MAINTNENANCE, AIR NATIONAL GUARD	**3,446,375**	**3,461,875**	**3,450,875**	**22,000**	**3,468,375**
	TRANSFER ACCOUNTS					
10	ENVIRONMENTAL RESTORATION, ARMY	389,932	389,932	389,932	0	389,932
20	ENVIRONMENTAL RESTORATION, NAVY	294,038	294,038	294,038	0	294,038
30	ENVIRONMENTAL RESTORATION, AIR FORCE	376,300	376,300	376,300	0	376,300
40	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	23,412	23,412	23,412	(2,000)	21,412
50	ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES	186,499	186,499	231,499	45,000	231,499
60	DRUG INTERDICTION	836,300	841,500	845,300	32,700	869,000
70	OVERSEAS CONTINGENCIES	4,100,577	4,100,577	4,100,577	0	4,100,577
80	PENTAGON RENOVATION	0	0	0	0	0
	TOTAL, O&M, TRANSFER ACCOUNTS	**6,207,058**	**6,212,258**	**6,261,058**	**75,700**	**6,282,758**
	MISCELLANEOUS					
90	DEFENSE HEALTH PROGRAM	11,310,423	11,571,523	11,401,723		11,480,123
	Foreign Currency Fluction		[-15,400]	[-6,700]	(8,900)	
	Fund Study of DHP Accrual		[2,000]		2,000	
	Fund Study of Medicare-Eligible Health Options		[2,000]			
	Fund Study DOD/VA Joint Research Facility		[2,500]		1,000	
	Modernize TRICARE Management/Increase Use of Treatment Facilities		[134,500]			
	Reimburse Travel Expenses for Long-Distance Referrals		[15,000]		15,000	
	Reduce Catastrophic Cap for Retirees		[32,000]		32,000	
	TRICARE Senior Pharmacy Benefit		[94,000]		100,000	

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
	Foreign Military Training		[-10,000]			
	Claims Processing Initiative				3,600	
	Chiropractic Services for Active Duty Personnel		[3,000]		3,000	
	Medical/Dental Benefits for Survivors				6,000	
	Domiciliary and Custrodial Care				1,500	
	Tracking Patient Safety				10,000	
	Mental Health Conselor Demonstration				3,000	
	Telemedicine Radiology Demonstration		[1,500]		1,500	
100	EMERGENCY RESPONSE FUND, DEFENSE	0	0	0	0	0
110	FORMER SOVIET UNION THREAT REDUCTION	458,400	433,400	458,400	(15,000)	443,400
120	INSPECTOR GENERAL	144,245	144,245	144,245	0	144,245
130	OPPLAN 34A-35 P.O.W.				0	
140	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AFFAIRS	64,900	55,800	55,400	(9,000)	55,900
150	PAYMENT TO KAHO'OLAWE ISLAND	25,000	25,000	25,000	0	25,000
160	QUALITY OF LIFE ENHANCEMENTS	0	0	0	10,500	10,500
170	U.S. COURT OF APPEALS FOR THE ARMED FORCES	8,574	8,574	8,574	0	8,574
TOTAL, MISCELLANEOUS		**12,011,542**	**12,238,542**	**12,093,342**	**156,200**	**12,167,742**

Battlefield Mobility Enhancement System

The budget request included no funding for the battlefield mobility enhancement system know as Military Gator (M-Gator).

The House bill would authorize $9.3 million for M-Gator.

The Senate amendment would authorize $10.0 million for M-Gator.

The conferees agree to authorize $3.0 million for M-Gator. The conferees commend the Department of the Army and, specifically, the XVIII Airborne Corps for their efforts in acquiring the M-Gator battlefield mobility enhancement system. The conferees note that these efforts substantially shortened the acquisition process for this system by using a commercial off-the-shelf vehicle and thereby resisted the oft-repeated mistake of excessive modifications and militarizations, saving both time and money. The conferees understand that it took the Army only three years from the execution of the operational needs statement to the initial fielding of the M-Gator. The conferees are also pleased to note that M-Gators are currently available for world-wide deployment by the 82nd and 101st Airborne Divisions and, within available funding, will soon be available in the 10th Mountain Division in New York and the 25th Infantry Division in Hawaii.

Cultural and historic activities

The budget request included $300,000 for the Legacy Resource Management Program.

The House bill would authorize an increase of $6.5 million in the Legacy program.

The Senate amendment would authorize an increase of $6.1 million in the Legacy program for the recovery and preservation of three Civil War vessels: the *H.L. Hunley*, a Civil War submarine; the U.S.S. *Monitor*, a Civil War ironclad warship; and the C.S.S. *Alabama*, a Civil War commerce raider.

The conferees agree to authorize an increase of $6.5 million in the Legacy program. The conferees direct the Secretary of Defense and the Secretary of the Navy to use the additional Legacy funds to accomplish the following: (1) To raise the *H.L. Hunley*, recover other remaining artifacts, and conduct related preservation activities; (2) to make preparations for the turret recovery of the U.S.S. *Monitor* and recover other remaining artifacts, including two cannons; and (3) to survey and recover the artifacts of the C.S.S. *Alabama*, including the aft pivot gun and the lifting screw. The conferees further direct that, not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report that completely describes all prior and current use of Legacy funds and relevant state funds, and the status of recovery and preservation activities related to the *H.L. Hunley*, the U.S.S. *Monitor*, and the C.S.S. *Alabama*.

MOCAS enhancements

The budget request included $1.1 billion for the Defense Logistics Agency.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $1.2 million for improvements to the Mechanization of Contract Administration Service (MOCAS) System. The increase in funding is necessary for the development of a query tool, enhanced shared data warehouse, and other improvements to bring the MOCAS system in compliance with other provisions in the Act.

The House bill contained no similar provision and would authorize the budget request.

The conferees agree to authorize an increase of $1.0 million for these purposes for the Defense Finance and Accounting Service.

ITEMS OF SPECIAL INTEREST

Funding for Formerly Used Defense Sites and the Conway Bombing and Gunnery Range, Horry County, South Carolina

The Department of Defense (DOD) is responsible for cleaning up properties that it formerly owned, leased, possessed, or operated, known as Formerly Used Defense Sites (FUDS). The Army is the executive agent for the FUDS program, and the U.S. Army Corps of Engineers (Corps) manages and executes actual remediation activities. Because DOD no longer owns or uses the FUDS properties, a Corps district commander is given direct oversight responsibility for execution of environmental restoration projects.

There are about 9,302 properties identified for inclusion in the FUDS program, hundreds of which could be categorized as former ranges. Unfortunately, there are significant funding shortfalls within the FUDS program, which makes it difficult to execute much needed remediation projects at these sites. In an effort to address this problem, the Department of Defense Appropriations Act, 2001 (Public Law 106–259) included an increase of $45.0 million for FUDS remediation. Although these additional funds should facilitate further remediation activities on FUDS properties, there remains a funding shortfall that must be comprehensively addressed through the Department of Defense budget process. The conferees direct the Secretary of Defense to work cooperatively with the Secretary of the Army to resolve effectively the funding shortfall in the FUDS program.

The conferees are particularly concerned about the lack of focus and support for remediation of former military ranges. Specifically, the conferees have been informed of potential safety and environmental issues at the former Conway Bombing and Gunnery Range (Range III), Horry County, South Carolina. The conferees encourage the Secretary of the Army to move forward with remediation at such ranges in accordance with existing Department of Army policy.

United States Army marksmanship program

The conferees believe that international marksmanship competitions are an excellent opportunity to showcase the skills of U.S. military personnel in a sport that many countries see as a paradigm of military preparedness.

The conferees note that since 1956, the United States Army Marksmanship Unit, including active and reserve participants, have made a significant contribution to the success of U.S. marksmanship teams. Since the 1988 Olympic Games, reserve component participation on the Department of Defense (DOD) contingent on U.S. shooting teams has averaged nearly one half of all DOD team members. The conferees urge the Secretary of Defense to review the current Army Marksmanship program in order to maintain adequate opportunities for reserve component personnel to participate in future international marksmanship events.

Water quality issues at installations in Kaiserslautern, Germany

The conferees are concerned about contamination at approximately 36 locations recently identified on, or near, military installations supporting the missions of the U.S. Army and the U.S. Air Force in the area of Kaiserslautern, Germany. The conferees recognize the effort of the Secretaries of the Army and the Air Force to work cooperatively with local German authorities to resolve matters relating to environmental contamination of the water supply that supports the military installations and civilians in the area of Kaiserslautern, Germany. The conferees direct the Secretaries of the Army and Air Force to assess jointly the nature and extent of the water contamination issue, and develop a plan for the completion of remediation and restoration, to include related costs. The conferees direct the secretaries concerned to submit their findings and recommendations concurrent with the submission of the budget request for fiscal year 2002.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 301–302)

The House bill contained provisions (secs. 301–302) that would authorize the recommended fiscal year 2001 funding levels for all operations and maintenance and working capital fund accounts.

The Senate amendment contained similar provisions.

The conference agreement includes these provisions.

Armed Forces Retirement Home (sec. 303)

The House bill contained a provision (sec. 303) that would authorize $69,832,000 from the Armed Forces Retirement Home Trust Fund to be appropriated for the operation of the Armed Forces Retirement Homes.

The Senate amendment contained an identical provision (sec. 303).

The conference agreement includes this provision.

Transfer from National Defense Stockpile Transaction Fund (sec. 304)

The House bill contained a provision (sec. 304) that would authorize the Secretary of Defense to transfer not more than $150.0 million from the amounts received from sales in the National Defense Stockpile Transaction Fund to the operations and maintenance accounts of the military services.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Joint warfighting capabilities assessment teams (sec. 305)

The Senate amendment contained a provision (sec. 312) that would authorize $4.0 million in operation and maintenance for defense-wide activities for the Joint Staff be made available for the sole purpose of improving the performance of the joint warfighting capabilities assessment teams of the Joint Requirements Oversight Council.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Environmental Provisions

Establishment of additional environmental restoration account and use of accounts for operation and monitoring of environmental remedies (sec. 311)

The Senate amendment contained a provision (sec. 341) that would amend section 2703 of title 10, United States Code, to designate an account for formerly used defense sites within the Environmental Restoration Account (ERA), and to ensure that all site closeout activities would be funded by an appropriate ERA.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Certain environmental restoration activities (sec. 312)

The House bill contained a provision (sec. 313) that would authorize the Secretary of Defense or the secretaries of the military departments to use funds available in the environmental restoration accounts (ERA), pursuant to section 2703 of title 10, United States Code, to permanently relocate facilities. The authorization would be subject to

secretarial determination that permanent relocation was the most cost effective environmental restoration option and would sunset in three years. The provision would also limit the total funds available to five percent of the funds deposited in an ERA for a fiscal year.

The Senate amendment contained a similar provision (sec. 346), but made the authorization contingent upon a secretary's written determination that such permanent relocation is part of a response action that: (1) has the support of the affected community; (2) has the approval of relevant regulatory agencies; and (3) is the most cost effective response action available. The authority would terminate after September 30, 2003, and be subject to a five percent funding cap within each fiscal year for the funds available under section 2703. The secretary concerned would also be required to provide an annual report to the congressional defense committees on each response action for which there has been a written determination made under this provision.

The Senate recedes with a technical amendment.

The conferees expect the Department of Defense to use this authority judiciously, and to ensure that funds are used only for legitimate environmental restoration priorities. Moreover, the conferees intend that this provision will allow for a flexible approach to environmental restoration at certain formerly used defense sites where progress has been slow.

Annual reports under Strategic Environmental Research and Development Program (sec. 313)

The Senate amendment contained a provision (sec. 343) that would modify the current reporting requirement for the Science Advisory Board to allow for its inclusion in the annual report for the Strategic Environmental Research and Development Program.

The House bill contained no similar provision.

The House recedes.

Payment of fines and penalties for environmental compliance at Fort Wainwright, Alaska (sec. 314)

The Senate amendment contained a provision (sec. 342) that would require the Secretary of Defense or the secretaries of the military departments to seek congressional authorization prior to paying any fine or penalty imposed by a Federal agency for an environmental compliance violation if the fine or penalty amount agreed to is $1.5 million or more. Supplemental environmental projects carried out as part of fine or penalty for amounts $1.5 million or more and agreed to after the enactment of this Act would also require specific authorization by law.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense or the Secretary of the Army to pay no more than $2.0 million in settlement for a $16.07 million notice of violation issued on March 5, 1999, by the Administrator of the Environmental Protection Agency at Fort Wainwright, Alaska.

The conferees note that a number of questions have been raised about the manner in which environmental compliance fines and penalties are assessed by state and federal enforcement authorities. Therefore, the conferees direct the Secretary of Defense to submit a report to the congressional defense committees no later than March 1, 2002, that includes an analysis of all environmental compliance fines and penalties assessed and imposed at military facilities during fiscal years 1995 through 2001. The analysis shall address the criteria or methodology used by enforcement authorities in initially assessing the amount of each fine and penalty. Any current or historical trends regarding the use of such criteria or methodology shall be identified.

Payment of fines or penalties imposed for environmental compliance violations at other Department of Defense facilities (sec. 315)

The House bill contained a provision (sec. 311) that would authorize the payment of certain fines and penalties, or to carry out supplemental environmental projects in accordance with section 8149 of the Department of Defense Appropriations Act for Fiscal Year 2000. The Secretary of the Army would be specifically authorized to pay following supplemental environmental projects carried out in satisfaction of an assessed fine or penalty: (1) $993,000 for Walter Reed Army Medical Center, Washington, D.C.; (2) $377,250 for Fort Campbell, Kentucky; (3) $20,701 for Fort Gordon, Georgia; (4) $78,500 for Pueblo Chemical Depot, Colorado; (5) $20,000 for Deseret Chemical Depot, Utah. The Secretary of the Navy would be specifically authorized to pay the following fines and penalties: (1) $108,000 for Allegany Ballistics Laboratory, West Virginia; and (2) $5,000 for Naval Air Station, Corpus Christi, Texas.

The Senate amendment contained a similar provision (sec. 344) that would authorize an additional fine of $7,975 for Fort Sam Houston, Texas.

The House recedes with an amendment that would authorize an additional fine of $1,650 imposed at Quantico, Virginia.

The conferees are pleased with the Army's most recent efforts to reduce the level of fines and penalties received.

Reimbursement for certain costs in connection with the former Nansemond Ordnance Depot Site, Suffolk, Virginia (sec. 316)

The Senate amendment contained a provision (sec. 345) that would authorize the Secretary of Defense to pay not more than $98,210 from the Environmental Restoration, Formerly Used Defense Sites Account to reimburse the Nansemond Ordnance Depot Site Special Account of the Hazardous Substance Superfund, established by the Internal Revenue Code of 1986 (26 U.S.C. 9507). The reimbursement would be for oversight costs incurred by the U.S. Environmental Protection Agency (EPA) on a time critical removal action at the Former Nansemond Ordnance Depot performed by the Department of Defense (DOD) under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.) and the Defense Environmental Restoration Program (10 U.S.C. 2701 et seq.).

The House bill contained no similar provision.

The House recedes.

The conferees direct the Department of Defense and the military departments to continue to seek congressional authorization prior to reimbursing EPA for any oversight costs incurred at environmental restoration sites where the DOD or the military departments have incurred liability under CERCLA.

Necessity of military low-level flight training to protect national security and enhance military readiness (sec. 317)

The House bill contained a provision (sec. 312) that would mandate that any environmental impact statement completed, as of the date of the enactment of this Act, for each special use airspace designated by a military department for the performance of low-level training flights satisfy all future requirements of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide, consistent with existing law, that NEPA does not require a programmatic, nation-wide environmental impact statement for low level flight training as a precondition to the use of any airspace by a military department for the performance of low-level training flights.

Ship disposal project (sec. 318)

The Senate amendment contained a provision (sec. 347) that would direct the Secretary of the Navy to continue to carry out a ship disposal project in fiscal year 2001 and to use competitive contracting procedures to award task orders within the ship disposal project. The provision would also direct the Secretary to submit, not later than December 31, 2000, a report to the congressional defense committees on the ship disposal project.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Defense Environmental Security Corporate Information Management Program (sec. 319)

The Senate amendment contained a provision (sec. 348) that would direct the Secretary of Defense to submit, not later than 60 days after the date of the enactment of this Act, a report to the congressional defense committees on the Defense Environmental Security Corporate Information Management (DESCIM) Program. The report would contain specific recommendations regarding the future mission of the DESCIM Program and address issues of concern within the Department of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the Chief Information Officer of the Department of Defense (DOD) to ensure management and oversight of the DESCIM program consistent with: the Clinger-Cohen Act of 1996 (42 U.S.C. 1401 et seq.); section 331(a) of the National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 2223); DOD Directives 5000.1, 5000.2–R, 5237.1; and all other statutes, directives, regulations, and management controls that are applicable to investments in information technology and related services.

The conferees remain concerned about evidence of mismanagement of the DESCIM program. The conferees note the nominal return on an investment of about $100.0 million.

Report on Plasma Energy Pyrolysis System (sec. 320)

The Senate amendment contained a provision (sec. 349) that would require the Secretary of the Army to submit, not later than October 1, 2000, a report to the congressional defense committees that includes the Army's analysis and recommendations regarding future applications for both phases of the Plasma Energy Pyrolysis System (PEPS) technology (PE 62720A).

The House bill contained no similar provision.

The House recedes with an amendment that would change the date for submission of the report to February 1, 2001.

Sense of Congress regarding environmental restoration of former defense manufacturing site, Santa Clarita, California (sec. 321)

The House bill contained a provision (sec. 314) that would express the sense of Congress that every effort should be made to apply all known public and private sector innovative technologies to restore the Santa Clarita site to productive use.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the original findings.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Use of appropriated funds to cover operating expenses of commissary stores (sec. 331)

The House bill contained a provision (sec. 321) that would authorize the Defense Commissary Agency to use appropriated funds to cover expenses of operating stores and central product processing facilities.

The Senate amendment contained no similar provision.

The Senate recedes.

Adjustment of sales prices of commissary store goods and services to cover certain expenses (sec. 332)

The House bill contained a provision (sec. 322) that would require the Defense Commissary Agency to adjust prices of goods and services to cover losses from shrinkage, spoilage, and pilferage, as well as the cost of first destination transportation.

The Senate amendment contained no similar provision.

The Senate recedes.

Use of surcharges for construction and improvement of commissary stores (sec. 333)

The House bill contained a provision (sec. 323) that would authorize the Secretary of Defense to use proceeds solely from the commissary surcharge for acquisition, construction, conversion, expansion, improvement, repair, maintenance, and equipping commissaries or to cover environmental evaluation and construction costs, including surveys and similar expenses related to commissary construction.

The Senate amendment contained no similar provision.

The Senate recedes.

Inclusion of magazines and other periodicals as an authorized commissary merchandise category (sec. 334)

The House bill contained a provision (sec. 324) that would add magazines and other periodicals as an authorized merchandise category for sale in commissaries.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees direct the Secretary of Defense to promulgate policy guidance that would limit the display of magazines and other periodicals in commissaries to the immediate area of the checkout lanes.

Use of most economical distribution method for distilled spirits (sec. 335)

The House bill contained a provision (sec. 325) that would authorize military exchanges to use private distributors to distribute distilled spirits in those cases in which such an option is determined to be the most cost-effective means of distribution.

The Senate amendment contained an identical provision (sec 369).

The conference agreement includes this provision.

Report on effects of availability of slot machines on United States military installations overseas (sec. 336)

The House bill contained a provision (sec. 326) that would require the Secretary of Defense to submit to the Congress, not later than March 31, 2001, a report evaluating the effect of the ready availability of slot machines as a morale, welfare and recreation activity on United States military installations overseas on members of the armed forces, their dependents, and others who use the slot machines.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle D—Department of Defense Industrial Facilities

Designation of Centers of Industrial and Technical Excellence and public-private partnerships to increase utilization of such centers (sec. 341)

The Senate amendment contained a provision (sec. 332) that would amend section 2474 of title 10, United States Code, to devolve the authority to designate the depot-level activities of the Department of Defense and the military departments to the respective secretaries of the military departments, including the arsenals and ammunition plants of the U.S. Army. The provision would also expand the activities authorized to be conducted at these centers by employees of the center, the private sector, or other entities outside the Department of Defense, to include the performance of work under contract, or subcontract, in any of the core competencies of the center; the performance of other depot-level maintenance and repair related to the core competencies at the center; or other work by the private sector that is not related to the core competencies of the center that requires the use of any facility or equipment of the center that are not fully utilized by a military department for its own production and maintenance requirements. The full costs of work performed by the employees of the center under contract from the private sector must be charged to the contract. Any revenues generated, by rents or through other mechanisms, by private sector use of facilities and equipment at these centers would be available to offset the costs of facility operations, maintenance, and environmental restoration at the center where the leased property is located. The provision would also include a loan guarantee program to encourage the private sector to participate in the public-private partnerships established in the centers.

The House bill contained no similar provision.

The House recedes with an amendment that would not include ammunition plants or arsenals under section 2474. The amendment would also authorize, rather than require, the secretary of a military department to allow centers to enter into public-private partnerships. Furthermore, the amendment would limit the work conducted at a center to work that is related to the core competencies of the center. Finally, rather than authorize a new loan guarantee program, the amendment would require the Secretary of Defense to provide the Congress with a report on the extent to which a loan guarantee program modeled after the loan guarantee program in the Armament Retooling and Manufacturing Support Program would help to achieve the objectives of section 2474.

Unutilized and underutilized plant-capacity costs of United States arsenals (sec. 342)

The Senate amendment contained a provision (sec. 335) that would prohibit the inclusion of the cost of unutilized or under utilized plant capacity in the evaluation of bids for the contracting of the arsenal to provide a good or service to a U.S. Government organization.

The House bill had no similar provision.

The House recedes with a technical amendment.

Arsenal support program initiative (sec. 343)

The House bill contained a provision (sec. 113) that would extend the Armament Retooling and Manufacturing Support (ARMS) program by one year and authorize the Army manufacturing arsenals to take part in the program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish a separate two year arsenal support demonstration program with authorities similar to those provided by the ARMS program.

Codification and improvement of armament retooling and manufacturing support programs (sec. 344)

The Senate amendment contained a provision (sec. 331) that would amend Part IV of subtitle B of title 10, United States Code, to make certain changes and codify the Armament Retooling and Manufacturing Support (ARMS) Initiative. The provision would expand the objectives of the program to include a reduction of the cost of ownership and/or disposal of ammunition plants, to enhance best business practices, and foster cooperation with the private sector at these facilities. The provision would also make it easier for non-federal entities to use excess capacity at these facilities, and offset the costs to the Federal Government of ownership by allowing revenues generated through private sector use to be applied to overhead and production costs.

The House bill contained no similar provision.

The House recedes with an amendment that would not further expand the use of the ARMS program to excess facilities or allow an ARMS facility to use contracts, leases, or other agreements for activities not traditionally associated with the ARMS program, unless approved by the Secretary of the Army.

Subtitle E—Performance of Functions by Private-Sector Sources

Inclusion of additional information in reports to Congress required before conversion of commercial or industrial type functions to contractor performance (sec. 351)

The House bill contained a provision (sec. 331) that would require the Secretary of Defense to provide the Congress with additional information before converting commercial or industrial functions to contractor performance. The additional information would include a certification that funds are specifically budgeted for conversion analysis, the date on which the analysis was initiated, and the number of Department of Defense civilians that would be adversely affected by the proposed conversion.

The Senate amendment contained a similar provision (sec. 366(b)).

The Senate recedes with an amendment that would require the Secretary of Defense to identify the funding source for the conversion analysis and the number of Department of Defense civilians who will be terminated or otherwise affected by the proposed conversion. The amendment would also require the Secretary to include the estimated economic impact of the change and a certification that the factors considered in the examinations performed, and the decisions made, did not include any predetermined personnel constraint or limitation in terms of man-years, end strength, full-time equivalent positions, or maximum number of employees.

Effects of outsourcing on overhead costs of Centers of Industrial and Technical Excellence and Army ammunition plants (sec. 352)

The Senate amendment contained a provision (sec. 333) that would require the Secretary of Defense to submit a report to Congress 30 days prior to entering into a contract that would result in moving workload performed by 50 or more employees from a center or ammunition plant. The report should describe the impact of any reduction in workload at a center or ammunition plant as a result of a contract and describe the overhead costs of that facility.

The House bill contained no similar provision.

The House recedes with an amendment that would increase the waiting period from 30 to 60 days.

Consolidation, restructuring, or re-engineering of Department of Defense organizations, functions, or activities (sec. 353)

The House bill contained a provision (sec. 364) that would prohibit the Secretary of Defense from initiating manpower reductions at organizations or activities, or within functions, that are commercial, commercial exempt from competition, military essential, or inherently governmental until the Secretary submits a report to Congress outlining the elements to be analyzed, the location and a description of the elements, the number of civilian or military personnel that would be affected, the cost of performance, and a certification that the decision is not the result of predetermined constraints or limitations on Department of Defense personnel. The provision would also require the Secretary of Defense to submit to the Armed Services Committees of the Senate and the House of Representatives a report on any decision on consolidation or re-engineering if such action would eliminate 11 or more positions. The provision would also require the Comptroller General to review and to audit the findings of the Secretary of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to provide annually to Congress the Department's Strategic Sourcing Plan. The provision would also require that the Secretary of Defense provide a report to Congress outlining the results of the analysis performed for those elements when an action would result in a manpower reduction affecting 50 or more personnel. The Secretary could not implement the results of the analysis until 30 days after providing the Congress with the required report. This provision would not apply to the transfer of military units between locations.

Monitoring of savings resulting from workforce reductions as part of conversion of functions to performance by private sector or other strategic sourcing initiatives (sec. 354)

The Senate amendment contained a provision (sec. 366) that would require the Secretary of Defense to establish a system for monitoring the performance of functions of the Department of Defense that are performed by 50 or more employees of the Department and have been subjected to a review to determine whether the function should be performed by federal employees or a private sector workforce. The provision would also establish three performance measures, including the costs incurred, the savings derived, and the value of the performance by the selected workforce measured against the costs of the performance of the workload by the workforce at the beginning of the review. The provision would also require the Secretary of Defense to provide to the Congress with an annual report that outlines the results of the performance reviews conducted over the previous years.

The House bill contained no similar provision.

The House recedes with an amendment that would require the report provided by the Secretary of Defense to the Congress regarding the results of past performance reviews to include those reviews conducted over the previous five years. The report would compare the costs to perform the function before and after the review, and the anticipated savings from the review to the actual savings realized.

Performance of emergency response functions at chemical weapons storage installations (sec. 355)

The Senate amendment contained a provision (sec. 364) that would prohibit the Secretary of the Army from converting to contractor performance the emergency response functions of any chemical weapons storage installation currently performed by U.S. Government employees until the Secretary provides a certification to the Committees on Armed Services of the Senate and the House of Representatives.

The House bill contained no similar provision.

The House recedes with an amendment that reiterates the responsibility of the Secretary to enforce section 2465 of title 10, United States Code.

Suspension of reorganization or relocation of Naval Audit Service (sec. 356)

The Senate amendment contained a provision (sec. 367) that would require the Secretary of the Navy to provide the congressional defense committees a report outlining the plans and justification for the reorganization of the Naval Audit service 60 days before consolidating the functions of the service currently performed at its primary East and West Coast locations to Washington, DC.

The House bill contained no similar provision.

The report accompanying H.R. 4205 (House Report 106–616) directed the Secretary to wait 180 days before consolidating all activities in Washington.

The House recedes with an amendment that would require the Secretary to wait 180 days before proceeding with the consolidation.

Subtitle F—Defense Dependents Education

Eligibility of dependents of American Red Cross employees for enrollment in Department of Defense domestic dependent schools in Puerto Rico (sec. 361)

The House bill contained a provision (sec. 342) that would authorize the Secretary of Defense to permit the dependents of certain American Red Cross employees in Puerto Rico to enroll in Department of Defense Domestic Dependent Schools.

The Senate amendment contained a similar provision (sec. 1053).

The Senate recedes with a clarifying amendment.

Assistance to local educational agencies that benefit dependents of members of the armed forces and Department of Defense civilian employees (sec. 362)

The House bill contained a provision (sec. 341) that would authorize $35.0 million for educational assistance to local educational agencies where the standard for the minimum level of education within the state could not be maintained because of the large number of military connected students.

The Senate amendment contained no similar provision.

The Senate recedes.

Impact aid for children with severe disabilities (sec. 363)

The Senate amendment contained a provision (sec. 311) that would authorize $20.0 million in Operation and Maintenance, Defense-wide activities for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)).

The House bill contained no similar provision.

The House recedes with an amendment that would, effective October 1, 2001, establish a formula under which the Secretary of Defense would distribute funds, if appropriated for that purpose, for impact aid for disabled children.

Assistance for maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 364)

The Senate amendment contained a provision (sec. 379) that would authorize the Secretary of Defense to make a grant to an eligible local educational agency to assist the agency in maintenance, repair, and renovation projects.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the authorization to fiscal year 2001.

Subtitle G—Military Readiness Issues

Measuring cannibalization of parts, supplies, and equipment under readiness reporting system (sec. 371)

The House bill contained a provision (sec. 351) that would amend section 117 of title 10, United States Code, to include equipment cannibalization rates in the quarterly readiness reports to Congress. The provision would also require the monthly readiness report to include a description of the funding proposed in the President's budget request to address each deficiency in readiness identified during the joint readiness review conducted for the first quarter of the current fiscal year.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would amend section 117 of title 10, United States Code, to include cannibalization rates. The requirement for the Secretary of Defense to outline the funding proposed in the President's budget request to address each deficiency in readiness identified during the joint readiness review is addressed elsewhere in this conference agreement.

Reporting requirements regarding transfers from high-priority readiness appropriations (sec. 372)

The House bill contained a provision (sec. 352) that would include Combat Enhancement Forces and Combat Communications as high priority appropriations to be included in reports required by section 483 of title 10, United States Code, and require that other appropriations involved in transfers to, or transfers from, high priority accounts be identified in those same reports. The provision would also strike the termination date for this report.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Effects of worldwide contingency operations on readiness of military aircraft and equipment (sec. 373)

The Senate amendment contained a provision (sec. 361) that would require the Secretary of Defense to submit a report to Congress on the effects of worldwide contingency operations on the aircraft of the Navy, Marine Corps, and Air Force, and the ground equipment of the Army and Marine Corps. The report shall include the assessment of the Secretary of the effects of such operations on the ability of the Department of Defense to maintain a high level of readiness.

The House bill contained no similar provision.

The House recedes with an amendment that would include the effect that contingency operations are having on the readiness of the aircraft and the ground equipment of each of the military services.

Identification of requirements to reduce backlog in maintenance and repair of defense facilities (sec. 374)

The House bill contained a provision (sec. 353) that would require the Secretary of Defense to develop and annually update a strategic plan for the reduction of the backlog in real property maintenance.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to identify the funds necessary to reduce the backlog of real property maintenance and report that requirement to the Congress.

New methodology for preparing budget requests to satisfy Army readiness requirements (sec. 375)

The Senate amendment contained a provision (sec. 362) that would require the Secretary of the Army to develop a new methodology to be used in preparing a budget request that more accurately reflects the Army's requirements. This methodology should be based on the level of training required to maintain essential readiness, the cost of conducting such training, and the cost of all other Army operations, including the cost of meeting its infrastructure requirements. This methodology should be used in the preparation of the fiscal year 2002 budget request.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Review of AH–64 aircraft program (sec. 376)

The Senate amendment contained a provision (sec. 378) that would require the Comptroller General to conduct a study of the Army's AH–64 aircraft program to determine if the readiness of the program is adversely affected by lack of funding for modern parts, upgrades, and technical support.

The House bill contained no similar provision.

The House recedes.

Report on Air Force spare and repair parts program for C–5 (sec. 377)

The Senate amendment contained a provision (sec. 1027) that would require the Secretary of the Air Force to submit a report to the congressional defense committees on the overall status of the spare and repair parts program of the Air Force for the C–5 aircraft.

The House amendment contained no similar provision.

The House recedes.

Subtitle H—Other Matters

Annual report on public sale of certain military equipment identified on United States Munitions List (sec. 381)

The House bill contained a provision (sec. 362) that would require the Secretary of Defense to provide an annual report to the Committees on Armed Services of the Senate and the House of Representatives identifying each public sale conducted by a military department or defense agency of military items that are identified on the United States Munitions List 22 C.F.R. 121.1, and assigned a demilitarization code of B or its equivalent.

The Senate amendment contained no similar provision.

The Senate recedes.

Resale of armor-piercing ammunition disposed of by the Army (sec. 382)

The Senate amendment contained a provision (sec. 370) that would require the Secretary of the Army to ensure that excess armor-piercing ammunition that is not transferred to law enforcement or other governmental agencies or made available for foreign military sales, is not sold to the public. The requirement would not apply to the non-armor-piercing components of that ammunition, but such components could not be used to produce armor-piercing ammunition for sale to civilian purchasers.

The House had no similar provision.

The House recedes.

Reimbursement by civil air carriers for support provided at Johnston Atoll (sec. 383)

The Senate amendment contained a provision (sec. 373) that would authorize the Secretary of the Air Force to require reimbursement by a civil air carrier for support provided by the United States to that carrier at Johnston Atoll that is either requested by the carrier, or determined to be necessary to accommodate the carrier's use of Johnston Atoll. The reimbursement shall be equal to the actual costs incurred by the United States, and shall be credited to either Air Force operation and maintenance accounts or to the Army chemical demilitarization accounts.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Travel by Reserves on military aircraft (sec. 384)

The Senate amendment contained a provision (sec. 692) that would authorize reservists traveling to a place of annual training or inactive duty training to travel space-required on military aircraft between the member's home and the place of such duty or training, and would make reservists eligible for space-available travel on military aircraft for travel outside the United States.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the space-required travel in conjunction with training or reserve duty is both to and from their home, and that would not permit reservists to use space-available travel on military aircraft.

Overseas airlift service on Civil Reserve Air Fleet aircraft (sec. 385)

The Senate amendment contained a provision (sec. 376) that would amend section 41106 of title 49, United States Code, to require that the Department of Defense (DOD) procure transportation from air carriers with aircraft in the Civil Reserve Air Fleet for travel from a place in the United States to a place outside the United States, and to the extent practicable, between two locations outside the United States.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Additions to plan for ensuring visibility over all in-transit end items and secondary items (sec. 386)

The Senate amendment contained a provision (sec. 363) that would amend section 349 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) by including specific requirements for monitoring and measuring implementation of the plan to ensure visibility over in-transit inventory items. The requirements would include the assignment of oversight responsibility for each action required to address weaknesses in the controls over in-transit items, a description of the resources required for oversight, and an estimate of the annual cost of oversight.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Reauthorization of pilot program for acceptance and use of landing fees charged for use of domestic military airfields by civil aircraft (sec. 387)

The Senate amendment contained a provision (sec. 372) that would extend through fiscal year 2010 the authority of the service secretary concerned to accept payments for the use of domestic military and shared use airfields by civil aircraft and to use those payments for the operation and maintenance of the airfield.

The House bill contained no similar provision.

The House recedes.

Extension of authority to sell certain aircraft for use in wildfire suppression (sec. 388)

The Senate amendment contained a provision (sec. 375) that would extend through fiscal year 2005 the authority of the Secretary of Defense to sell excess aircraft and spare parts to persons or entities that contract with the Federal Government for the delivery of fire retardant by air in order to suppress wildfires.

The House bill contained no similar provision.

The House recedes.

Damage to aviation facilities caused by alkali silica reactivity (sec. 389)

The Senate amendment contained a provision (sec. 371) that would require the Secretary of Defense to test the use of lithium salts to preserve runway integrity and provide the congressional defense committees with a report outlining its success in mitigating the impact of alkali silica reactivity (ASR).

The House bill contained no similar provision.

The House recedes with an amendment that would require a pilot program to review the problems of ASR at environmentally diverse facilities of the military services.

Demonstration project to increase reserve component internet access and services in rural communities (sec. 390)

The Senate amendment contained a provision (sec. 314) that would authorize a demonstration project for the National Guard to provide internet access to government offices in rural areas.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the National Guard to provide internet access to Guard and other military reserve offices in rural areas. The provision would also require the Secretary of the Army to provide the congressional defense committees with a report and recommendations regarding the expansion of this demonstration project to other offices.

Additional conditions on implementation of Defense Joint Accounting System (sec. 391)

The Senate amendment contained a provision (sec. 380) that would postpone the milestone III decision to field the Defense Joint Accounting System (DJAS) until the Secretary of Defense conducts an analysis of the requirement for the DJAS and certifies to Congress that this warrants deployment.

The House bill amendment contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to outline more specifically the need for the System.

The conferees note that this provision would supercede the direction provided by House report accompanying H.R.4204 (H. Rept. 106–616).

Report on Defense Travel System (sec. 392)

The Senate amendment contained a provision (sec. 377) that would require the Secretary of Defense to submit a report on the development, fielding, schedule, and potential cost savings expected to result from the deployment of the Defense Travel System.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the limitation on the use of funds for this system. The conferees direct the Secretary of Defense to submit a prior notification reprogramming to the congressional defense committees before the transfer of any funds for this program.

Review of Department of Defense costs of maintaining historical properties (sec. 393)

The Senate amendment contained a provision (sec. 374) that would require the Comptroller General to conduct a review of the annual costs incurred by the Department of Defense in complying with the requirements of the National Historic Preservation Act (NHPA) (16 U.S.C. 470 et seq.). The provision would require the Comptroller General to provide the congressional defense committees with a report of the results of the review, including the projected costs of maintaining these properties over the next 10 years, an analysis of maintaining only those properties which originally qualified as historic properties when the NHPA was first enacted, the accounts used for paying the costs to comply with the NHPA, and the identity of all properties that must be maintained in order to comply with the NHPA.

The House bill contained no similar provision

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to ensure demilitarization of significant military equipment formerly owned by the Department of Defense

The House bill contained a provision (sec. 361) that would authorize the Secretary of Defense to require the owner of significant military equipment formerly owned by the Department of Defense to demilitarize that equipment or return it to the Department of Defense for demilitarization.

The Senate amendment had no similar provision.

The House recedes.

The conferees note that although the provision intended to address congressional concerns regarding the release of un-demilitarized military equipment to the public by the Department of Defense, the provision could have serious unintended consequences for legitimate owners of former military equipment, such as museums and ceremonial display organizations. The conferees direct the Secretary of Defense to reassess its approach for the recovery of un-demilitarized military equipment in a way that will not affect legitimate owners of former military equipment.

Close-in weapon system overhauls

The Senate amendment contained a provision (sec. 319) that would provide $391.8 million for weapons maintenance including $10.0 million for close-in weapon system overhauls.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $10.0 million in the operation and maintenance account of the Navy for overhauls of the close-in weapon system.

Industrial mobilization capacity at government-owned, government-operated army ammunition facilities and arsenals

The Senate amendment contained a provision (sec. 318) that would provide $51.28 million to fund the cost of maintaining the industrial mobilization capacity at Army ammunition facilities and arsenals.

The House bill contained no similar provision.

The Senate recedes.

Investment of commissary trust revolving fund

The Senate amendment contained a provision (sec. 368) that would authorize the Secretary of Defense to invest a portion of the Commissary Trust Revolving Fund in public debt securities.

The House bill contained no similar provision.

The Senate recedes.

MK–45 overhaul

The Senate amendment contained a provision (sec. 317) that would authorize the expenditure of $12.0 million for the overhaul of MK–45 five inch guns.

The House bill had no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $12.0 million for the overhaul of these guns in the Navy's operation and maintenance account.

Mounted urban combat training site, Fort Knox

The Senate amendment contained a provision (sec. 316) that would authorize the expenditure of $4.0 million for training range upgrades at the mounted urban combat training site, Fort Knox, Kentucky.

The House bill had no similar provision.

The Senate recedes.

National Guard assistance for certain youth and charitable organizations

The House bill contained a provision (sec. 365) that would amend section 508 of title 32, United States Code, to include other youth or charitable organizations designated by the Secretary of Defense among those organizations eligible to receive assistance from the National Guard.

The Senate amendment contained no similar provision.

The House recedes.

Notice of use of radio frequency spectrum by a system entering engineering and manufacturing development

The Senate bill contained a provision (sec. 365) that would require the Secretary of Defense to submit a report to the congressional defense committees before a new weapon system is acquired that would outline the frequency that the system will use. The report would also include a statement of whether the Department is designated as the primary user of that frequency and, if not, the unique technical characteristics that make it necessary to use that particular frequency, and a description of the protections that the Department of Defense has been given to ensure that it will not incur costs as a result of current or future interference from other users of that particular frequency.

The House amendment contained no similar provision.

The Senate recedes.

The conferees are concerned that in the past the Department of Defense has pursued the development of weapons systems utilizing portions of the radio frequency spectrum that are not designated for military use. This can lead to unintended interference between that system and a commercial system licensed to use the same frequency. This interference could then result in operational constraints, or expensive redesign of the weapon system.

The conferees note that the Department of Defense is implementing new procedures that are designed to ensure adequate coordination of the military services' efforts to develop new systems so that past problems with frequency interference do not take place. The conferees direct the Comptroller General to review these procedures and their implementation and provide the Armed Services Committees of the Senate and the House of Representatives with a report outlining the extent to which they will prevent interference that would result in operational constraints or expensive redesigns.

Revision of authority to waive limitation on performance of depot-level maintenance

The Senate bill contained a provision (sec. 334) that would amend section 2466 of title 10, United States Code, to require the President of the United States, rather than the secretary of the respective military department, to waive the 50 percent depot maintenance requirement for reasons of national security.

The House amendment contained no similar provision.

The Senate recedes.

The conferees are concerned that the Secretary of the Air Force has not taken the actions necessary to ensure the Air Force complies with the requirement contained in section 2466 of title 10, United States Code, that 50 percent of all depot maintenance funds of a military department be spent on depot maintenance services provided by employees of the Federal Government. The conferees believe that this requirement is essential to maintain the core maintenance capability necessary to preserve a ready and controlled source of repair and maintenance.

Spectrum data base upgrades

The Senate amendment contained a provision (sec. 320) that would provide a decrease of $10.0 million for spectrum data base upgrades.

The House bill contained no similar provision.

The Senate recedes.

Use of humanitarian and civic assistance funding for pay and allowances of special operations command reserves furnishing demining training and related assistance as humanitarian assistance

The Senate bill contained a provision (sec. 322) that would authorize pay and allowances from within funds for the overseas humanitarian, disaster, and civic assistance account, for reserve members of the Special Operations Command when these reservists perform humanitarian demining activities.

The House amendment contained no similar provision.

The Senate recedes.

Weatherproofing of facilities at Keesler Air Force Base

The Senate amendment contained a provision (sec. 313) that would authorize the expenditure of $2.8 million for the weatherproofing of facilities at Keesler Air Force Base.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $2.8 million in the Air Force operation and maintenance account for the weatherproofing of these facilities.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

ITEMS OF SPECIAL INTEREST

Funding for Army Reserve Individual Mobilization Augmentees

The conferees are aware that projected fiscal year 2001 funding shortfalls within the Army Reserve have required that limitations be placed on the number of days that Individual Mobilization Augmentees (IMA) may serve on active duty. The conferees are also aware that many Army Reserve IMAs serve extended training tours in active component staffs and units, and that the imposed limits will significantly reduce, in some cases by as much half, the amount of support that IMAs may provide to the active Army. Believing that IMAs provide significant, critical support to the active Army, the conferees strongly urge the Secretary of the Army to address the funding shortfall expeditiously, either by transferring active military personnel funding to reserve personnel accounts, or by other means the Secretary considers appropriate.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Active Forces

End strengths for active forces (sec. 401)

The House bill contained a provision (sec. 401) that would authorize active duty end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army	480,000	480,000	480,000
Navy	372,037	372,000	372,642
Marine Corps	172,518	172,600	172,600
Air Force	360,877	357,000	357,000

The Senate amendment contained a similar provision (sec. 401) that would authorize active duty end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army	480,000	480,000	480,000
Navy	372,037	372,000	372,000
Marine Corps	172,518	172,600	172,600
Air Force	360,877	357,000	357,000

The Senate recedes.

Revision in permanent end strength minimum levels (sec. 402)

The House bill contained a provision (sec. 402) that would revise the active duty end strength floors to reflect the end strengths in the budget request.

The Senate amendment contained no similar provision.

The Senate recedes.

Adjustment to end strength flexibility authority (sec. 403)

The House bill contained a provision (sec. 403) that would authorize the secretary of a military department to reduce active duty end strength below the floors when the authorized end strength is equal to or higher than the minimum end strength level.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle B—Reserve Forces

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize Selected Reserve end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	350,000	350,000	350,706
Army Reserve	205,000	205,000	205,300
Navy Reserve	90,288	88,900	88,900
Marine Corps Reserve	39,624	39,500	39,558
Air National Guard of the United States	106,678	108,000	108,000
Air Force Reserve	73,708	74,300	74,358
Coast Guard Reserve	8,000	8,000	8,000

The Senate amendment contained a similar provision (sec. 411) that would authorize Selected Reserve end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	350,000	350,000	350,088
Army Reserve	205,000	205,000	205,000
Navy Reserve	90,288	88,900	88,900
Marine Corps Reserve	39,624	39,500	39,558
Air National Guard of the United States	106,678	108,000	108,022
Air Force Reserve	73,708	74,300	74,300
Coast Guard Reserve	8,000	8,000	8,500

The House recedes with an amendment that would authorize Selected Reserve end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	350,000	350,000	350,526
Army Reserve	205,000	205,000	205,300
Navy Reserve	90,288	88,900	88,900
Marine Corps Reserve	39,624	39,500	39,558
Air National Guard of the United States	106,678	108,000	108,022
Air Force Reserve	73,708	74,300	74,358
Coast Guard Reserve	8,000	8,000	8,000

End strengths for Reserves on active duty in support of the reserves (sec. 412)

The House bill contained a provision (sec. 412) that would authorize end strengths for reserves on active duty in support of the reserves for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	22,430	22,448	23,154
Army Reserve	12,804	12,806	13,106
Navy Reserve	15,010	14,649	14,649
Marine Corps Reserve	2,272	2,203	2,261
Air National Guard of the United States	11,157	11,148	11,148
Air Force Reserve	1,134	1,278	1,336

The Senate amendment contained a similar provision (sec. 412) that would authorize end strengths for reserves on active duty in support of the reserves for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	22,430	22,448	22,974
Army Reserve	12,804	12,806	12,806
Navy Reserve	15,010	14,649	14,649
Marine Corps Reserve	2,272	2,203	2,261
Air National Guard of the United States	11,157	11,148	11,170
Air Force Reserve	1,134	1,278	1,278

The Senate recedes with an amendment that would authorize end strengths for reserves on active duty in support of the reserves for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	22,430	22,448	22,974
Army Reserve	12,804	12,806	13,106
Navy Reserve	15,010	14,649	14,649
Marine Corps Reserve	2,272	2,203	2,261
Air National Guard of the United States	11,157	11,148	11,170
Air Force Reserve	1,134	1,278	1,336

End strengths for military technicians (dual status) (sec. 413)

The House bill contained a provision (sec. 413) that would authorize the minimum level of dual status technician end strength for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	23,125	22,357	23,392
Army Reserve	6,474	5,271	5,921
Air National Guard of the United States	22,247	22,221	22,247
Air Force Reserve	9,785	9,733	9,785

The Senate amendment contained a similar provision (sec. 413) that would authorize the minimum level of dual status technician end strength for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	23,125	22,357	24,728
Army Reserve	6,474	5,271	5,249
Air National Guard of the United States	22,247	22,221	22,221
Air Force Reserve	9,785	9,733	9,733

The House recedes with an amendment that would authorize the minimum level of dual status technician end strength for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	23,125	22,357	23,128
Army Reserve	6,474	5,271	5,921
Air National Guard of the United States	22,247	22,221	22,247
Air Force Reserve	9,785	9,733	9,785

Fiscal year 2001 limitation on non-dual status technicians (sec. 414)

The Senate amendment contained a provision (sec. 414) that would establish numerical limits on the number of non-dual status technicians who may be employed in the Department of Defense as of September 30, 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	1,180	1,600	1,600
Army Reserve	1,295	1,195	1,195
Air National Guard of the United States	342	326	326
Air Force Reserve	0	0	0

The House bill contained no similar amendment.

The House recedes with an amendment that would establish numerical limits on the number of non-dual status technicians who may be employed in the Department of Defense as of September 30, 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	1,180	1,600	1,600
Army Reserve	1,295	1,195	1,195
Air National Guard of the United States	342	326	326
Air Force Reserve	0	0	10

Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves (sec. 415)

The House bill contained a provision (sec. 414) that would increase the control grades for reserves serving on active duty or on full-time national guard duty in support of the reserves. The provision would authorize 20 additional colonels, 82 additional lieutenant colonels, 38 additional majors, 97 additional E–9s and 90 additional E–8s in the Air Force and 76 additional colonels, 219 additional lieutenant colonels, 178 additional majors, 221 additional E–9s and 373 additional E–8s in the Army.

The Senate amendment contained a similar provision (sec. 415) that would authorize 20 additional colonels, 131 additional lieutenant colonels, 107 additional majors, 96 additional E–9s and 61 additional E–8s in the Air Force and 73 additional colonels, 163 additional lieutenant colonels, 8 additional majors, 17 additional E–9s and 83 additional E–8s in the Army.

The House recedes with an amendment that would authorize 20 additional colonels, 75 additional lieutenant colonels, 88 additional majors, 97 additional E–9s, and 76 additional E–8s in the Air Force and 58 additional colonels, 148 additional lieutenant colonels, 89 additional majors, 119 additional E–9s and 228 additional E–8s in the Army.

The conferees are concerned with the piecemeal manner in which the reserve components are requesting increases to the control grade limits. This is the third consecutive year in which control grade tables for reserve officers on active duty in support of the reserves have been adjusted. The conferees strongly support the initiative in the House report accompanying H.R. 4205, (H. Rept. 106–616) to require a comprehensive approach to determining the appropriate control grade limits for each of the reserve components. Therefore, the conferees direct the Secretary of Defense to study the requirements and force structure of the reserves on active duty in support of the reserves and to recommend a permanent solution for managing grade structure for these officers. In conducting the study, the Secretary of Defense shall include the following areas:

(1) the grade structure authorized for the active duty forces and rationale for why the grade structure for reserves on active duty in support of the reserves should be different;

(2) explain any differences between required force structure and authorized force structure for the controlled grades;

(3) the need for independent grade limits for each reserve component;

(4) the potential for repealing the current grade tables in favor of a system that would manage grades based on the grade authorized for the position occupied by a service member; and

(5) the current mix within each reserve component of traditional reservists, dual status technicians, active component service members and reservists on active duty in support of the reserves in each controlled grade and how that mix for each component might change over time under the Secretary's recommended solution.

The conferees direct that the Secretary of Defense submit a report of findings and recommendations to the Committees on Armed Services of the Senate and the House of Representatives not later than March 31, 2001.

Subtitle C—Other Matters Relating to Personnel Strengths

Authority for Secretary of Defense to suspend certain personnel strength limitations during war or national emergency (sec. 421)

The House bill contained a provision (sec. 501) that would authorize the Secretary of Defense to suspend, in time of war or national emergency, the limits on the number of personnel serving in certain grades.

Senate amendment contained a similar provision (sec. 421).

Senate recedes with a clarifying amendment.

Exclusion from active component end strengths of certain reserve component members on active duty in support of the combatant commands (sec. 422)

The Senate amendment contained a provision (sec. 422) that would exempt a number, limited to not more than two-tenths of one percent of the active duty end strength of the service concerned, of reserve component members on active duty performing special work in support of the armed forces and the combatant commands from counting against the active component end strengths.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the exemption to reserve component personnel below the grade of brigadier general, or in the case of the Navy, rear admiral (lower half) who perform active duty for special work in the combatant commands and would limit the active duty time that could be exempted to not more than 270 days.

Exclusion of Army and Air Force medical and dental officers from limitation on strengths of reserve comissioned officers in grades below brigadier general (sec. 423)

The House bill contained a provision (sec. 512) that would exempt medical and dental officers from the calculation of the number of officers in each grade authorized to serve in an active status in a reserve component and would make the procedures for calculating the number of officers serving in controlled grades for the reserve components consistent with the procedures used for the active component.

The Senate amendment contained a similar provision (sec. 423).

The Senate recedes with a clarifying amendment.

Authority for temporary increases in number of reserve component personnel serving on active duty or full-time national guard duty in certain grades (sec. 424)

The House bill contained a provision (sec. 515) that would authorize the Secretary of Defense to increase the number of reserve members serving on active duty in support of the reserves in certain senior grades by the same percentage the Secretary is authorized to increase end strength of that force by section 115 of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 424).

The House recedes with a clarifying amendment.

Subtitle D—Authorization of Appropriations

Authorization of appropriations for military personnel (sec. 431)

The House bill contained a provision (sec. 421) that would authorize $75,801,666,000 to be appropriated to the Department of Defense for military personnel.

The Senate amendment contained a provision (sec. 431) that would authorize $75,632,266,000 to be appropriated to the Department of Defense for military personnel.

The Senate recedes.

The conferees provide the following itemization of the increases and decreases from the President's budget request related to the military personnel accounts. These increases and decreases do not include the additional funds included in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246), which is authorized elsewhere in this conference agreement.

MILITARY PERSONNEL ACCOUNTS

[Additions in millions]

	Conference agreement
Active End Strength	
Navy:	
Add Recruiters (500)	15.0
USS Houston (142)	3.5
RC End Strength	
Army National Guard:	
Add AGR's (General Increase)	14.5
Add AGR's (WMD CS Teams)	2.0
Army Reserve Add AGR's (General Increase)	10.0
Air National Guard AGR's (WMD CS Teams)	1.2
Air Force Reserve:	
Add AGR Recruiters (50)	1.7
Add Red Horse AGR's (8)	0.4
USMC Reserve Add AR's (58)	1.9
Compensation	
Restructuring of basic pay tables for certain enlisted members	88.0
Accelerate Buydown of Out-of-Pocket Housing Costs	25.0
Increase Minimum Dislocation Allowance	6.0
Family subsistence supplemental allowance for low-income members 5.0.	
Revision of enlistment bonus authority	10.0

MILITARY PERSONNEL ACCOUNTS—Continued

[Additions in millions]

	Conference agreement
Equity in computation of BAH for junior enlisted members	10.0
Authorization of BAH for members w/out dependents on sea duty	30.0
Retention bonus for members qualified in a critical military skill	10.0
Participation in Thrift Savings Plan	1.0
Determinations of income-eligibility for special supplemental food program	3.0
Special duty assignment pay for enlisted members	25.0
Entitlement of Reserves not on active duty to special duty assignment pay	8.0
Authorization of special pay and accession bonus for pharmacy officers	4.0
Separation pay for twice passed-over officers	15.0
Reimburse Pet Quarantine Fees	1.0
Retirement	
Increase maximum number of reserve retirement points	4.0
Recruiting & Retention	
Army Enlistment/Reenlistment Bonuses	20.0
Army Reserve College First	5.0
Navy Enlistment/Reenlistment Bonuses	20.0
USMC:	
Enlistment Bonus	2.0
Selective Reenlistment Bonus	4.0
College Fund	4.4
Air Force:	
Selective Reenlistment Bonus	29.0
College-to-USAF Enl. Program	6.0
AF Reserve AGR Pilot Retention Bonus	3.8
Other Issues	
Army Reserve funeral honors	2.7
Naval Reserve:	
Reserve Annual Training	2.4
Reserve ADT (CINC Support)	13.4
Reserve ADT (Schools)	3.0
ADSW (Voluntary Support)	1.0
Inactive Duty for Training Travel	1.5
USMC Reserve Active Duty for Special Work	3.0
Total Increases to Military Personnel Accounts	416.4

MILITARY PERSONNEL ACCOUNTS

[Reductions in end strength underexecution]

	Conference agreement
Army	68.8
US Marine Corps	15.0
Air Force	51.7
US Marine Corps Reserve	0.7
Air National Guard	0.9
Unemployment Compensation:	
Army	2.1
Navy	1.4
US Marine Corps	0.7
Air Force	0.6
Permanent Change of Station	
Navy	2.0
Army Reserve	2.5
Other	
Air Force	8.7
Army Reserve	2.1
Foreign Currency Fluctuation	
Army	117.0
Navy	35.0
US Marine Corps	9.6
Air Force	97.6
Total Reductions Military Personnel	416.4

LEGISLATIVE PROVISIONS NOT ADOPTED

Temporary exemption of Director of the National Security Agency from limitations on number of Air Force officers above major general

The Senate amendment contained a provision (sec. 425) that would temporarily exempt the Air Force officer serving as the Director of the National Security Agency from the limitations on the number of Air Force officers authorized to serve on active duty in grades above major general.

The House bill contained no similar amendment.

The Senate recedes.

TITLE V—MILITARY PERSONNEL POLICY

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A-Officer Personnel Policy

Eligibility of Army and Air Force reserve colonels and brigadier generals for position vacancy promotions (sec. 501)

The Senate amendment contained a provision (sec. 501) that would authorize the Secretary of the Army to use a single selection

board to recommend Army Reserve colonels and brigadier generals for assignment to vacancy positions and to recommend colonels and brigadier generals for promotion.

The House bill contained no similar provision.

The House recedes with an amendment that would extend similar authority to the Secretary of the Air Force.

Flexibility in establishing promotion zones for Coast Guard Reserve officers (sec. 502)

The Senate amendment contained a provision (sec. 502) that would authorize the Secretary of Transportation the same flexibility as secretaries of the military departments to establish promotion zones for the reserve officers based on service need.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Time for release of reports of officer promotion selection boards (sec. 503)

The Senate amendment contained a provision (sec. 503) that would authorize the Secretary of Defense to make public the names of officers recommended for promotion by a selection board prior to approval of the recommendation of the board by the President.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Clarification of requirements for composition of active-duty list selection boards when reserve officers are under consideration (sec. 504)

The House bill contained a provision (sec. 505) that would amend section 612 of title 10, United States Code, to specify that reserve officers serving on active duty may be appointed to serve on promotion boards even though they are not on the active-duty list.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority to issue posthumous commissions in case of members dying before official recommendation for appointment or promotion is approved by Secretary concerned (sec. 505)

The House bill contained a provision (sec. 502) that would clarify that the secretary concerned may confer posthumous commissions in cases where military members die prior to approval of an official recommendation for appointment or promotion.

The Senate amendment contained a similar provision (sec. 504).

The Senate recedes.

Technical corrections relating to retired grade rule for Army and Air Force officers (sec. 506)

The House bill contained a provision (sec. 503) that would eliminate conflicting provisions regarding the time-in-grade requirement to retire at the current grade held by a reserve component officer.

The Senate amendment contained a similar provision (sec. 509).

The House recedes.

Grade of chiefs of reserve components and directors of National Guard components (sec. 507)

The Senate amendment contained a provision (sec. 510) that would require the secretaries of the military departments to, within 90 days of enactment of this Act, increase the grade of the Chief of Army Reserve, Chief of Naval Reserve, Chief of Air Force Reserve, Director of Army National Guard and Director of Air National Guard to lieutenant general or, in the case of the Navy, vice admiral.

The House bill contained no similar provision.

The House recedes with an amendment that would include the Commander, Marine Forces Reserve, would retain the requirements in current law that the reserve component chiefs be joint qualified while extending the time period in which the Secretary of Defense may waive the joint qualification requirement by one year through fiscal year 2003, would require the reserve component chief to be appointed to a three-star grade within 12 months of enactment, and would amend section 525b, title 10, United States Code, to increase the current limit on the number of officers that may serve on active duty in grades above major general or, in the case of the Navy, rear admiral, while maintaining the limit on the number of general and flag officers.

Revision to rules for entitlement to separation pay for regular and reserve officers (sec. 508)

The House bill contained a provision (sec. 517) that would clarify that the separation of a reserve officer on active duty who was not selected for promotion twice to the same grade and who subsequently declines selective continuation shall be considered subject to involuntary separation and eligible for separation pay.

The Senate amendment contained a provision (sec. 573) that would make an officer who has twice failed selection for promotion to the next higher grade and who was offered the opportunity to continue on active duty, and who declines this offer, ineligible to receive involuntary separation pay.

The Senate recedes with an amendment that would make any officer who twice fails selection for promotion to the next higher grade, and is offered the opportunity to continue on active duty until the earliest point of eligibility for retirement and declines this offer ineligible to receive separation pay. Any officer who twice fails selection for promotion to the next higher grade, is offered selective continuation for a period that would not permit him to serve until eligible for retirement, and subsequently declines this offer would be eligible for separation pay.

Subtitle B—Reserve Component Personnel Policy

Exemption from active-duty list for reserve officers on active duty for a period of three years or less (sec. 521)

The House bill contained a provision (sec. 511) that would exclude certain reserve component officers serving on active duty for periods of three years or less from the active duty list for promotion purposes.

The Senate amendment contained a similar provision (sec. 505).

The Senate recedes.

Termination of application requirement for consideration of officers for continuation on the reserve active-status list (sec. 522)

The House bill contained a provision (sec. 513) that would terminate the requirement that a reserve officer apply for continuation on the reserve active-status list.

The Senate amendment contained a similar provision (sec. 508).

The House recedes.

Authority to retain Air Force reserve officers in all medical specialties until specified age (sec. 523)

The House bill contained a provision (sec. 514) that would authorize the Secretary of the Air Force to extend the service of medical service corps and biomedical sciences officers to age 67.

The Senate amendment contained a similar provision (sec. 507).

The Senate recedes with a clarifying amendment.

Authority for provision of legal services to reserve component members following release from active duty (sec. 524)

The House bill contained a provision (sec. 516) that would authorize legal services assistance to reservists, who serve on active duty for more than 29 days, and their dependents for a period not to exceed twice the length of time served on active duty.

The Senate amendment contained a similar provision (sec. 695).

The House recedes with a clarifying amendment.

Extension of involuntary civil service retirement date for certain reserve technicians (sec. 525)

The House bill contained a provision (sec. 518) that would authorize the secretaries of the military departments to retain certain non-dual status reserve technicians until age 60.

The Senate amendment contained no similar amendment.

The Senate recedes with a clarifying amendment.

Subtitle C—Education and Training

Eligibility of children of reserves for presidential appointment to service academies (sec. 531)

The Senate amendment contained a provision (sec. 541) that would make the children of members of the reserve components and retired or retirement-eligible reservists eligible for presidential appointments to the service academies on the same basis as children of active duty or retired active duty personnel.

The House bill contained no similar provision.

The House recedes.

Selection of foreign students to receive instruction at service academies (sec. 532)

The Senate amendment contained a provision (sec. 542) that would require the secretaries of the military departments to give priority consideration among foreign students applying for admission to the service academies to those who have a national service obligation upon graduation from the academy.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Revision of college tuition assistance program for members of Marine Corps Platoon Leaders Class program (sec. 533)

The House bill contained a provision (sec. 521) that would authorize the use of the Marine Corps Platoon Leaders Class tuition assistance program for the purpose of providing educational assistance, to include legal training to commissioned officers participating in the Platoon Leaders Class program.

The Senate amendment contained a provision (sec. 544) that would authorize members of the Marine Corps Platoon Leaders Class to continue to receive tuition assistance while in pursuit of an undergraduate degree. The Senate amendment also contained a related provision (sec. 604) that would clarify that the limitation on credible service computation as a result of accepting tuition assistance applies only to service as an enlisted member and not as a commissioned officer.

The House recedes with an amendment that would combine the three provisions.

Review of allocation of Junior Reserve Officers Training Corps units among the services (sec. 534)

The House bill contained a provision (sec. 522) that would require the Secretary of Defense to review and redistribute the current service Junior Reserve Officers Training Corps allocations for fiscal years 2001

through 2006 to ensure the most efficient and effective allocation of the 3,500 authorized programs.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority for Naval Postgraduate School to enroll certain defense industry civilians in specified programs relating to defense product development (sec. 535)

The House bill contained a provision (sec. 523) that would authorize the Secretary of the Navy to enroll up to ten defense-industry civilians at any one time at the Naval Postgraduate School in a defense product development curriculum leading to the award of a masters degree.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle D—Decorations, Awards, and Commendations

Limitation on award of Bronze Star to members in receipt of Imminent Danger Pay (sec. 541)

The conference agreement includes a provision that would limit the award of the Bronze Star Medal to members of the armed forces who are eligible to receive Imminent Danger Pay at the time of the events for which the medal is awarded.

Consideration of proposals for posthumous or honorary promotions or appointments of members or former members of the armed forces and other qualified persons (sec. 542)

The House bill contained a provision (sec. 533) that would authorize members of Congress to request that the secretary of a military department review a proposal for posthumous or honorary promotion, or appointment of a member or former member of the armed forces or other person. The secretary of the military department would review the request on the merits and provide the Committees on Armed Services of the Senate and the House of Representatives and the member of Congress who initiated the request written notice of one of the following determinations:

(1) the request for appointment or promotion does not warrant approval;

(2) the request for appointment or promotion warrants approval on the merits and authorization in law is required and recommended;

(3) the request for appointment or promotion warrants approval on the merits and has been recommended to the President as an exception to policy; and

(4) the request for appointment or promotion warrants approval on the merits and authorization in law is required, but not recommended.

The Senate amendment contained no similar provision.

The Senate recedes.

Waiver of time limitations for award of certain decorations to certain persons (sec. 543)

The House bill contained a provision (sec. 534) that would waive the statutory time limitations for the award of the Distinguished Flying Cross to individuals recommended by the secretaries of the military departments.

The Senate amendment contained a similar provision (sec. 572).

The House recedes.

Addition of certain information to markers on graves containing remains of certain unknowns from the U.S.S. Arizona who died in the Japanese attack on Pearl Harbor on December 7, 1941 (sec. 544)

The House bill contained a provision (sec. 535) that would require the Secretary of the Army, based on a review of existing information related to the interment of unknown casualties from the U.S.S. Arizona, to provide the Secretary of Veterans Affairs with information to be added to the inscriptions on the grave markers of those unknowns who are interred at the National Memorial Cemetery of the Pacific in Honolulu, Hawaii.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress on the court-martial conviction of Captain Charles Butler McVay, commander of the U.S.S. Indianapolis, and on the courageous service of the crew of that vessel (sec. 545)

The House bill contained a provision (sec. 536) that would express the sense of Congress that the commander of the U.S.S. Indianapolis, (then Captain) Charles Butler McVay, III, was not culpable for the sinking of his ship and that the President should award the Presidential Unit Citation to the final crew of the U.S.S. Indianapolis for courage and fortitude after the torpedo attack.

The Senate amendment contained a provision (sec. 575) that would express the sense of Congress that, on the basis of facts presented in a public hearing conducted by the Committee on Armed Services of the Senate on September 14, 1999, the American people should now recognize Captain McVay's lack of culpability for the loss of the U.S.S. Indianapolis and the lives of the men who died as a result of the sinking; that Captain McVay's military record now reflect that he is exonerated for the loss of his ship and crew; and that Congress strongly encourages the Secretary of the Navy to award a Navy Unit Commendation to the U.S.S. Indianapolis and its final crew.

The House recedes with a clarifying amendment.

Posthumous advancement on retired list of Rear Admiral Husband E. Kimmel and Major General Walter C. Short, senior officers in command in Hawaii on December 7, 1941 (sec. 546)

The House bill contained a provision (sec. 537) that would request the President to advance Rear Admiral (Retired) Husband E. Kimmel, U.S. Navy, to admiral and Major General (Retired) Walter C. Short, U.S. Army, to lieutenant general on the retired list with no increase in compensation or benefits. The provision would also express the sense of Congress that both officers were professional and competent and the losses incurred during the attack on Pearl Harbor were not the result of dereliction in the performance of duties in the case of either officer.

The Senate amendment contained a similar provision (sec. 576).

The Senate recedes with a clarifying amendment.

Commendation of citizens of Remy, France, for World War II actions (sec. 547)

The House bill contained a provision (sec. 538) that would commend the bravery and honor of the citizens of Remy, France, for their action to bury Lieutenant Houston Braly, 364th Fighter Group, during World War II. The provision would also recognize the efforts of the surviving members of the 364th Fighter Group to raise funds to restore the stained glass windows of Remy's 13th century church that were destroyed during World War II.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority for award of the medal of honor to William H. Pitsenbarger for valor during the Vietnam War (sec. 548)

The conferees included a provision that would waive the statutory time limits and authorize the President to posthumously award the Medal of Honor to William H. Pitsenbarger of Piqua, Ohio, for valor during the Vietnam War.

Subtitle E—Military Justice and Legal Assistance Matters

Recognition by states of military testamentary instruments (sec. 551)

The House bill contained a provision (sec. 541) that would amend chapter 53 of title 10, United States Code, to exempt a military testamentary instrument from any requirement of form, formality, or recording before probate under the laws of a state, and would provide that such an instrument has the same legal effect as a testamentary instrument prepared and executed in accordance with the laws of the state in which it is presented for probate. The provision would define ''military testamentary instrument'' and would establish requirements for the execution of such an instrument.

The Senate amendment contained an identical provision (sec. 574).

The conference agreement includes this provision.

Policy concerning rights of individuals whose names have been entered into Department of Defense official criminal investigative reports (sec. 552)

The House bill contained a provision (sec. 542) that would require the Department of Defense to apply the ''probable cause'' standard before ''titling'' or designating a person as a suspect in any official report or in a central index. The provision would also require the Secretary of Defense to establish a uniform standard for removal of a person's name from an official report and any central index if it is subsequently determined that there is not probable cause to believe that that person committed the crime.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Defense to establish policy that creates a uniform process that affords individuals titled in criminal investigative reports or indexed in a central index an opportunity to obtain a review of such actions. If it is determined that an entry was made contrary to Department of Defense requirements, the name and identifying information of the person would be expunged from these records.

The conferees direct the Secretary of Defense to: (1) review policies and procedures addressing the degree of evidence or information that must exist before titling and indexing occurs, to include the weight, if any, given to initial allegations; (2) review the sufficiency of training provided to individuals with access to the Defense Clearance and Investigative Index (DCII) regarding the significance of criminal investigative entries in the DCII; (3) review the use of criminal investigative data in the DCII to determine if it is being used properly and examine the adequacy of available sanctions for those who improperly use such information; and (4) provide other pertinent information discovered in the review process. The Secretary shall submit a report, with findings and recommendations, to the congressional defense committees by April 1, 2001.

Limitation on secretarial authority to grant clemency for military prisoners serving sentence of confinement for life without eligibility for parole (sec. 553)

The House bill contained a provision (sec. 544) that would amend Article 74 of the Uniform Code of Military Justice (10 U.S.C. 874) to prohibit the secretary concerned from remitting or suspending that part of a court-martial sentence that extended to confinement for life without eligibility for parole,

and would make conforming and clarifying amendments to other provisions of the Uniform Code.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the authority of the secretary concerned to remit or suspend such a sentence to situations in which the person had served at least 20 years confinement. Such authority could not be redelegated.

Authority for civilian special agents of the military department criminal investigative organizations to execute warrants and make arrests (sec. 554)

The House bill contained a provision (sec. 545) that would amend chapter 373 of title 10, United States Code, to authorize the secretaries of the military departments to grant the authority to execute and serve warrants and make arrests to the civilian special agents of their respective military criminal investigative organizations, subject to certain guidelines.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Requirement for verbatim record in certain special court-martial cases (sec. 555)

The Senate amendment contained a provision (sec. 577) that would amend Article 54 of the Uniform Code of Military Justice (10 U.S.C. 854) to require that a verbatim record of trial be prepared in each special court-martial in which the sentence adjudged includes a bad-conduct discharge, confinement for more than six months, or forfeiture of pay for more than six months.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Commemoration of the fiftieth anniversary of the Uniform Code of Military Justice (sec. 556)

The Senate amendment contained a provision (sec. 1051) that would request the President to issue a proclamation commemorating the fiftieth anniversary of the Uniform Code of Military Justice, which was enacted May 5, 1950, and call upon the Department of Defense, the armed forces, and the United States Court of Appeals for the Armed Forces to commemorate the occasion in a suitable manner.

The House bill contained no similar provision.

The House recedes.

Subtitle F—Matters Relating to Recruiting

Army recruiting pilot programs (sec. 561)

The Senate amendment contained a provision (sec. 551) that would require the Secretary of the Army to conduct three distinct five-year pilot programs to assess their effectiveness for creating enhanced opportunities for recruiters and to improve the effectiveness of Army recruiting programs.

The House bill contained no similar provision.

The House recedes with an amendment that would reduce the scope of the civilian contract recruiter pilot program and would require recruiters assigned to vocational schools and community colleges to be assigned those duties as their primary responsibility.

Enhancement of recruitment market research and advertising programs (sec. 562)

The Senate amendment contained a provision (sec. 552) that would direct the Secretary of Defense to take the necessary actions to enhance joint and service recruiting and advertising programs through an aggressive market research program, and would waive certain requirements of the Paperwork Reduction Act to enhance the flexibility of the Secretary of Defense and the military services to react to changes in the recruiting market.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Access to secondary schools for military recruiting purposes (sec. 563)

The Senate amendment contained a provision (sec. 553) that would, effective July 1, 2002, require local educational agencies to provide military recruiters access to secondary schools on the same basis as colleges, universities, and private sector employers, unless the governing body of the local educational agency acts by majority vote to deny access to military recruiters. The provision would also establish a process to ensure that secondary schools provide military recruiters access to the campus, directories, and student lists on the same basis as that afforded colleges, universities, and private sector employers. The provision would require the relevant military service to send a senior official to meet with the local educational agency within 120 days of a military recruiter being denied access. If the secondary school continues to deny access to military recruiters the Secretary of Defense shall, within 60 days, communicate with the governor of the state requesting assistance in restoring access for military recruiters. A copy of this correspondence shall be provided to the Secretary of Education. If, one year after the date of the transmittal of the letter from the Secretary of Defense, the local educational agency continues to deny access to at least two of the armed forces, the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives, and the members of the House of Representatives and the Senate who represent the district or districts in which the local educational agency operates.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the definition of the senior official who shall visit schools that deny access to include colonels, or in the case of the Navy, Captains, and would make other technical changes.

Pilot program to enhance military recruiting by improving military awareness of school counselors and educators (sec. 564)

The House bill contained a provision (sec. 555) that would require the Secretary of Defense to conduct a three-year pilot program to improve communications with student counselors and educators by providing funding, assistance, and information to an existing interactive internet site designed to provide information and services to employees of local educational agencies and institutions of higher learning.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle G—Other Matters

Extension to end of calendar year of expiration date for certain force drawdown transition authorities (sec. 571)

The House bill contained a provision (sec. 504) that would extend the expiration date of the current drawdown transition authorities through December 31, 2001.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Voluntary separation incentive (sec. 572)

The House bill contained a provision (sec. 506) that would authorize service members who simultaneously receive retired pay and voluntary separation incentive pay to terminate their eligibility for the voluntary separation incentive pay and would permit the retired member to reimburse the government for the amount of the voluntary separation incentive pay received without concurrently increasing the amount of the voluntary separation incentive pay that is owed.

The Senate amendment contained no similar provision.

The Senate recedes.

Congressional review period for assignment of women to duty on submarines and for any proposed reconfiguration or design of submarines to accommodate female crew members (sec. 573)

The House bill contained a provision (sec. 507) that would require the Secretary of Defense to provide Congress written notification and wait until 120 days of continuous legislative session pass prior to implementating any policy change affecting the current male-only assignment policy for submarines and prior to the expenditure of any funds to reconfigure or design a submarine to accommodate the assignment of female crew members.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the required waiting period between notification of Congress and the implementation of any policy change with regard to the assignment of females to submarines or expenditure of funds for design or reconfiguration of a submarine to accommodate females to 30 days in which both the House of Representatives and the Senate are in session.

Management and per diem requirements for members subject to lengthy or numerous deployments (sec. 574)

The Senate amendment contained a provision (sec. 578) that would amend section 586 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to change the requirement for an officer in the grade of general or admiral to approve deployments of personnel who would be away from home more than 200 of the past 365 days to require that the designated component commander for the member's armed force approve deployments of personnel who would be away from home more than 200 of the past 365 days; to change the point at which the high-deployment per diem allowance would be paid from 251 days or more of the preceding 365 days to 501 days or more of the preceding 730 days. The provision would also require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 31, 2002, on the administration of this provision and make recommendations for revision, as the Secretary deems appropriate.

The House bill contained no similar provision.

The House recedes with an amendment that would change the point at which the high deployment per diem allowance would be paid from 501 days or more of the preceding 730 days to 401 days or more of the preceding 730 days.

The conferees strongly support the position of the Department of Defense that any high deployment per diem payments should be made from the operations and maintenance accounts. The conferees believe that deploying service members in excess of 400 days in any 730 day period cannot be attributable to any factor other than operational necessity. As such, high deployment per diem is an operational cost and must be paid from the operations and maintenance accounts.

Pay in lieu of allowance for funeral honors duty (sec. 575)

The House bill contained a provision (sec. 551) that would authorize a reserve component member assigned to a funeral honors detail for the funeral of a veteran to be compensated at the same rate as the member would be compensated for participating in inactive-duty training.

The Senate amendment contained a similar provision (sec. 603).

The House recedes with a clarifying amendment.

Test of ability of reserve component intelligence units and personnel to meet current and emerging defense intelligence needs (sec. 576)

The House bill contained a provision (sec. 552) that would require the Secretary of Defense to conduct a three-year test to determine the most effective peacetime structure and operational employment of reserve component intelligence assets for meeting future Department of Defense peacetime operational intelligence requirements and to establish a means of coordinating the transition of the peacetime operational support network into wartime requirements.

The Senate amendment contained no similar provision.

The Senate recedes.

National Guard Challenge Program (sec. 577)

The House bill contained a provision (sec. 553) that would authorize the head of a federal agency or department to provide funds to the Secretary of Defense to support the National Guard Challenge Program and would allow the Secretary of Defense to expend those funds notwithstanding the $62.5 million limit in defense funding established by section 509(b) of title 32, United States Code. The provision would also require the Secretary of Defense to establish regulations for the Challenge Program.

The Senate amendment contained a provision (sec. 910) that would transfer oversight responsibility for the National Guard Challenge Program from the Chief of the National Guard Bureau to the Secretary of Defense, and would amend the limitation on federal funding for the National Guard Challenge Program to only Department of Defense funding.

The Senate recedes with an amendment that would combine the two provisions.

The conferees note that the intent of the transfer of responsibility for the National Guard Challenge Program to the Secretary of Defense is to reaffirm the role of the Secretary of Defense to establish policy for and oversight of the operation of Department of Defense programs. It is not the intent of the conferees that the National Guard Bureau should lose its ability to administer this highly successful program. Rather, the intent is that there be increased oversight and direction by the Secretary of Defense.

Study of use of civilian contractor pilots for operational support missions (sec. 578)

The House bill contained a provision (sec. 554) that would require the Secretary of Defense to study the feasibility and cost of using civilian contractor personnel as pilots and other aircrew members to fly government aircraft performing non-combat operational support missions world-wide.

The Senate amendment contained no similar provision.

The Senate recedes.

Reimbursement for expenses incurred by members in connection with cancellation of leave on short notice (sec. 579)

The House bill contained a provision (sec. 556) that would authorize the service secretaries to reimburse members for travel expenses when leave is canceled within 48 hours of commencing due to mission requirements of a contingency operation.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority for award of the Medal of Honor

The House bill contained a provision (sec. 531) that would waive the statutory time limitations for the award of the Medal of Honor to Andrew J. Smith for valor during the Battle of Honey Hill in South Carolina. The House bill also contained a provision (sec. 532) that would waive the statutory time limitations for the award of the Medal of Honor to Ed W. Freeman for valor during the battle of the IaDrang Valley in the Republic of Vietnam.

The Senate amendment contained a provision (sec. 571) that would waive the statutory time limits and authorize the President to award the Medal of Honor to Ed W. Freeman of Idaho for valor during the Vietnam Conflict; to James K. Okubo of Detroit, Michigan for valor during World War II; and to Andrew J. Smith of Massachusetts for valor during the Civil War.

The conferees note that Public Law 106–223, enacted on June 21, 2000, waived the statutory time limits and authorized the President to award the Medal of Honor to Ed W. Freeman of Idaho for valor during the Vietnam Conflict; to James K. Okubo of Detroit, Michigan, for valor during World War II; and to Andrew J. Smith of Massachusetts for valor during the Civil War. The conferees recede from their respective provisions.

Collection and use of deoxyribonucleic acid identification information from violent and sexual offenders in the armed forces

The House bill contained a provision (sec. 543) that would require the secretaries of the military departments to collect a deoxyribonucleic acid (DNA) sample from each member of the armed forces who is, or has been, convicted of a violent or sexual offense. The provision would further require the Secretary of Defense to analyze each sample and furnish the results of each analysis to the Federal Bureau of Investigation (FBI) for use in the Combined DNA Index System.

The Senate amendment contained no similar provision.

The House recedes.

The conferees recognize that the collection and indexing of samples, as proposed in this provision, has merit, but believe that this matter would be better addressed by general legislation with government-wide application.

Contingent exemption from limitation on number of Air Force officers serving on active duty in grades above major general

The Senate amendment contained a provision (sec. 511) that would exempt an Air Force officer serving in the grade of Lieutenant General or General from the limitations on the number of Air Force officers serving on active duty in grades above major general when either the Commander-in-Chief, United States Transportation Command, or the Commander-in-Chief, United States Space Command, is an officer from a service other than the Air Force.

The House bill contained no similar provision.

The Senate recedes.

Joint Officer Management

The Senate amendment contained provisions (sec. 521–527) that would streamline the designation and management of joint speciality officers by simplifying the requirements for designation as a joint speciality officer, requiring Joint Professional Military Education to be conducted in residence and by establishing promotion objectives for joint speciality officers.

The House bill contained no similar provision.

The Senate recedes.

Military Voting Rights Act of 2000

The Senate bill contained provisions (sec. 561–563) that would amend the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 501) to preclude a military member from losing a claim to state residency for the purpose of voting in federal and state elections because of absence due to military orders, and would also amend the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff) to require each state to permit absent military voters to use absentee registration procedures and to vote by absentee ballot in elections for states and local offices, in addition to federal offices, as provided in current law.

The House amendment contained no similar provision.

The Senate recedes.

Preparation, participation, and conduct of athletic competitions and small arms competitions by the National Guard and members of the National Guard

The Senate amendment contained a provision (sec. 580) that would permit National Guard units and personnel to prepare for, participate in, and conduct athletic competitions and small arms competitions.

The House bill contained no similar provision.

The Senate recedes.

Repeal of contingent funding increase for Junior Reserve Officers Training Corps

The Senate amendment contained a provision (sec. 543) that would repeal the requirement that any amount in excess of $62,500,000 appropriated for the National Guard Challenge Program be made available for the Junior Reserve Officers Training Corps.

The House bill contained no similar provision.

The Senate recedes.

Review of actions of selection boards

The Senate amendment contained a provision (sec. 506) that would authorize the secretary concerned to correct a military personnel record in accordance with a recommendation made by a special board. The remedy could be restoration to active duty or status, if the person was separated, retired, or transferred to the retired or inactive reserve as the result of a recommendation made by a selection board; or the person could elect to receive back pay and allowances in lieu of restoration. If a special board did not recommend the correction, the action of the original selection board would be considered as final. The secretaries concerned shall prescribe regulations to carry out this provision, which would be subject to the approval of the Secretary of Defense.

The provision would require exhaustion of a person's administrative remedies within the military department concerned before the person could obtain relief in a judicial proceeding. The provision would not limit the jurisdiction of any federal court to determine the validity of any statute, regulation, or policy, and also would not limit the secretaries' authority to correct military records through boards for the correction of military records under section 1552 of title 10, United States Code.

The provision would also amend section 628 of title 10, United States Code, the statute dealing with promotion special selection boards, to require exhaustion of a person's remedies before a special selection board before relief could be obtained in a judicial proceeding.

The House bill contained no similar provision.

The Senate recedes.

The conferees believe that, while such an approach may have merit, this issue requires further study.

TITLE VI-COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Pay and Allowances

Increase in basic pay for fiscal year 2001 (sec. 601)

The House bill contained a provision (sec. 601) that would waive section 1009 of title 37, United States Code, and increase the rates of basic pay for members of the uniformed services by 3.7 percent, effective January 1, 2001.

The Senate amendment contained a similar provision (sec. 601).

The House recedes.

Additional restructuring of basic pay rates for enlisted members (sec. 602)

The Senate amendment contained a provision (sec. 610A) that would, effective October 1, 2000, restructure the basic pay tables for enlisted members in grades E–5, E–6, and E–7 to increase the basic pay rates for members in these grades.

The House bill contained no similar provision.

The House recedes with an amendment that would, effective July 1, 2001, restructure the basic pay tables for enlisted members in grades E–5, E–6, and E–7 to increase the basic pay rates for members in these grades, and would authorize the Secretary of Defense to, on a one-time basis, adjust the basic pay tables for enlisted members to increase the rate of basic pay. The Secretary of Defense would be required to submit a legislative proposal incorporating any adjustments with the fiscal year 2002 legislative proposals. In the event the Secretary of Defense elects not to use the one-time authority to adjust the basic pay tables for other enlisted members, the increases for enlisted members in grades E–5 through E–7 would be effective July 1, 2001.

Revised method for calculation of basic allowance for subsistence (sec. 603)

The House bill contained a provision (sec. 602) that would repeal the basic allowance for subsistence transition program, effective October 1, 2001, and establish a process for increasing the basic allowance for subsistence rate in effect by the amount of the increase in food costs, as determined by the Department of Agriculture.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Family subsistence supplemental allowance for low-income members of the Armed Forces (sec. 604)

The House bill contained a provision (sec. 603) that would authorize the Secretary of Defense to establish a five-year program to pay members determined to be qualified for food stamps using the same gross income standards used by state officials to determine food stamp eligibility, except that the value of the member's basic allowance for housing will be included even if the member resides in government housing, a monthly amount not to exceed $500 per month, to supplement the basic allowance for subsistence.

The Senate amendment contained a provision (sec. 610) that would authorize, for a five-year period, a special subsistence allowance of $180 per month payable to enlisted personnel in grades E–5 and below who demonstrate eligibility for food stamps.

The Senate recedes with an amendment that would require the Secretary of Defense to establish a five-year program to pay members determined to be qualified for food stamps.

Basic allowance for housing (sec. 605)

The House bill contained a provision (sec. 604) that would repeal the requirement that service members pay 15 percent of housing costs out-of-pocket and would authorize the Secretary of Defense to increase the basic allowance for housing to eliminate out-of-pocket expenses for service members by fiscal year 2005.

The Senate amendment contained a similar provision (sec. 605). The Senate amendment also contained a provision (sec. 610B) that would permit service members who make a low-cost or no-cost permanent change of station move, while remaining in the same quarters occupied during their previous assignment, eligible for the higher of the basic allowance for housing rate from the previous permanent station or the new permanent station.

The Senate recedes with an amendment that would combine the provisions.

Additional amount available for fiscal year 2001 increase in basic allowance for housing inside the United States (sec. 606)

The House bill contained a provision (sec. 610) that would increase the funding available for the basic allowance for housing by $30.0 million in order to reduce the out-of-pocket costs by an additional one-half of one percent.

The Senate amendment contained no similar provision.

The Senate recedes.

Equitable treatment of junior enlisted members in computation of basic allowance for housing (sec. 607)

The House bill contained a provision (sec. 605) that would establish a single housing rate for members in grades E–1 through E–4 with dependents and would increase the basic allowance for housing rate to members above the rate previously paid to members in grade E–4.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Eligibility of members in grade E–4 to receive basic allowance for housing while on sea duty (sec. 608)

The House bill contained a provision (sec. 606) that would, effective October 1, 2001, authorize the payment of the basic allowance for housing to members serving in the grade of E–4, without dependents, who are assigned to sea duty in ships.

The Senate amendment contained a similar provision (sec. 606), that would be effective upon enactment of this Act.

The House recedes.

Personal money allowance for senior enlisted members of the armed forces (sec. 609)

The House bill contained a provision (sec. 607) that would authorize a $2,000 per year personal money allowance to senior enlisted members in each of the armed forces.

The Senate amendment contained a similar provision (sec. 607).

The Senate recedes.

Increased uniform allowances for officers (sec. 610)

The House bill contained a provision (sec. 608) that would increase the one-time initial uniform allowance paid to officers from $200 to $400 and the one-time additional uniform allowance paid to officers from $100 to $200.

The Senate amendment contained a similar provision (sec. 608).

The House recedes with a clarifying amendment.

Cabinet-level authority to prescribe requirements and allowance for clothing of enlisted members (sec. 611)

The Senate amendment contained a provision (sec. 609) that would authorize the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service of the Navy, to prescribe the clothing to be furnished annually to enlisted members and to establish the amount of the cash allowance paid when the prescribed clothing is not provided.

The House bill contained no similar provision.

The House recedes.

Increase in monthly subsistence allowance for members of precommissioning programs (sec. 612)

The House bill contained a provision (sec. 609) that would, effective October 1, 2001, increase the minimum stipend paid to senior Reserve Officers Training Corps (ROTC) cadets to $250 per month, would establish the maximum monthly stipend as $600 per month, and would provide the Secretary of Defense the authority to establish a tiered-stipend system in order to permit the monthly stipend to increase as the involvement of the cadet in ROTC increases.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would, effective October 1, 2001, establish the pay rates for cadets and midshipmen at the service academies at 35 percent of the basic pay of an O–1 with less that two years of service and would increase the maximum monthly ROTC stipend to $674.

Subtitle B—Bonuses and Special and Incentive Pays

Extension of certain bonuses and special pay authorities for reserve forces (sec. 621)

The House bill contained a provision (sec. 611) that would extend the authority for the special pay for health care professionals who serve in the selected reserve in critically short wartime specialities, the selected reserve reenlistment bonus, the selected reserve enlistment bonus, special pay for enlisted members of the selected reserve assigned to certain high priority units, the selected reserve affiliation bonus, the ready reserve enlistment and reenlistment bonus, and the prior service enlistment bonus until December 31, 2001. The provision would also extend the authority for repayment of educational loans for certain health care professionals who serve in the selected reserve until January 1, 2002.

The Senate amendment contained an identical provision (sec. 611).

The conference agreement includes this provision.

Extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists (sec. 622)

The House bill contained a provision (sec. 612) that would extend the authority for the nurse officer candidate accession program, the accession bonus for registered nurses, and the incentive pay for nurse anesthetists until December 31, 2001.

The Senate amendment contained an identical provision (sec. 612).

The conference agreement includes this provision.

Extension of authorities relating to payment of other bonuses and special pays (sec. 623)

The House bill contained a provision (sec. 613) that would extend the authority for the aviation officer retention bonus, reenlistment bonus for active members, special pay for nuclear qualified officers extending the

period of active service, nuclear career accession bonus, and the nuclear career annual incentive bonus to December 31, 2001, and would extend the enlistment bonus for persons with critical skills and the Army enlistment bonus to September 30, 2001.

The Senate amendment contained a similar provision (sec. 613).

The Senate recedes with an amendment that would remove the references to the enlistment bonus for persons with critical skills and the Army enlistment bonus in favor of a consolidated enlistment bonus addressed elsewhere in this conference agreement.

Revision of enlistment bonus authority (sec. 624)

The House bill contained a provision (sec. 618) that would consolidate existing bonus authorities and establish a maximum amount of $20,000 that may be paid to any enlistee.

The Senate amendment contained a similar provision (sec. 621).

The Senate recedes with a clarifying amendment.

Consistency of authorities for special pay for reserve medical and dental officers (sec. 625)

The House bill contained a provision (sec. 614) that would clarify that reserve medical and dental officers are paid special pay in a consistent manner.

The Senate amendment contained similar provision (sec. 614).

The Senate recedes with a clarifying amendment.

Elimination of required congressional notification before implementation of certain special pay authority (sec. 626)

The House bill contained a provision (sec. 620) that would eliminate the requirement for the secretary concerned to notify the Congress of the intent to pay special pay to optometrists and nurse anesthetists.

The Senate amendment contained no similar provision.

The Senate recedes.

Special pay for physician assistants of the Coast Guard (sec. 627)

The House bill contained a provision (sec. 615) that would extend the authority to pay special pay currently provided to physician assistants in the military departments to physician assistants in the Coast Guard.

The Senate amendment contained a similar provision (sec. 615).

The House recedes.

Authorization of special pay and accession bonus for pharmacy officers (sec. 628)

The Senate amendment contained a provision (sec. 616) that would authorize the secretary of a military department, or in the case of the Public Health Service, the Secretary of Health and Human Services, to pay a special pay and an accession bonus for pharmacy officers.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Correction of references to Air Force veterinarians (sec. 629)

The Senate amendment contained a provision (sec. 617) that would clarify that the special pay for board certified veterinarians in the armed forces and the Public Health Service includes Air Force biomedical sciences officers who hold a degree in veterinary medicine.

The House bill contained no similar provision.

The House recedes.

Career sea pay (sec. 630)

The House bill contained a provision (sec. 617) that would authorize the secretary of a military department to establish the rates of career sea pay up to a limit of $750 per month and would increase the maximum career sea pay premium pay from $100 per month to $350 per month for consecutive or cumulative duty at sea.

The Senate amendment contained a similar provision (sec. 619).

The House recedes with a clarifying amendment.

Increased maximum rate of special duty assignment pay (sec. 631)

The House bill contained a provision (sec. 616) that would, effective October 1, 2001, increase the limit on special duty assignment pay from $275 per month to $600 per month.

The Senate amendment contained a similar provision (sec. 620) that would be effective October 1, 2000.

The House recedes.

Entitlement of members of the National Guard and other reserves not on active duty to receive special duty assignment pay (sec. 632)

The Senate amendment contained a provision (sec. 622) that would authorize members of the Selected Reserve who are not on active duty to receive special duty assignment pay.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the amount of special duty assignment pay for members of the Selected Reserve not on active duty to one day of pay for each drill period in which the reserve member successfully participates each month.

Authorization of retention bonus for members of the armed forces qualified in a critical military skill (sec. 633)

The House bill contained a provision (sec. 619) that would, effective 90 days after the Secretary of Defense notifies Congress of the details of the implementation plan, establish a retention bonus, providing payments up to $200,000 over a career, for members qualified in a critical military skill. The authority for this bonus would expire on December 31, 2001.

The Senate amendment contained no similar provision.

The Senate recedes.

Entitlement of active duty officers of the Public Health Service Corps to special pays and bonuses of health professional officers of the armed forces (sec. 634)

The Senate amendment contained a provision (sec. 618) that would make the special pays and bonuses for active duty officers of the Public Health Service Corps equal to those of health professional officers of the armed forces.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle C—Travel and Transportation Allowances

Advance payments for temporary lodging of members and dependents (sec. 641)

The House bill contained a provision (sec. 631) that would authorize advance payment of temporary lodging and living expenses incident to permanent changes in station.

The Senate amendment contained a similar provision (sec. 631).

The Senate recedes.

Additional transportation allowance regarding baggage and household effects (sec. 642)

The House bill contained a provision (sec. 632) that would authorize the secretary concerned to reimburse a member for mandatory pet quarantine fees for household pets up to a maximum of $275 when the fees are incident to a permanent change of station.

The Senate amendment contained no similar provision.

The Senate recedes.

Incentive for shipping and storing household goods in less than average weights (sec. 643)

The Senate amendment contained a provision (sec. 632) that would authorize the secretary concerned to pay a service member a share of the amount of savings resulting from the service member shipping or storing a lower household good or baggage weight than the average weight shipped or stored by members of the same grade and dependent status.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to develop regulations for this program in order to ensure that members of one service do not receive a benefit for which members of another service may not be eligible.

Equitable dislocation allowances for junior enlisted members (sec. 644)

The House bill contained a provision (sec. 633) that would require the Secretary of Defense to increase the amount of dislocation allowance paid to service members with dependents in pay grades E–1 through E–4 to the amount paid to service members in pay grade E–5.

The Senate amendment contained no similar amendment.

The Senate recedes.

Authority to reimburse military recruiters, senior ROTC cadre, and Military Entrance Processing personnel for certain parking expenses (sec. 645)

The House bill contained a provision (sec. 634) that would authorize the Secretary of Defense to reimburse service members and civilian employees for expenses incurred in parking their privately owned vehicles at their duty locations if they are assigned to duty as a recruiter, with a military entrance processing facility or with a Senior Reserve Officer Training Corps detachment.

The Senate amendment contained a similar provision (sec. 661).

The House recedes with an amendment that would make the provision effective October 1, 2001.

Expansion of funded student travel for dependents (sec. 646)

The House bill contained a provision (sec. 635) that would authorize funded student travel payments to be made for dependents pursuing graduate and vocational education programs in addition to secondary and undergraduate education programs.

The Senate amendment contained a similar provision (sec. 633).

The Senate recedes.

Subtitle D—Retirement and Survivor Benefit Matters

Exception to high–36 month retired pay computation for members retired following a disciplinary reduction in grade (sec. 651)

The Senate amendment contained a provision (sec. 641) that would require the computation of retired pay for military personnel who retire following a reduction in grade be based on basic pay of the grade held at the time of retirement rather than the average of the highest three years of basic pay.

The House bill contained no similar provision.

The House recedes.

Increase in maximum number of reserve retirement points that may be credited in any year (sec. 652)

The House bill contained a provision (sec. 641) that would increase, from 70 to 90, the maximum number of days in any one year that a reservist may accrue as credit toward retirement benefits.

The Senate amendment contained a similar provision (sec. 694).

The Senate recedes with a clarifying amendment.

Retirement from active reserve service after regular retirement (sec. 653)

The Senate amendment contained a provision (sec. 644) that would permit a retired active component service member who later serves, and is promoted in an active reserve position, to retire as a member of the retired reserve at the higher grade.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Same treatment for federal judges as for other federal officials regarding payment of military retired pay (sec. 654)

The Senate amendment contained a provision (sec. 645) that would amend section 371 of title 28, United States Code, to ensure that federal judges appointed under Article III of the Constitution are treated the same as other federal officials with regard to reduction in military retired pay.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Reserve Component Survivor Benefit Plan spousal consent requirement (sec. 655)

The House bill contained a provision (sec. 642) that would require retirement-eligible reservists to obtain the concurrence of their spouses before making a decision to decline or defer participation in the Reserve Component Survivor Benefit Plan or to select a level of participation that is less than the maximum available or to select coverage for a child but not the spouse.

The Senate amendment contained a similar provision (sec. 642).

The Senate recedes with a clarifying amendment.

Sense of Congress on increasing Survivor Benefit Plan annuities for surviving spouses age 62 or older (sec. 656)

The Senate amendment contained a provision (sec. 646) that would express the sense of Congress that legislation should be enacted that increases the minimum basic annuities provided under the Survivor Benefit Plan for surviving spouses of members of the uniformed services who are 62 years of age or older.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Revision to special compensation authority to repeal exclusion of uniformed services retirees in receipt of disability retired pay (sec. 657)

The conferees included a provision that would, effective October 1, 2001, make former members of the uniformed services retired for disability under chapter 61 of title 10, United States Code, eligible to receive the special compensation for severely disabled uniformed services retirees authorized by section 658 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

Subtitle E—Other Matters

Participation in Thrift Savings Plan (sec. 661)

The House bill contained a provision (sec. 651) that would authorize active duty and reserve members of the uniformed services to deposit up to five percent of their basic pay, before tax, each month in the Thrift Savings Plan now available for federal civil service employees.

The Senate amendment contained a similar provision (sec. 643) that would amend section 663 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to establish the effective date for offering the Thrift Savings Plan to active and reserve component military personnel, effective not later than 180 days after the date of enactment of this Act, and would eliminate the requirement for the President to identify the mandatory spending offsets that are currently provided in the Concurrent Resolution on the Budget for Fiscal Year 2001.

The House recedes with an amendment that would permit the Secretary of Defense, with the advice of the Thrift Board, to delay the effective date for both the active and reserve component participation by 180 days and require that Committees on Armed Services of the Senate and the House of Representatives be notified of any delay.

Determinations of income eligibility for special supplemental food program (sec. 662)

The Senate amendment contained a provision (sec. 669) that would exclude the basic allowance for housing when computing eligibility for the special supplemental food program for service members assigned outside the United States. The special supplemental food program is similar to the Women, Infants, and Children program in the United States.

The House bill contained no similar provision.

The House recedes.

Billeting services for reserve members traveling for inactive-duty training (sec. 663)

The Senate amendment contained a provision (sec. 693) that would require the Secretary of Defense to promulgate regulations that would authorize reservists traveling to inactive-duty training at a location more than 50 miles from their residence to be eligible for billeting in Department of Defense facilities on the same basis as active duty personnel traveling for official purposes.

The House bill contained no similar provision.

The House recedes.

Settlement of claims for payments for unused accrued leave and for retired pay (sec. 664)

The Senate amendment contained a provision (sec. 663) that would authorize the Secretary of Defense to settle claims for unused accrued leave and to waive time limitations for filing claims for payments for unused accrued leave and for retired pay.

The House bill contained no similar provision.

The House recedes.

Additional benefits and protections for personnel incurring injury, illness, or disease in the performance of funeral honors duty (sec. 665)

The Senate amendment contained a provision (sec. 668) that would authorize the payment of incapacitation pay for reservists who incur an injury, illness, or disease in the performance of funeral honors duties.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Authority for extension of deadline for filing claims associated with capture and interment of certain persons by North Vietnam (sec. 666)

The Senate amendment contained a provision (sec. 662) that would extend the time limitation for certain Vietnamese Commandos, or their survivors, to file claims when the Secretary of Defense determines that such an extension is necessary to prevent an injustice or that a failure to file within the time frame is due to excusable neglect.

The House bill contained no similar provision

The House recedes with a clarifying amendment.

Back pay for members of the Navy and Marine Corps selected for promotion while interned as prisoners of war during World War II (sec. 667)

The Senate amendment contained a provision (sec. 673) that would authorize the payment of back pay for former members of the Navy and Marine Corps who were unable to compete for promotion while interned as prisoners of war during World War II.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the payments to former members or their spouses.

Sense of Congress concerning funding for reserve components (sec. 668)

The Senate amendment contained a provision (sec. 691) that would express the sense of Congress that it is in the national interest for the President to provide funds for the reserve components of the armed forces that are sufficient to ensure that the reserve components meet requirements specified in the National Military Strategy.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to pay gratuity to certain veterans of Bataan and Corregidor

The Senate amendment contained a provision (sec. 665) that would authorize the Secretary of Veterans Affairs to pay a $20,000 gratuity to a veteran or to the surviving spouse of a veteran who served at Bataan or Corregidor, was captured and held as a prisoner of war, and was required to perform slave labor during World War II.

The House bill contained no similar provision.

The Senate recedes.

Benefits for members not transporting personal motor vehicles overseas

The Senate amendment contained a provision (sec. 634) that would authorize the secretary concerned to pay a service member a share of the amount of savings that accrue when an authorized member elects not to ship a personal vehicle overseas at government expense and would limit the amount payable to store a personal vehicle in lieu of shipment to an amount equal to the cost that would have been incurred by shipping the vehicle overseas and back.

The House bill contained no similar provision.

The Senate recedes.

Computation of survivor benefits

The Senate amendment contained a provision (sec. 650) that would reduce the amount of the offset from a survivor benefit annuity when the surviving spouse becomes eligible for social security benefits based on the contributions of the deceased service member.

The House bill contained no similar provision.

The Senate recedes.

Concurrent payment of retired pay and compensation for retired members with service-connected disabilities

The Senate amendment contained a provision (sec. 666) that would permit the concurrent payment of military retired pay and disability compensation from the Department of Veterans Affairs for retired service members with service-connected disabilities.

The House bill contained no similar provision.

The Senate recedes.

Concurrent payment to surviving spouses of Disability and Indemnity Compensation and annuities under Survivor Benefit Plan

The Senate amendment contained a provision (sec. 652) that would permit the concurrent payment of Disability and Indemnity Compensation and Survivor Benefit Plan annuities to surviving spouses of deceased service members.

The House bill contained no similar provision.

The Senate recedes.

Effective date of disability retirement for members dying in civilian medical facilities

The House bill contained a provision (sec. 643) that would authorize the secretary concerned to specify a date and time of death, other than that determined by the attending physician, for a member who dies in a civilian medical facility solely for the purpose of allowing a member to retire as if disabled.

The Senate amendment contained no similar provision.

The House recedes.

Eligibility of certain members of the Individual Ready Reserve for Servicemembers' Group Life Insurance

The Senate amendment contained a provision (sec. 664) that would authorize volunteers for assignment to a category in the Individual Ready Reserve that is subject to involuntary recall to active duty to participate in the Servicemembers' Group Life Insurance program.

The House bill contained no similar provision.

The Senate recedes.

Equitable application of early retirement eligibility requirements to military reserve technicians

The Senate amendment contained a provision (sec. 651) that would modify the early retirement eligibility requirements for all military technicians from a combination of 50 years of age and 25 years of service to 25 years of service or 50 years of age and 20 years of service.

The House bill contained no similar provision.

The Senate recedes.

Family coverage under Servicemembers' Group Life Insurance

The Senate amendment contained a provision (sec. 648) that would, at no cost to the government, extend life insurance coverage under the Servicemembers' Group Life Insurance to family members.

The House bill contained no similar provision.

The Senate recedes.

Fees paid by residents of the Armed Forces Retirement Home

The Senate amendment contained a provision (sec. 649) that would modify the fee structure paid by residents of the Armed Forces Retirement Home.

The House bill contained no similar provision.

The Senate recedes.

The conferees are aware of the financial difficulties of the Armed Forces Retirement Home and have received a number of complaints from residents about the fee structure and conditions at the homes. The conferees direct the Secretary of Defense, in consultation with the Armed Forces Retirement Home Board, to review the current and future financial status of the Armed Forces Retirement Home, to include the current fee structure. The Secretary of Defense shall submit a report not later than March 30, 2001, to the Committees on Armed Services of the Senate and the House of Representatives on the results of this review and any recommendations for changing the current fees or operations of the Armed Forces Retirement Home.

Recognition of members of the Alaska Territorial Guard as veterans

The Senate amendment contained a provision (sec. 671) that would prospectively recognize certain former members of the Alaska Territorial Guard as veterans.

The House bill contained no similar provision.

The Senate recedes.

Survivor benefit plan annuities for survivors of all members who die on active duty

The Senate amendment contained a provision (sec. 647) that would entitle a surviving spouse of a member who dies while on active duty to a Survivor Benefit Plan annuity.

The House bill contained no similar provision.

The Senate recedes.

Travel by reservists on military aircraft to and from locations outside the continental United States for inactive-duty training

The Senate amendment contained a provision (sec. 667) that would permit reservists who live outside the continental United States attending drills or annual training in the United States to travel space-required on military aircraft.

The House bill contained no similar provision.

The Senate recedes.

TITLE VII-HEALTH CARE PROVISIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A-Health Care Services

Provision of domiciliary and custodial care for CHAMPUS beneficiaries and certain former CHAMPUS beneficiaries (sec. 701)

The House bill contained a provision (sec. 703) that would authorize the Secretary of Defense to reimburse certain former Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) beneficiaries for costs incurred for custodial or domiciliary care services during a period of temporary ineligibility for such services under CHAMPUS. The provision authorized a maximum expenditure of $100.0 million for the program.

The Senate amendment contained a provision (sec. 732) that would cap the program at $100.0 million per year and would grandfather those that participated in the Department of Defense home health care demonstration to allow their continued participation in the case management program, without regard to age.

The House recedes with an amendment that would incorporate the reimbursement provision in the House bill and direct the Comptroller General to report on the effectiveness of the existing coordination of the basic TRICARE program with the program for persons with disabilities and the individual case management program, as they relate to meeting the health care needs of disabled dependents of active duty military members.

Chiropractic health care for members on active duty (sec. 702)

The House bill contained a provision (sec. 737) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to phase in, over a period of five years, permanent chiropractic services for all active duty service personnel. The provision would also require the Secretary of Defense to continue to provide the same level of chiropractic health care services and benefits during fiscal year 2001 as were provided during fiscal year 2000.

The Senate amendment contained a provision (sec. 737) that would make permanent the provision of chiropractic health care services to military health care system beneficiaries who enroll in TRICARE Prime. The provision would direct the Secretary of Defense to develop and implement a plan to make available chiropractic services using a primary care manager model and would continue services at existing demonstration sites until TRICARE Prime enrollees at those sites would have access under the new provision.

The Senate recedes with a technical amendment.

School-required physical examinations for certain minor dependents (sec. 703)

The Senate amendment contained a provision (sec. 734) that would direct the Secretary of Defense to provide eligible dependents, between the ages of 5 years and 12 years, a physical examination when such an examination is required by a school in connection with the enrollment in that school. TRICARE Prime enrollees would require no copayment. Enrollees in TRICARE options other than Prime would pay appropriate cost shares.

The House bill contained no similar provision.

The House recedes.

Two-year extension of dental and medical benefits for surviving dependents of certain deceased members (sec. 704)

The Senate amendment contained a provision (sec. 735) that would extend the medical and dental benefits for surviving dependents of certain deceased members from one year to three years.

The House bill contained no similar provision.

The House recedes.

Two-year extension of authority for use of contract physicians at military entrance processing stations and elsewhere outside medical treatment facilities (sec. 705)

The House bill contained a provision (sec. 701) that would extend for two years, the authority of the Secretary of Defense to contract with physicians to provide health care and new-recruit examination services at military entrance processing stations and other locations.

The Senate amendment contained a similar provision (sec. 736).

The Senate recedes.

Medical and dental care for medal of honor recipients (sec. 706)

The House bill contained a provision (sec. 702) that would extend life-time medical and dental care, to be provided by the Department of Defense, to medal of honor recipients and their dependents.

The Senate amendment contained a similar provision (sec. 733).

The House recedes with a clarifying amendment.

Subtitle B-Senior Health Care

Implementation of TRICARE senior pharmacy program (sec. 711)

The House bill contained a provision (sec. 721) that would authorize the establishment of the TRICARE Senior Pharmacy Program. The program would provide Medicare eligible military retirees and their eligible family members the same pharmacy benefit as is currently available to other military health care beneficiaries through the TRICARE preferred provider and fee-for-services options commonly referred to as TRICARE Extra and TRICARE Standard. The House authorized an increase of $94.0 million to the Defense Health Program to fund this requirement.

The Senate amendment contained a provision (sec. 731) that would authorize a specific pharmacy benefit for eligible beneficiaries of

the military health care system, including those eligible for Medicare. The provision would authorize a national mail order program and a retail pharmacy network.

The Senate recedes with an amendment that would grandfather all participants of the Base Realignment and Closure pharmacy benefit program.

Conditions for eligibility for CHAMPUS and TRICARE upon the attainment of age 65; expansion and modification of medicare subvention project (sec. 712)

The House bill contained a provision (sec. 725) that would extend the Medicare subvention, or TRICARE Senior Prime, program nationwide and would make the program permanent.

The Senate amendment contained a provision (sec. 701) that would extend TRICARE/CHAMPUS eligibility to all military retirees and their dependents, regardless of age.

The House recedes with an amendment that would extend the Medicare subvention program one year and would extend permanent TRICARE/CHAMPUS eligibility to all military retirees and their dependents, regardless of age.

The conferees note that continuation of the Medicare subvention program beyond the extended termination date would be contingent upon the Secretaries of Defense and Health and Human Services jointly developing and implementing program terms and conditions that are fair and equitable to both agencies, providing a report to the Congress, and a subsequent act of Congress.

The conferees recognize that the Department of Defense has provided some level of health care services to the senior population and would not expect reimbursement for that level of effort. The conferees believe the administrative costs and costs of resources expended during the process of approving a military treatment facility as a subvention site should be included when the Secretaries of Defense and Health and Human Services jointly develop the terms of a new subvention agreement.

While extending TRICARE/CHAMPUS eligibility to Medicare-eligible beneficiaries, the conferees direct the Secretary of Defense to refrain from using deductibles and copayments, in recognition of their participation in Medicare Part B as a condition of participation. The conferees urge the Secretary of Defense to implement, wherever reasonable, primary care impanelment programs patterned on the ''MacDill–65'' program which provide opportunities for senior retirees to establish a relationship with a military primary care provider while still taking full advantage of the added benefits under this provision.

The conferees also recognize that the ability of the Secretary of Defense to prepare reliable budget estimates is seriously compromised by the lack of any beneficiary enrollment requirements. With the addition of this significant TRICARE benefit for senior military retirees and their dependents, all retired military personnel will now have access to comprehensive health care services, no matter where they live. Therefore, the conferees direct the Secretary of Defense to submit a plan for universal, continuous enrollment of all eligible beneficiaries beginning in fiscal year 2002. Through the enrollment system, beneficiaries would select the component of the military health care system through which they would seek their health care services. The conferees expect the period of required enrollment would not exceed one year and some provision would be made for individual exceptions based on unforeseen circumstances. As the enrollment plan is being developed, the conferees encourage the Secretary of Defense to seek the views of affected beneficiary groups. Their views should be included in the final report. The required report shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives not later than March 30, 2001.

Accrual funding for health care for Medicare-eligible retirees and dependents (sec. 713)

The conferees included a provision that would establish an accrual funding mechanism to finance, on an actuarially sound basis, liabilities of the Department of Defense under Department of Defense retiree health care programs for Medicare-eligible beneficiaries.

The conferees direct the Secretary of Defense to conduct a study using an independent entity to develop strategies for determining the periodicity and amount of payments from the Department of Defense Medicare-Eligible Retiree Health Care Fund under section 1113 of title 10, United States Code (as added by section 713). The conferees direct the Secretary of Defense to report to the Committees on Armed Services of the Senate and House of Representatives, not later than February 8, 2001, on the results of the study, including any recommendations and, if appropriate, legislative provisions necessary to implement the accrual funding mechanism.

Subtitle C-TRICARE Program

Improvement of access to health care under the TRICARE program (sec. 721)

The House bill contained a provision (sec. 739) that would eliminate the requirement to obtain non-availability statements under any new contract for those beneficiaries participating in TRICARE standard.

The Senate amendment contained a similar provision (sec. 714).

The Senate recedes with a technical amendment.

Additional beneficiaries under TRICARE prime remote program in the continental United States (sec. 722)

The House bill contained a provision (sec. 711) that would repeal the requirement for co-payments by family members of active duty military members under TRICARE Prime Remote and would require the same access and claims processing standards as would be available under TRICARE Prime. The provision would also extend the program to all uniformed service personnel and their immediate family members, as defined in section 101 of title 10, United States Code.

The Senate amendment contained an identical provision (sec. 711).

The conference agreement includes this provision.

Modernization of TRICARE business practices and increase of use of military treatment facilities (sec. 723)

The House bill contained a provision (sec. 713) that would require managers for the Department of Defense TRICARE program to implement improvements in business practices by the end of fiscal year 2001, and would require the Secretary of Defense to submit a plan for improvement by March 15, 2001. The provision would also authorize an increase of $134.5 million for the Defense Health Program to be used solely for the purpose of maximizing the use of military treatment facilities.

The Senate amendment contained a similar provision (sec. 713).

The Senate recedes with a clarifying amendment.

The conferees note that the Emergency Supplemental Act, 2000 (division B of Public Law 106–246) included $695.0 million for improvements in TRICARE for fiscal years 2000 and 2001. The conferees direct that $134.5 million of these funds be used for maximizing the use of military treatment facilities by improving the efficiency of health care operations in such facilities.

The conferees note that resource sharing initiatives are achieving significant savings by recapturing services in the direct care system. Savings can range from $1.25–$5.00 for every dollar expended. The conferees direct the Secretary of Defense to utilize the additional funds provided by this provision to achieve comparable savings.

The conferees understand that requirements for additional support staff are dynamic and require a flexible approach to ensure full utilization of military treatment facilities. The conferees direct the Secretary of Defense to develop a flexible mechanism to acquire additional support staff, as needed. Further, the conferees direct the Secretary of Defense to include, as part of the plan for improving TRICARE business practices, a methodology for the cost-effective use of additional support staff.

Extension of TRICARE managed care support contracts (sec. 724)

The Senate amendment contained a provision (sec. 579) that would provide authority to extend TRICARE managed care support contracts in effect or in final stages of acquisition to be extended up to four years.

The House bill contained no similar provision.

The House recedes.

Report on protections against health care providers seeking direct reimbursement from members of the uniformed services (sec. 725)

The House bill contained a provision (sec. 719) that would require the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and the House of Representatives on ways to discourage or prohibit TRICARE health care providers from seeking inappropriate direct reimbursement from military service members or their families for eligible health care services.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Voluntary termination of enrollment in TRICARE retiree dental program (sec. 726)

The House bill contained a provision (sec. 720) that would authorize the Secretary of Defense to permit retirees who enrolled in the Department of Defense Retiree Dental Program to disenroll from the program under certain circumstances.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees recognize the necessity of a termination of enrollment appeal process and direct the Secretary to ensure appropriate dental expertise is included in such procedures. Additionally, the conferees note the importance of making available a dental benefit for retirees overseas and direct the Secretary of Defense to explore expansion of this program.

Claims processing improvements (sec. 727)

The House bill contained a provision (sec. 714) that would require the Secretary of Defense to implement several changes to the TRICARE claims process system.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Prior authorizations for certain referrals and nonavailability-of-health-care statements (sec. 728)

The House bill contained a provision (sec. 715) that would prohibit the Secretary of Defense from requiring any TRICARE managed

care support contractors to establish prior approval requirements among network providers.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees do not intend that this provision would in any way interfere with the relationship between the primary care provider and his or her patients or the requirement that patients enrolled under TRICARE Prime be referred for specialty care by their primary care providers. Rather, the conferees intend that the Department of Defense would, in new managed care support contracts, eliminate the requirement for TRICARE primary care providers to seek authorization before making a referral to a specialist who is part of a managed care support contractor's network of providers.

Subtitle D—Demonstration Projects

Demonstration project for expanded access to mental health counselors (sec. 731)

The House bill contained a provision (sec. 704) that would direct the Secretary of Defense to conduct a demonstration project to determine the effect of increasing access to certified professional mental health counselors by removing the requirement for physician referral prior to engaging a counselor under the TRICARE program.

The Senate amendment contained no similar provision.

The Senate recedes.

Teleradiology demonstration project (sec. 732)

The House bill contained a provision (sec. 705) that would direct the Secretary of Defense to implement a teleradiology demonstration project for the purpose of increasing the efficiency of operations and coordination between outlying clinics and a major military medical facility.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add an additional test site.

Health care management demonstration program (sec. 733)

The Senate amendment contained a provision (sec. 740) that would direct the Secretary of Defense to conduct a test of two models to improve health care delivery in the Defense Health Program: one for studying alternative delivery policies, processes, organizations, technologies; and another for studying long-term disease management.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle E—Joint Initiatives With Department of Veterans Affairs

VA–DOD sharing agreements for health services (sec. 741)

The House bill contained a provision (sec. 738) that would require the Secretary of Defense to give full force and effect to any sharing agreement entered into between the Veterans Health Administration and the Department of Defense treatment facilities. The provision would also require the Secretary of Defense to review all sharing agreements.

The Senate amendment contained no similar provision.

The Senate recedes.

Processes for patient safety in military and veterans health care systems (sec. 742)

The House bill contained a provision (sec. 733) that would require the Secretary of Defense to implement a system of indicators, standards, and protocols necessary to track patient safety.

The Senate amendment contained a provision (sec. 721) that would direct enhanced cooperation between the Department of Defense and Department of Veterans Affairs in the area of patient safety.

The House recedes with a technical amendment.

Cooperation in developing pharmaceutical identification technology (sec. 743)

The House bill contained a provision (sec. 734) that would require the Secretary of Defense to implement a pharmaceutical bar code identification program to improve the safety of Department of Defense pharmacy programs.

The Senate amendment contained a provision (sec. 722) that would direct the Secretary of Defense and the Secretary of Veterans Affairs to develop jointly a plan to bar code pills and to explore a bar code capability for the mail order pharmacy program.

The House recedes with a technical amendment.

Subtitle F—Other Matters

Management of anthrax vaccine immunization program (sec. 751)

The House bill contained a provision (sec. 735) that would strengthen congressional oversight of the Department of Defense Anthrax Vaccine Immunization Program (AVIP). The provision would require the Secretary of Defense to implement several initiatives to strengthen oversight of the program including: requiring the Secretary to track and report separations resulting from refusal to participate in the program; requiring guidance for emergency essential civilian personnel who are participating in AVIP; requiring the Secretary of Defense to put uniform medical and administrative exemptions into regulation; improving monitoring of adverse reactions; development of a plan for modernizing all-force protection immunizations; and requiring reports on financial and overall program management.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the procurement components of the provision and would focus on the administration of the AVIP.

Elimination of copayments for immediate family (sec. 752)

The House bill contained a provision (sec. 712) that would repeal the requirement for co-payments by family members of active duty military members enrolled in TRICARE Prime.

The Senate amendment contained a similar provision (sec. 712).

The House recedes with a clarifying amendment.

The conferees expect the Department of Defense to ensure that implementation of this provision would not impose additional costs on managed care support contractors. Further, it is not the intent of the conferees to eliminate copayments for pharmaceutical benefits under the mail order pharmacy program or such similar cost shares. The conferees expect implementation within 180 days after enactment of this Act.

Medical informatics (sec. 753)

The Senate amendment contained a provision (sec. 723) that would direct the Secretary of Defense to include two additional sections in the medical informatics report required by section 723 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65). The provision would also direct that, from within the resources of the Defense Health Program, $64.0 million be expended on a computerized patient record system, and $9.0 million be expended on an integrated pharmacy system in fiscal year 2001.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Patient care reporting and management system (sec. 754)

The Senate amendment contained a provision (sec. 739) that would direct the Secretary of Defense to implement a patient care reporting and management system in the military health system to identify, track, and report on errors and safety problems.

The House bill contained no similar provision.

The House recedes.

Augmentation of Army medical department by detailing reserve officers of the Public Health Service (sec. 755)

The Senate amendment contained a provision (sec. 742) that would authorize the Secretary of the Army and the Secretary of Health and Human Services to enter into an agreement to conduct a program under which officers of the Public Health Service Corps Inactive Reserve may be detailed to augment the Army Medical Department, subject to existing statutory authorities.

The House bill contained no similar provision.

The House recedes.

Privacy of Department of Defense medical records (sec. 756)

The Senate amendment contained a provision (sec. 744) that would direct the Secretary of Defense to create a blue ribbon advisory panel on Department of Defense policies regarding the privacy of medical records for beneficiaries of the military health care system.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the Secretary of Defense to report to Congress on a comprehensive plan to improve privacy protections for Department of Defense medical records, consistent with the Health Insurance Portability and Accountability Act of 1996. The conferees further direct the Secretary of Defense to issue interim regulations to expedite implementation of this provision and allow for reasonable use of medical records for certain circumstances including, but not limited to, national security, law enforcement, patient treatment, and payment for health care services.

Authority to establish special locality-based reimbursement rates; reports (sec. 757)

The House bill contained a provision (sec. 716) that would authorize the Secretary of Defense to establish higher rates for reimbursement for services in some localities under certain conditions.

The Senate amendment contained a provision (sec. 715) that would enhance access to TRICARE in rural states by increasing the maximum allowable charge by physicians in rural areas.

The Senate recedes with a clarifying amendment.

The conferees intend that the Department of Defense focus on resolving provider participation issues, particularly in rural areas, where limited numbers of health care providers present extreme difficulties in accessing care.

Reimbursement for certain travel expenses (sec. 758)

The House bill contained a provision (sec. 717) that would authorize the Secretary of Defense to reimburse TRICARE beneficiaries for their reasonable expenses incurred while traveling to a referral more than 100 miles from the location at which they normally receive their primary care services.

The Senate amendment contained no similar provision.

The Senate recedes.

Reduction of cap on payments (sec. 759)

The House bill contained a provision (sec. 718) that would reduce the maximum amount retired TRICARE beneficiaries could pay under TRICARE to $3,000 per family. The House bill authorized an increase in the Defense Health Program of $32.0 million for this purpose.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Training in health care management and administration (sec. 760)

The House bill contained a provision (sec. 731) that would require the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and the House of Representatives on the continued implementation of section 715 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106). The provision would increase the number of senior management positions requiring professional management and administrative experience.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees direct the Secretary of Defense to ensure that senior managers involved in leading and managing the Department of Defense complex health care delivery program are provided all possible professional management and administrative opportunities to increase their ability to succeed in this dynamic environment.

Study on feasibility of sharing biomedical research facility (sec. 761)

The House bill contained a provision (sec. 736) that would require the Secretary of the Army to conduct a study on the feasibility of a military medical center sharing a biomedical research facility with the Department of Veterans Affairs and an academic institution to make more efficient use of funding for biomedical research.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add an additional site for such a demonstration.

Study on comparability of coverage for physical, speech, and occupational therapies (sec. 762)

The House bill contained a provision (sec. 740) that would direct the Secretary of Defense to conduct a study comparing coverage and reimbursement for covered beneficiaries for physical, speech, and occupational therapies under the TRICARE program and the Civilian Health and Medical Program of the Uniformed Services to coverage and reimbursement for such therapies by insurers under Medicare and the Federal Employees Health Benefits Program.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Extended coverage under the Federal Employees Health Benefits Program

The House bill contained a provision (sec. 723) that would extend the period of the Federal Employees Health Benefits Program demonstration for one year and would require the Secretary of Defense to take actions to encourage participation in the program to its full authorized enrollment level.

The Senate amendment contained no similar provision.

The House recedes.

Extension of TRICARE senior supplement program

The House bill contained a provision (sec. 724) that would extend the period of the TRICARE Senior Supplement Program for one year.

The Senate amendment contained no similar provision.

The House recedes.

Service areas of transferees of former uniformed services treatment facilities

The Senate amendment contained a provision (sec. 743) that would expand the service areas of former uniformed services treatment facilities.

The House bill contained no similar provision.

The Senate recedes.

Study of accrual financing for health care for military retirees

The House bill contained a provision (sec. 732) that would direct the Secretary of Defense to conduct a study on the feasibility and desirability of financing the military health care program for uniformed services retirees on an accrual basis.

The Senate amendment contained a similar provision (sec. 741).

The conferees adopted an accrual funding provision elsewhere in this conference agreement.

Study of accrual financing for health care for retirees of the uniformed services

The House bill contained a provision (sec. 732) that would require the Secretary of Defense to conduct a study on the feasibility and desirability of financing the military health care program for uniformed services retirees on an accrual basis.

The Senate amendment contained a similar provision (sec. 741).

The House recedes with a technical amendment.

Study on health care options for medicare-eligible military retirees

The House bill contained a provision (sec. 722) that would require the Secretary of Defense to conduct a study on alternatives for providing continued health care benefits for Medicare-eligible military retirees.

The Senate amendment contained no similar provision.

The House recedes.

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

ITEMS OF SPECIAL INTEREST

Acquisition programs at the National Security Agency

The Senate report accompanying S. 2549 (S. Rept. 106–292) would direct the National Security Agency (NSA) and the Department of Defense to manage the ongoing NSA modernization effort as though it were a major defense acquisition program, as defined in section 2430 of title 10, United States Code.

The House report accompanying H.R. 4205 (H. Rept. 106–616) contained no such direction.

The conferees agree that there is a need to improve the acquisition management and oversight processes to ensure sufficient structure, accountability, and visibility for the vital NSA modernization efforts. However, the conferees are not convinced that the DOD acquisition model is sufficiently flexible and timely to allow the NSA to deliver the necessary capabilities against the rapidly changing threat environment.

The conferees understand that representatives from the Intelligence Community (IC), the NSA, and the Office of the Secretary of Defense have jointly begun to define a formal plan to improve oversight of the NSA acquisition efforts, and that an interim oversight board has been used to review a major NSA acquisition program. The conferees understand that the IC and the DOD jointly intend to create a streamlined acquisition management and oversight process that will improve DOD and IC oversight of the NSA Acquisition process.

The conferees agree to allow some time for this new plan to achieve the objectives of providing sufficient structure, accountability, and visibility for the very important modernization efforts underway within NSA. The conferees take this position with the understanding that DOD and the IC will implement oversight procedures that will achieve several objectives: (1) aid the Director of NSA in the effort to accomplish fundamental financial and acquisition management reforms within the agency; (2) improve the linkage between the development of requirements and the acquisition process; (3) ensure that internal NSA acquisition processes comply with DOD and IC policy and with best practices; (4) improve the linkage across agencies for end-to-end performance; and (5) allow the Director to have sufficient flexibility to deliver urgently needed capability.

The conferees direct the Director of NSA, the Director of Central Intelligence, and the Secretary of Defense to provide the Congress with a report, concurrent with the budget request for fiscal year 2002, that outlines the oversight plan, including the changes the plan will make in the acquisition process. If implementation of this oversight plan fails to demonstrate a review mechanism that meets these objectives, the conferees may insist on requiring that NSA manage its programs as major defense acquisition programs in the future.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

Department of Defense acquisition pilot programs (sec. 801)

The House bill contained a provision (sec. 801) that would amend the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355) to extend until fiscal year 2005 certain acquisition pilot programs and to require a report on the pilot programs.

The Senate amendment contained a provision (sec. 806) that would extend this authority through October 1, 2007.

The House recedes with an amendment that would add the 500 pound Joint Direct Attack Munition to the original pilot program and include a reporting requirement.

Multiyear services contracts (sec. 802)

The House bill contained a provision (sec. 808) that would amend section 2306b of title 10, United State Code, to clarify that this section applies to the multiyear procurement of services, as well as to the multiyear procurement of property.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would insert a new section in title 10, United States Code, that would clarify the authority to enter into multiyear contracts for the acquisition of services. The conferees direct the Secretary of Defense to provide to the congressional defense committees, not later than February 1, 2001, a report that contains information comparable to that required by section 2306b(l)(4) for each multiyear service contact and each extension of an existing multiyear service contract entered into, or planned to be entered into, during the current or preceding year.

Clarification and extension of authority to carry out certain prototype projects (sec. 803)

The House bill contained a provision (sec. 805) that would amend section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160), to extend for three years the authority of the Defense Advanced Research Projects Agency, the military departments, and other officials designated by the Secretary of Defense to carry

out prototype projects using transactions other than contracts, cooperative agreements, and grants, which must be executed in accordance with statutes or regulations applicable to contracts.

The Senate amendment contained a provision (sec. 807) that would extend for three years the other transaction prototype authority, identify appropriate uses of this authority to include cost sharing arrangements and the participation of nontraditional defense contractors, and establish a pilot program for the transition to follow-on production contracts for prototypes developed under the section 845 authority.

The House recedes with an amendment to modify the circumstances under which section 845 authority can be used and to strike the pilot program for the transition to follow-on production contracts for prototypes developed under the section 845 authority.

The conferees note the recommendations contained in the report of the Comptroller General ''Acquisition Reform: DOD's Guidance on Using Section 845 Agreements Could be Improved'' (GAO/NSIAD -00–33, dated April 2000), that the Secretary of Defense provide updated guidance that lays out the conditions for using section 845 agreements and provides a framework to tailor the terms and conditions appropriate for each agreement. The General Accounting Office (GAO) recommended that the Secretary should establish and require the use of a set of metrics, including the number of commercial firms participating in section 845 agreements, which are measurable and directly related to the agreement's use. The GAO also recommended that these requirements should be in place in time to assist in the deliberations on whether to extend the authority past September 30, 2001. The conferees further note that the Department of Defense (DOD) concurred with the need for revised guidance to help determine when section 845 agreements should be used, and that the Department planned to issue an updated guide by April 2000. The conferees direct the Secretary of Defense to issue the revised DOD guidelines for using section 845 agreements within 90 days of the enactment of this Act.

Clarification of authority of Comptroller General to review records of participants in certain prototype projects (sec. 804)

The Senate amendment contained a provision (sec. 808) that would clarify the audit access of the Comptroller General over other transaction prototype authority agreements for those contractors who have only done business with the government under other transaction authority or through cooperative agreements.

The House bill contained no similar provision.

The House recedes.

Extension of time period of limitation on procurement of ball bearings and roller bearings (sec. 805)

The House bill contained a provision (sec. 807) that would amend section 2534 of title 10, United States Code, to extend the limitations on the procurement of ball bearings and roller bearings. This provision would also extend the limitations on the procurement of naval valves for another three fiscal years, and authorize limitations on the procurement of polyacrylonitrile based carbon fiber (PAN carbon fiber) for the next three fiscal years.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend the limitations on the procurement of ball bearings and roller bearings to October 1, 2005. The conferees note that the domestic source restriction on PAN carbon fiber was first instituted in the 1980s after the Department of Defense determined that it was overly dependent on foreign industry for PAN carbon fibers. The conferees determined that a legislative restriction was unnecessary, because the Department of Defense has extended by three years the regulatory domestic source restriction on PAN based carbon fibers.

Reporting requirements relating to multiyear contracts (sec. 806)

The Senate amendment contained a provision (sec. 802) that would clarify the multiyear reporting requirements required by section 2306b of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would require an annual report that addresses all multiyear contracts, regardless of the dollar value, and require a separate report prior to entering into a multiyear contract or extension above $500.0 million if the information required by section 2306b, for the contract or extension was not included in the annual report required by this provision.

Eligibility of small business concerns owned and controlled by women for assistance under the mentor-protege program (sec. 807)

The Senate amendment contained a provision (sec. 809) that would add small business concerns owned and controlled by women to the list of entities that are eligible to participate in the pilot mentor-protege program established by section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510).

The House bill contained no similar provision.

The House recedes.

Qualifications required for employment and assignment in contracting positions (sec. 808)

The Senate amendment contained a provision (sec. 811) that would require a baccalaureate degree and 24 semester credit hours in business disciplines for new entrants into the GS–1102 occupational series and for contracting officers above the simplified acquisition threshold.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Revision of authority for solutions-based contracting pilot program (sec. 809)

The Senate amendment contained a provision (sec. 815) that would amend section 5312 of the Clinger-Cohen Act (divisions D and E of the National Defense Authorization Act for Fiscal Year 1996 [Public Law 104–106]) to remove detailed statutory requirements concerning the development of a pilot plan to include elimination of the direct participation of private information technology specialists as part of a public-private working group.

The House bill contained no similar provision.

The House recedes.

Procurement notice of contracting opportunities through electronic means (sec. 810)

The Senate amendment contained a provision (sec. 818) that would allow electronic postings of solicitations through the single government-wide point of entry designated in the Federal Acquisition Regulations.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Information Technology

Acquisition and management of information technology (sec. 811)

The House bill contained a provision (sec. 363) that would require that for the next three fiscal years all mission essential and mission critical information technology systems be registered with the Chief Information Officer of the Department of Defense (DOD). The House bill also contained a provision (sec. 806) that would require that in each of the next three fiscal years the Department of Defense Chief Information Officer certify that each major automated information system is in compliance with the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106) prior to granting milestone approval.

The Senate amendment contained a provision (sec. 803) with similar registration and approval requirements. The provision would also require the Chief Information Officers of the DOD and the military services to maintain a consolidated inventory of DOD mission critical and mission essential information systems, to identify interfaces between these and other information systems, and to maintain contingency plans for responding to a disruption in the operation of any of these information systems. The Senate provision included similar requirements to the House provisions.

The Senate recedes with an amendment that would establish registration and approval requirements to enhance the management and oversight of information technology acquisitions.

Tracking and management of information technology purchases (sec. 812)

The Senate amendment contained a provision (sec. 804) that would require the Secretary of Defense and the secretaries of the military departments to administer an automated system to track and manage purchases of information technology products and services in excess of the simplified acquisition threshold.

The House bill contained no similar provision.

The House recedes with an amendment requiring the Secretary of Defense to provide for the collection of data on purchases of information technology.

The conferees understand that the requirements of this section will be met through the incorporation of the new data elements into the Defense Contract Action Data System which is the DOD data collection system for reporting contract actions to the Federal Procurement Data System.

Appropriate use of requirements regarding experience and education of contractor personnel in the procurement of information technology services (sec. 813)

The Senate amendment contained a provision (sec. 816) that would limit the circumstances in which bid solicitations for contracts of information technology services set forth minimum contractor personnel requirements for contract award eligibility.

The House bill contained no similar provision.

The House recedes with an amendment that would preclude in the bid solicitation for any contract of information technology services, minimum requirements for contractor personnel unless: (1) the contracting officer first determines that the needs of the agency cannot be met without such requirement; or (2) the needs of the agency require the use of a type of contract other than a performance-based contract.

Navy-Marine Corps Intranet (sec. 814)

The House bill contained a provision (sec. 332) that would prohibit the Department of the Navy from using fiscal year 2001 funds for payment of a long-term contract for comprehensive end-to-end shore based information services, known as the Navy Marine Corps Intranet (NMCI), until supporting documentation is provided to Congress.

The Senate amendment contained a similar provision (sec. 810) that would require the Secretary of the Navy to submit a report to Congress before beginning performance of the NMCI contract. The Senate amendment would also require that the Marine Corps, the naval shipyards, and the naval aviation depots be excluded from the performance of the contract in the first year; the program be developed incrementally; the impact on federal employees be mitigated; and the program be implemented in accordance with the requirements of the Clinger-Cohen Act of 1996, and applicable regulations and directives.

The House recedes with an amendment that would prohibit the Department of Navy to obligate or expend funds on NMCI until the Comptroller of the Department of Defense and the Director of the Office of Management and Budget (OMB) have reviewed and commented on the Department of Navy's June 30, 2000, and July 15, 2000, reports to the Congress; and the Secretary of the Navy and the Chief of Naval Operations have submitted a joint certification to Congress that they have reviewed the business case for the contract, reviewed OMB and Department of Defense Comptroller comments, and have determined that implementation of the contract is in the best interest of the Department of the Navy. The amendment would also require additional certifications by the DOD Comptroller, the Secretary of the Navy, and Chief of Naval Operations before more than 15 percent of the planned total number of work stations could be provided under the NMCI program.

The conferees recognize the need to upgrade the Navy's shore based information infrastructure, but remain concerned about affordability and effective management oversight of the program. To reduce risk in the program, the conferees direct the Secretary of Navy to ensure that contract management organization and procedures are in place before a contract is awarded, service level agreements are fully defined in the contract, requirements are validated for information technology services requested, a comprehensive funding transition plan and schedule, which includes complete and comprehensive cost estimates, are developed, a system for tracking NMCI costs and benefits is established, outcome-oriented performance measures beyond those in the service-level agreements are established, oversight and reporting responsibilities (both within the Navy and DOD) over the NMCI program are finalized, and measures of success are defined for the first increment of the program.

The conferees direct the Comptroller General to review the Department of Navy's June 30, 2000, and July 15, 2000, reports to Congress on the NMCI. The Comptroller General shall report to the Committees on Armed Services of the Senate and House of Representatives, the Secretary of Navy, and the Chief of Naval Operations on the risks that face the Navy on the NMCI program and recommend actions to mitigate such risks no later than 30 days after the enactment of this Act.

Sense of Congress regarding information technology systems for guard and reserve components (sec. 815)

The House bill contained a provision (sec. 1040) that would express the sense of Congress regarding information technology systems.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Subtitle C—Other Acquisition-Related Matters

Improvements in procurements of services (sec. 821)

The Senate amendment contained a provision (sec. 801) that would improve the procurement of services by establishing: (1) a governmentwide preference for performance based service contracting; (2) a Department of Defense Center of Excellence for service contracts; and (3) an incentive for the use of performance-based service contracts within the Department of Defense by treating performance based service contracts or performance based service task orders under $5.0 million as commercial items and thereby authorizing the use of simplified commercial procedures under Part 12 of the Federal Acquisition Regulations.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Financial analysis of use of dual rate for quantifying overhead costs at army ammunition plants (sec. 822)

The Senate amendment contained a provision (sec. 813) that would require the Secretary of the Army to conduct a financial analysis of the benefits and costs of permitting the use of dual overhead rates at Department of Army government-owned facilities as a means of encouraging commercial use of these facilities.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the scope of the financial analysis to Department of Army ammunition facilities.

Repeal of prohibition on use of Department of Defense funds for the procurement of nuclear-capable shipyard crane from a foreign source (sec. 823)

The Senate amendment contained a provision (sec. 143) that would strike section 8093(d) of the Department of Defense Appropriations Act, 2000 (Public Law 106–79) relating to the prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

The House bill contained no similar provision.

The House recedes.

Extension of waiver period for live-fire survivability testing for MH–47E and MH–60K helicopter modifications programs (sec. 824)

The House bill contained a provision (sec. 804) that would amend section 142 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) to authorize the Secretary of Defense to waive the survivability testing requirements contained in section 2366 of title 10, United States Code, for the MH–47E and MH–60K helicopters prior to full materiel release of those systems.

The Senate amendment contained no similar provision.

The Senate recedes.

Compliance with existing law regarding purchases of equipment and products (sec. 825)

The House bill contained a provision (sec. 813) that would limit funds to be expended by an entity of the Department of Defense (DOD) unless the entity agrees to comply with the Buy America Act, express the sense of Congress stating that DOD should only purchase American-made equipment and products, and require the Secretary of Defense to determine whether a person should be debarred from federal contracting if that person has been convicted of fraudulent use of ''Made in America'' labels.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the limitation on funding and express the sense of Congress that DOD should fully comply with the Buy America Act and section 2533, title 10, United State Code, regarding determinations of public interest under the Buy American Act.

Requirement to disregard certain agreements in awarding contracts for the purchase of firearms or ammunition (sec. 826)

The House bill contained a provision (sec. 810) that would prohibit the Department of Defense from using a preference for the procurement of items from a marketer or vendor of firearms or ammunition that has entered into an agreement to abide by a designated code of conduct, operating practice, or product design.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle D—Studies and Reports

Study on impact of foreign sourcing of systems on long-term military readiness and related industrial infrastructure (sec. 831)

The House bill contained a provision (sec. 809) that would require the Secretary of Defense to study and provide a report to Congress on whether parts, components, and materials of certain systems are obtained through domestic sources or from foreign sources, and the impact on military readiness of purchasing such items from foreign sources.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the scope and requirements of the study.

Study of policies and procedures for transfer of commercial activities (sec. 832)

The Senate amendment contained a provision (sec. 817) that would require the Comptroller General to convene a panel to study rules and procedures for public-private competitions for the performance of government commercial activities.

The House bill contained no similar provision.

The House recedes with an amendment that clarifies the scope and timing of the study.

Study and report on practice of contract bundling in military construction contracts (sec. 833)

The House bill contained a provision (sec. 811) that would would require the Comptroller General to study the use ''contract bundling'' in military construction contracts.

The Senate amendment contained no similar provision.

The Senate recedes.

Requirement to conduct study on contract bundling (sec. 834)

The House bill contained a provision (sec. 812) that would require the Secretary of Defense to conduct a comprehensive study of contract bundling by the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the requirement for the establishment of a contracting data base and require that the study review the effect of contract bundling on historically underutilized business zones.

LEGISLATIVE PROVISIONS NOT ADOPTED

Management of acquisition of mission-essential software for major defense acquisition programs

The House bill contained a provision (sec. 803) that would require the Under Secretary

of Defense for Acquisition, Technology, and Logistics to designate a Director of Mission-Essential Software Management.

Senate amendment contained no similar provision.

The House recedes.

The conferees direct the Secretary of Defense to report to Congress by March 1, 2001, on: (1) the roles of the Undersecretary of Defense for Acquisition and Technology and the Chief Information Officer of the Department of Defense (DOD) in developing, managing, and reviewing policies regarding the procurement of mission-essential software; and (2) the amount of funds for information technology and software used to support Department of Defense weapon systems.

Repeal of requirement for contractor assurances regarding the completeness, accuracy, and contractual sufficiency of technical data provided by contractor

The Senate amendment contained a provision (sec. 805) that would eliminate the requirement for contractors providing technical data to the government to furnish written assurances that the technical data is complete, accurate, and satisfies the requirements of the contract.

The House bill contained no similar provision.

The Senate recedes.

Revision of the organization and authority of the cost accounting standards board

The Senate amendment contained a provision (sec. 814) that would modify the composition of the cost accounting standards (CAS) board and provide CAS waiver authority for firm fixed price contracts for which the requirement to provide cost or pricing data was waived.

The House bill contained no similar provision.

The Senate recedes.

Technical data rights for items developed exclusively at private expense

The House bill contained a provision (sec. 802) that would amend section 2320 of title 10, United States Code, by modifying the circumstances under which a contractor would be considered responsive to a solicitation.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that section 2320 of title 10, United States Code, establishes the statutory basis for regulations governing rights in technical data under Department of Defense contracts. This provision establishes the basic rule that the government has unlimited rights to technical data developed exclusively with federal funds; the government does not generally have rights in technical data established exclusively at private expense; and rights to data developed in part with federal funds and in part at private expense are negotiable. When the government purchases an item developed exclusively at private expense, however, section 2320 reserves the government's limited right to technical data that '' * * * is necessary for operation, maintenance, installation, or training (other than detailed manufacturing or process data).''

Department of Defense officials have noted that it is increasingly common that commercially-developed systems or components are either returned to the manufacturer for repair or discarded. In such cases, these officials state, the government does not need technical data, and the insistence that contractors provide such data could discourage commercial companies from doing business with the government.

The conferees believes that this concern is based upon a misreading of the statute. Section 2320 requires contractors to provide only technical data that ''is necessary'' for operation, maintenance, installation, or training. This requirement provides executive branch officials with the flexibility to determine what data, if any, is necessary for these limited purposes. If, in view of the manner in which the system or component will be used, no data is necessary for these purposes, the government should not require the seller to provide any such data. The conferees direct the Department to review the regulations implementing section 2320 and adopt any changes that may be necessary to clarify this point.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Duties and Functions of Department of Defense Officers

Overall supervision of Department of Defense activities for combating terrorism (sec. 901)

The Senate amendment contained a provision (sec. 902) that would designate the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD–SOLIC) as the principal civilian advisor to the Secretary of Defense on, and the principal official within the senior management of the Department of Defense (DOD) (after the Secretary and Deputy Secretary of Defense) responsible for, combating terrorism. The ASD–SOLIC would provide overall direction and supervision for policy, program planning and execution, and allocation and use of resources for the activities of the Department of Defense for combating terrorism, including antiterrorism activities, counterterrorism activities, terrorism consequence management activities, and terrorism-related intelligence support activities.

The House bill contained no similar provision.

The House recedes with an amendment that provides the Secretary with the discretion to designate any one of the assistant secretaries with the overall supervision of the Department's combating terrorism activities. The amendment specifies that should the Secretary designate an assistant secretary other than ASD–SOLIC, then the responsibilities of the ASD-SOLIC related to combating terrorism shall be exercised subject to this provision.

Change of title of certain positions in the Headquarters, Marine Corps (sec. 902)

The House bill contained a provision (sec. 901) that would abolish the positions of Chief of Staff and Deputy and Assistant Chiefs of Staff from Headquarters, Marine Corps, and would authorize five Deputy Commandant positions within Headquarters, Marine Corps.

The Senate amendment contained no similar provision.

The Senate recedes.

Clarification of scope of Inspector General authorities under military whistleblower law (sec. 903)

The House bill contained a provision (sec. 903) that would clarify the responsibilities of inspectors general under section 1034 of title 10, United States Code, and would also clarify that the provisions of this statute applied to any officer of the armed forces or civilian employee of the Department of Defense assigned or detailed to serve as an Inspector General at any level in the Department.

The Senate amendment contained a similar provision (sec. 905).

The Senate recedes.

Policy to ensure conduct of science and technology programs so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation (sec. 904)

The Senate amendment contained a provision (sec. 914) that would clarify the duties of the Chief of Naval Research to stress the responsibility for transition of science and technology to higher levels of research, development, test and evaluation (RDT&E).

The House bill contained no similar provision.

The House recedes with an amendment that would emphasize the role in fostering the transition of science and technology to higher levels for all of the officers currently assigned such duties: the Undersecretary of Defense for Acquisition, Technology and Logistics, the secretaries of the military departments, and directors of defense agencies with assigned research, development, test, and evaluation. The provision would also specifically address the role of the Chief of Naval Research relative to assigned duties relating to basic and applied research and advanced technology development as provided in section 5022 of Title 10, United States Code. By transition to higher levels of RDT&E, the conferees intend to include the following: transition of technology to higher budget categories of RDT&E; to useful application in industry to operational military techniques; to accessing, retaining, training and educating military and civilian members of the Department of Defense; to procurement and to other applications that improve the effectiveness or reduce the cost of equipment or operations within the Department.

The conferees are concerned that the percentage of technology initiatives incorporated into acquisition programs continues to be low. In some cases, this transition problem may be attributable to the rapid pace of technological developments and the comparatively slow pace of the acquisition system. However, there also appears to be a communication problem between the science and technology community and the acquisition community in all three services. The conferees believe that a strong commitment to technology transition is needed in both communities to ensure the successful incorporation of technology developments into weapon systems.

Additional components of Chairman of the Joint Chiefs of Staff annual report on combatant command requirements (sec. 905)

The Senate amendment contained a provision (sec. 1021) that would amend section 153 of title 10, United States Code, to require the Chairman of the Joint Chiefs to include within his report to Congress on the readiness requirements of the combatant commanders information on the extent to which those requirements are addressed in the Future Years Defense Program.

The House bill contained no similar provision.

The House recedes with an amendment that would amend the date of the report to February 1 of each year, and would require the identification of the extent to which the Future Years Defense Program includes funds to address the capability shortfalls identified during the Joint Readiness Review conducted during the first quarter of the fiscal year.

Subtitle B—Department of Defense Organization

Western Hemisphere Institute for Security Cooperation (sec. 911)

The House bill contained a provision (sec. 908) that would amend Chapter 108 of Title 10, United States Code, authorizing the Army to operate the U.S. Army School of

the Americas and would authorize the Secretary of Defense to operate a Defense Institute for Hemispheric Security Cooperation. The institute would be operated for the purpose of providing professional education and training in defense and security matters to military, law enforcement and civilian personnel of nations of the Western Hemisphere. The curricula of the institute would include a minimum of eight hours of instruction per student in human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society. There would be a board of visitors to oversee the activities and curricula of the institute and the board would submit an annual report to the Secretary of Defense and, in turn, to Congress.

The Senate amendment contained a provision (sec. 1204) that would amend Chapter 108 of Title 10, United States Code, authorizing the Army to operate the U.S. Army School of the Americas and would authorize the Secretary of Defense to operate a Western Hemisphere Institute for Professional Education and Training. The institute would be operated for the purpose of providing professional education and training to military, law enforcement and civilian personnel of the Western Hemisphere in areas such as leadership development, counterdrug operations, peace support operations, and disaster relief. The curricula of the institution would include, at a minimum, eight hours of instruction relating to human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society. There would be a board of visitors, including four members of Congress and six members from academia, the religious community, and the human rights community, to review the institute's curricula and instruction. The board would submit an annual report to the Secretary of Defense. The Secretary of Defense would submit an annual report, in coordination with the Secretary of State and the heads of other agencies, to Congress detailing the activities of the institute during the previous calendar year.

The House recedes with an amendment that would name the institute the Western Hemisphere Institute for Security Cooperation; modify the composition of the board of visitors to include the Chairman and Ranking Members of the Armed Services Committees of the Senate and the House of Representatives, or their designees; modify the role of the Secretary of State with regard to the selection of the institute's foreign students; and require the Secretary of Defense to consult only with the Secretary of State in the preparation of the annual report.

Department of Defense regional centers for security studies (sec. 912)

The House bill contained a provision (sec. 909) that would amend title 10, United States Code, to consolidate various authorities that currently exist regarding the operation of Department of Defense (DOD) regional centers for security studies. The provision would also require congressional notification of an intent to establish additional regional centers and an annual report to Congress by the Secretary of Defense on the status, objectives, and operations of the regional centers.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the consolidation requirement and expand the annual report section by requiring that budgetary and international participation information be included in the report. The amendment would also require the first annual report to include any recommendation for legislation that the Secretary considers appropriate for the operation of DOD regional centers.

The conferees note their intent to address next year the full range of issues identified by the Department, taking into account the information contained in the report required by this section.

Change in name of Armed Forces Staff College to Joint Forces Staff College (sec. 913)

The House bill contained a provision (sec. 910) that would amend section 2165 of title 10, United States Code, to change the name of the Armed Forces Staff College to Joint Forces Staff College.

The Senate amendment contained no similar provision.

The Senate recedes.

Special authority for administration of Navy Fisher Houses (sec. 914)

The Senate amendment contained a provision (sec. 908) that would clarify the degree to which the Navy Fisher Houses may be provided common support equivalent to category B community support activities and would permit the current general schedule employees to continue to serve until they leave those positions.

The House bill contained no similar provision.

The House recedes.

Supervisory control of Armed Forces Retirement Home Board by Secretary of Defense (sec. 915)

The Senate amendment contained a provision (sec. 911) that would require the Armed Forces Retirement Home Board to be subject to the authority, direction, and control of the Secretary of Defense on the performance of its responsibilities, and would give the Secretary of Defense authority over appointment and terms of board members, and would make the Chairman of the Retirement Home Board responsible to the Secretary of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would establish the effective date for the provision as the date on which the Secretary of Defense increases the monthly contribution of enlisted and warrant officer personnel from $0.50 to $1.00 per month.

Semiannual report on the Joint Requirements Oversight Council reform initiative (sec. 916)

The Senate amendment contained a provision (sec. 1022) that would require the Chairman of the Joint Chiefs of Staff to submit a semiannual report to the congressional defense committees on specific activities of the Joint Requirements Oversight Council.

The House bill contained no similar provision.

The House recedes with an amendment that would terminate the requirement for this report upon submission of a fifth and final report no later than March 1, 2003. The amendment would establish reporting periods and specific dates for the submission of the required reports and clarifies specific reporting requirements.

Comptroller General review of operations of Defense Logistics Agency (sec. 917)

The Senate bill contained a provision (sec. 1025) that would require the Comptroller General to conduct a review of all the functions of the Defense Logistics Agency to assess their efficiency, their effectiveness in meeting customer needs, their ability to adopt best business practices, and to identify alternative approaches for improving the agency's operations.

The House amendment had no similar provision.

The House recedes.

Comptroller General review of operations of Defense Information Systems Agency (sec. 918)

The Senate amendment contained a provision (sec. 1026) that would require the Comptroller General to conduct a comprehensive review of the operations of the Defense Information Systems Agency and make such recommendations that the Comptroller General determines would improve the support that this agency provides to the military services.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle C—Information Security

Institute for Defense Computer Security and Information Protection (sec. 921)

The Senate amendment contained a provision (sec. 1041) that would require the Secretary of Defense to establish an Institute for Defense Computer Security and Information Protection to conduct research and technology development in the area of information assurance and to facilitate the exchange of information regarding cyberthreats, technology, tools, and other relevant issues. The provision would also authorize $10.0 million for the Institute.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize $5.0 million for the Institute.

Information security scholarship program (sec. 922)

The Senate amendment contained a provision (sec. 1042) that would amend Part III of subtitle A of title 10, United States Code, by establishing an Information Security Scholarship Program. The program would authorize the Secretary of Defense to award grants to institutions of higher education to establish or improve programs in information security and to provide financial assistance to persons pursuing a baccalaureate or advanced degree in information assurance. Grant recipients would incur a government service commitment commensurate with the educational benefit, as determined by the Secretary. The provision would also authorize $20.0 million to support the program.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary to utilize the scholarship program to support associate degrees or certification programs in information security, in addition to baccalaureate or advanced degrees, and would authorize $15.0 million to support the program.

Subtitle D—Reports

Date of submittal of reports on shortfalls in equipment procurement and military construction for reserve components in future-years defense programs (sec. 931)

The Senate amendment contained a provision (sec. 1024) that would amend section 10543 of title 10, United States Code, to specify that the report required by the section be submitted not later than 15 days after the date on which the President submits to Congress the budget for a fiscal year.

The House bill contained no similar provision.

The House recedes.

Report on number of personnel assigned to legislative liaison functions (sec. 932)

The House bill contained a provision (sec. 904) that would require the Secretary of Defense to provide to the Committees on Armed Services of the Senate and the House of Representatives, not later than December 1, 2000, a report identifying all personnel assigned to legislative affairs and legislative liaison functions throughout the military departments and all defense agencies.

The Senate amendment contained no similar provision.

The Senate recedes.

Joint report on establishment of national collaborative information analysis capability (sec. 933)

The House bill contained a provision (sec. 905) that would: (1) require the Secretary of Defense and the Director of Central Intelligence to prepare a joint report assessing alternatives for the establishment of a national collaborative information analysis capability; (2) require the Secretary of Defense to complete the data mining, profiling, and analysis capability of the Army's Land Information Warfare Activity; and (3) restrict funds to establish, support, or implement a data mining and analysis capability until such a capability is specifically authorized by law.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) require the Secretary of Defense and the Director of Central Intelligence to prepare a joint report assessing alternatives for the establishment of a national collaborative information analysis capability; and (2) require the Secretary of Defense to complete the data mining, profiling, and analysis capability of the Army's Land Information Warfare Activity. The amendment would not restrict funds, but would require the Secretary to make appropriate use of such capability to provide support to appropriate national defense components.

Network centric warfare (sec. 934)

The House bill contained a provision (sec. 907) that would require the Secretary of Defense to submit a report to the congressional defense committees outlining the efforts of the Department to define and integrate network centric warfare concepts into its vision for future military operations.

The Senate amendment contained a similar provision (sec. 906) that would require the Secretary of Defense to submit three reports: (1) a report on the implementation of network centric warfare principles; (2) a study on the use of joint experimentation for developing network centric warfare concepts; and (3) a report on science and technology programs to support network centric warfare concepts.

The House recedes with an amendment that would establish a requirement for the Secretary of Defense to submit two reports: (1) a report on implementation of network centric warfare principles; and (2) a study on the use of joint experimentation for developing network centric warfare concepts. The amendment would further clarify specific elements of the information to be included in the reports.

Report on Air Force Institute of Technology (sec. 935)

The Senate amendment contained a provision (sec. 915) that would amend Part III of subtitle D of title 10, United States Code, to codify the Air Force Institute of Technology and provide a sense of the Senate that the Air Force should review the organizational structure and operations of the institute.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Air Force to submit a report to the Committee on Armed Services of the Senate and the House of Representatives on the roles and missions, organizational structure, funding, and operations of the Air Force Institute of Technology as projected through 2010.

Subtitle E—Other Matters

Flexibility in implementation of limitation on major Department of Defense headquarters activities personnel (sec. 941)

The Senate amendment contained a provision (sec. 901) that would repeal the requirement to reduce the number of personnel assigned to major Department of Defense headquarters activities.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 130a of title 10, United States Code, to give the Secretary of Defense the discretion to reduce the required personnel reductions in major Department of Defense headquarters by a cumulative total of 7.5 percent following a certification to Congress that execution of the current 15 percent reductions would adversely impact National Security.

Consolidation of certain Navy gift funds (sec. 942)

The Senate amendment contained a provision (sec. 912) that would authorize the Secretary of the Navy to transfer all amounts in the Naval Historical Center Fund to the Department of the Navy General Gift Fund and to close the Naval Historical Fund. The provision would authorize the Secretary of the Navy to transfer all amounts in the United States Naval Academy Museum Fund to the gift fund maintained for the benefit and use of the United States Naval Academy and to close the United States Naval Academy Museum fund.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Temporary authority to dispose of a gift previously accepted for the Naval Academy (sec. 943)

The Senate amendment contained a provision (sec. 913) that would authorize the Naval Academy to, during fiscal year 2001 and at the request of the donor, transfer a gift previously given to the Naval Academy Gift Fund to another entity.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Defense acquisition workforce

The House bill contained a provision (sec. 902) that would require the Secretary of Defense to implement 13,000 reductions in the Department of Defense acquisition workforce in fiscal year 2001 and would direct the Secretary of Defense to provide a report containing an implementation plan for re-shaping, recruiting, and sustaining the Department's acquisition workforce and any changes in statutory authorities that the Secretary deems necessary.

The Senate amendment contained a provision (sec. 812) that would establish a moratorium on further cuts in the acquisition workforce for three years and require a report on the sufficiency of the acquisition and support workforce of the Department of Defense.

The conference agreement does not include this provision.

National Defense Panel 2001

The Senate amendment contained a provision (sec. 903) that would require the Secretary of Defense to establish a non-partisan, independent panel to be known as the National Defense Panel 2001, to accompany the Quadrennial Defense Review being conducted in 2001.

The House bill contained no similar provision.

The Senate recedes.

Quadrennial National Defense Panel

The Senate amendment contained a provision (sec. 904) that would amend title 10, United States Code, to require that the Secretary of Defense establish, on a recurring basis, every four years in the year preceding the inauguration of a President, a non-partisan, independent panel to be known as the National Defense Panel to complement the Quadrennial Defense Review.

The House bill contained no similar provision.

The Senate recedes.

TITLE X—GENERAL PROVISIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Financial Matters

Transfer authority (sec. 1001)

The House bill contained a provision (sec. 1001) that would provide the reprogramming authority for the transfer of authorized funds made available in Division A of this Act.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Incorporation of classified annex (sec. 1002)

The House bill contained a provision (sec. 1002) that would incorporate the classified annex prepared by the Committee on Armed Services into this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment that would provide that the classified annex prepared by the committee of conference be incorporated into this Act.

Authorization of emergency supplemental appropriations for fiscal year 2000 (sec. 1003)

The House bill contained a provision (sec. 1003) that would authorize the emergency supplemental appropriations enacted in the 2000 Supplemental Appropriations and Rescissions Act (Public Law 106–246) or in title IX of the Department of Defense Appropriations Act, 2001 (Public Law 106–259). The supplemental provided funding for fiscal year 2000 expenses related to military operations in Kosovo, drug interdiction and counter-drug activities, and natural disasters

The Senate amendment contained a similar provision.

The House recedes with a technical amendment.

United States contribution to NATO common-funded budgets in fiscal year 2001 (sec. 1004)

The Senate amendment contained a provision (sec. 1003) that would authorize the U.S. contribution to NATO common-funded budgets for fiscal year 2001, including the use of unexpended balances from prior years. The resolution of ratification for the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary and the Czech Republic contained a provision (section 3(2)(c)(ii)) requiring a specific authorization for U.S. payments to the common-funded budgets of NATO for each fiscal year, beginning in fiscal year 1999, that payments exceed the fiscal year 1998 total.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Limitation on funds for Bosnia and Kosovo peacekeeping operations for fiscal year 2001 (sec. 1005)

The House bill contained a provision (sec. 1005) that would limit the amount of funds authorized to be appropriated for incremental costs of the armed forces for peacekeeping operations in Bosnia and Kosovo in fiscal year 2001 to the amounts contained in the budget request: $1,387.8 million for Bosnia and $1,650.4 million for Kosovo. The provision would authorize the President to waive the limitation after submitting to Congress: (1) a written certification that the waiver is necessary in the national security

interests of the United States and that the exercise of the waiver will not adversely affect the readiness of U.S. military forces; (2) a report setting forth the reasons for the waiver, to include a discussion of the impact of U.S. military involvement in Balkan peacekeeping operations on U.S. military readiness; and (3) a supplemental appropriations request for the Department of Defense for the additional fiscal year 2001 costs associated with U.S. military participation in or support for peacekeeping operations in Bosnia and Kosovo.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Requirement for prompt payment of contract vouchers (sec. 1006)

The Senate amendment contained a provision (sec. 1005) that would require the Secretary of Defense to reduce the backlog of vouchers to be paid by the Defense Finance and Accounting Service to five percent or less of the total Mechanization of Contract Administration Service vouchers received. The provision would further require the Secretary of Defense to submit a report to Congress for any month in which the five percent goal is not met. The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to continue to report to Congress for the next four years.

Plan for the prompt recording of obligations of funds for contractual transactions (sec. 1007)

The Senate amendment contained a provision (sec. 1007) that would require the Secretary of Defense to submit a plan concerning the timely posting of obligations uniformly throughout the Department of Defense.

The House bill contained no similar provisions.

The House recedes with a technical and clarifying amendment.

Electronic submission and processing of claims for contract payments (sec. 1008)

The Senate amendment contained a provision (sec. 1008) that would require the Secretary of Defense to submit a plan to the congressional defense committees by March 31, 2001, for the electronic submission of contract supporting transactions, such as invoices, receiving reports, and certifications. The provision would also require the Secretary to carry out this plan without establishing a specific deadline.

The House bill contained no similar provision.

The House recedes with an amendment that would provide for a waiver in cases where the Secretary determines that the requirement for using electronic means for submitting claims for a particular type of contracts is unduly burdensome and establishes an implementation date of June 30, 2001, that may be waived until October 1, 2002.

Administrative offsets for overpayment of transportation costs (sec. 1009)

The Senate amendment contained a provision (sec. 1009) that would provide a streamlined offset procedure for amounts overpaid for transportation services that are below the simplified acquisition threshold of $100,000. The amounts offset would be credited to the appropriation or accounts that funded the transportation service.

The House bill contained no similar provision.

The House recedes with an amendment that would ensure an appeals process in cases where the vendor challenges the amount of the administrative offset.

Interest penalties for late payments of interim payments due under Government service contracts (sec. 1010)

The Senate amendment contained a provision (sec. 1010A) that would require the payment of interest on vouchers for service received and not paid for more than 30 days.

The House bill contained no similar provision.

The House recedes with a technical and clarifying amendment.

Subtitle B—Naval Vessels and Shipyards

Revisions to national defense features program (sec. 1011)

The House bill contained a provision (sec. 1011) that would amend section 2218 of title 10, United States Code, to permit the payment to a vessel operator, as consideration for making a vessel available to the government, on such terms as the Secretary of Defense or the secretary of a military department and the operator agree, in an amount equal to the cost of maintaining the vessel in a four day reduced operating status (ROS–4) condition in the ready reserve fleet for a period of 25 years.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require a notification to Congress 90 days prior to entering into a contract for national defense features authorized by this provision.

Sense of Congress on the naming of the CVN–77 aircraft carrier (sec. 1012)

The Senate amendment contained a provision (sec. 1058) that would express a sense of Congress that the President designate the final Nimitz-class aircraft carrier, CVN–77, as the U.S.S. Lexington.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Authority to transfer naval vessels to certain foreign countries (sec. 1013)

The Senate amendment contained a provision (sec. 1201) that would authorize the Secretary of the Navy to transfer to various countries on a combined lease-sale basis the following: four Kidd-class destroyers and four Oliver Hazard Perry-class frigates; and, on a grant basis, two Thomaston-class dock landing ships, four Garcia-class frigates, one Dixie-class destroyer tender, and two Knox-class frigates. Any expense incurred by the United States in connection with these transfers would be charged to the recipient. The provision would also: (1) direct that, to the maximum extent possible, the Secretary of the Navy shall require, as a condition of transfer, that repair and refurbishment associated with the transfer be accomplished in a shipyard located in the United States; and (2) stipulate that the authority to transfer these vessels will expire at the end of a two-year period that begins on the date of enactment of the National Defense Authorization Act for Fiscal Year 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the President to transfer to various countries the following: four Oliver Hazard Perry-class frigates on a combined lease-sale basis; and, on a grant basis, two Thomaston-class dock landing ships, four Garcia-class frigates, and two Knox-class frigates.

Authority to consent to retransfer of alternative former naval vessel by Government of Greece (sec. 1014)

The Senate amendment contained a provision (sec. 1212) that would provide authority for the retransfer of ex-LST 325 or any other former U.S. LST that is excess to the needs of the government of Greece.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle C—Counter-Drug Activities

The budget request for drug interdiction and other counter-drug activities of the Department of Defense (DOD) included approximately $1,070.1 million for fiscal year 2001: $836.3 million for the central transfer account, $155.9 million within the operating budgets of the military services for authorized counter-drug operations, and $76.8 million in the military construction account (division B of this Act) for infrastructure improvements at the forward operating locations.

The conferees recommend the following fiscal year 2001 budget for the Department's counter-drug activities.

Drug interdiction & counter-drug activities, operations and maintenance & military construction

[In millions of dollars; may not add due to rounding]

Fiscal Year 2001 Counter-drug Request	$1,070.1
Goal 1 (Dependent Demand Reduction)	22.7
Goal 2 (Support to DLEAs)	89.9
Goal 3 (DOD Personnel Demand Reduction)	74.0
Goal 4 (Drug Interdiction—TZ/SWB)	447.4
Goal 5 (Supply Reduction)	435.9
Increases:	
Caper Focus	6.0
Puerto Rico ROTHR Security	1.0
Southwest Border Fence	5.0
Tethered Aerostat	10.0
National Guard Counter-drug Activities	25.0
Global Hawk	18.0
Other counter-narcotics activities	23.1
Decreases:	
Air National Guard Fighter Counter-Drug Operations	5.0
Carribean Law Enforcement Support	3.0
Patrol Coastal Upgrades	3.0
Mexico Counter-Drug Support	3.0
Plan Colombia	41.4
Forward Operating Locations(division B)	76.8
Emergency Supplemental Appropriations Act, 2000 (division B of Public Law 106–246	270.6
Forward Operating Locations	116.5
Plan Colombia	154.1
Fiscal Year 2001 Counter-drug Funding	1,026.0

National Guard counter-drug activities

The conferees agree to authorize an increase of $25.0 million for the counter-drug activities of the National Guard including regional counter-drug training operations such as the Regional Counter-Drug Training Academy, and the Northeast Counter-Drug Training Center.

Global Hawk

The conferees agree to authorize $18.0 million for the concept demonstration of the Global Hawk unmanned aerial vehicle in a counter-drug role as required in title II this bill.

Other

The conferees agree to authorize $23.1 million for additional high-value counter-narcotics activities of the Department of Defense.

Caribbean law enforcement support

The budget request included $6.7 million for assistance to law enforcement agencies of Carribean nations. The conferees agree to authorize a decrease of $3.0 million for this activity. The conferees expect the Department of State to provide support for this activity in the future.

Plan Colombia

The conferees agree to authorize a decrease of $41.4 million for Plan Colombia to reflect the fact that these funds were provided through the Emergency Supplemental Appropriations Act, 2000 (division B of Public Law 106–246).

Forward operating locations

The conferees agree to authorize a decrease of $76.8 million, as indicated in division B of this Act, for forward operating locations to reflect the fact that these funds were provided through the Emergency Supplemental Appropriations Act, 2000 (division B of Public Law 106–246).

Extension of authority to provide additional support for counter-drug activities of Colombia (sec. 1021)

The Senate amendment contained a provision (sec. 1011) that would extend through fiscal year 2006 the authority for the Department of Defense to provide counter-drug assistance to the Government of Colombia. The provision would also increase the level of resources authorized to be expended through this authority to $40.0 million each fiscal year.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the extension of the current program for Colombia through fiscal year 2006.

Report on Department of Defense expenditures to support foreign counter-drug activities (sec. 1022)

The House bill contained a provision (sec. 1021) that would require the Secretary of Defense to provide the congressional defense committees with a report that details the expenditure of funds by the Secretary during fiscal year 2000 in direct or indirect support of the counter-drug activities of foreign governments.

The Senate amendment contained no similar provision.

The Senate recedes.

Recommendations on expansion of support for counter-drug activities (sec. 1023)

The Senate amendment contained a provision (sec. 1012) that would require the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and House of Representatives that would outline the Secretary's recommendations on expanding the Department of Defense counter-drug authorities under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85).

The House bill contained no similar provision.

The House recedes.

Review of riverine counter-drug program (sec. 1024)

The Senate amendment contained a provision (sec. 1013) that would require the Secretary of Defense, acting through the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, to review the riverine counter-drug program and provide a report to Congress on the results of that review. The report should include an assessment of the effectiveness of the program for each country receiving support and a recommendation regarding which of the armed forces, units of the armed forces, or other organizations within the Department of Defense should be responsible for managing the program.

The House bill contained no similar provision.

The House recedes.

Report on tethered aerostat radar system (sec. 1025)

The House bill contained a provision (sec. 1022) that would require the Secretary of Defense, in consultation with the Commissioner of Customs, to provide Congress with a report on the status of the tethered aerostat radar system used to conduct counter-drug detection and monitoring, and border security and air sovereignty operations.

The Senate amendment contained a provision (sec. 315) that would authorize $33.0 million for continued operation and standardization of the tethered aerostat radar system.

The Senate recedes with an amendment that would require the Secretary of Defense to consult with the Secretary of the Treasury in the preparation of the report.

The conferees also agree to authorize an increase of $10.0 million for this program in the central transfer account, and an increase of $8.5 million for this program in title III of this Act.

Sense of Congress regarding use of the armed forces for counter-drug and counter-terrorism activities (sec. 1026)

The House bill contained a provision (sec. 1041) that would authorize the use of military personnel to assist the Immigration and Naturalization Service and the Customs Service in preventing the entry of terrorists, drug traffickers, weapons of mass destruction, illegal narcotics and related items into the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that the President, as provided for under current law, should be able to use military personnel to assist law enforcement agencies in preventing the entry of terrorists, drug traffickers, weapons of mass destruction, illegal narcotics and related items into the United States. This provision would not supercede section 375 of title 10, United States Code, which specifically prohibits ''direct participation by a member of the Army, Navy, Air Force, or Marine Corps in a search, seizure, arrest, or other similar activity,'' or section 1385 of title 18, United States Code, which specifically prohibits the use of the military to execute the laws.

The conferees note that sections 373 and 374 of title 10, United States Code, allow the Secretary of Defense to make military personnel available to train, advise, and assist federal, state, and local civilian law enforcement agencies through the operation of equipment in support of enforcement activities, including counter-terrorism and counter-narcotics.

Subtitle D—Counterterrorism and Domestic Preparedness

Preparedness of military installation first responders for incidents involving weapons of mass destruction (sec. 1031)

The Senate amendment contained a provision (sec. 1023) that would direct, not later than 90 days after the date of enactment of this act, the Secretary of Defense to submit to Congress a report on the program of the Department of Defense (DOD) to ensure the preparedness of DOD first responders for incidents involving weapons of mass destruction on military installations. The provision would direct the Secretary to include within the report the following: (1) a detailed description of the program; (2) the schedule and costs associated with the implementation of the program; (3) how the program is being coordinated with first responders in the communities in the localities of the installations; (4) and the plan for promoting the interoperability of the equipment used by first responders on DOD installations with the equipment used by the first responders in the local communities.

The House bill contained no similar provision.

The House recedes with an amendment that would require the report to include a description of deficiencies in the preparedness of DOD installations to respond to a weapon of mass destruction incident and the plans of the Department to correct those deficiencies.

Additional weapons of mass destruction civil support teams (sec. 1032)

The House bill contained a provision (sec. 1038) that would authorize the Secretary of Defense to establish up to five additional Weapons of Mass Destruction Civil Support Teams (WMD–CSTs) (for a total of 32), to the extent that sources of funding for such additional teams are identified.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment specifying that the Secretary shall establish five additional WMD–CSTs (for a total of 32). The amendment also would remove language stating that the Secretary shall establish the teams only to the extent that sources of funding are identified. The conferees note that $15.7 million is authorized, as noted elsewhere in this report, to fund the five additional WMD–CSTs.

Authority to provide loan guarantees to improve domestic preparedness to combat cyberterrorism (sec. 1033)

The House bill contained a provision (sec. 1036) that would authorize the Secretary of Defense, subject to appropriations, to guarantee the repayment of loans, up to $10.0 million with respect to all borrowers, for qualified commercial firms to improve their information security in ways that improve the information assurance of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify that the Secretary of Defense can contract out to a private entity for administration of the loan guarantee program, but not for the guarantees themselves.

Report on the status of domestic preparedness against the threat of biological terrorism (sec. 1034)

The Senate amendment contained a provision (sec. 1028) that would require the President to prepare a report on the status of domestic preparedness against the threat of biological terrorism. The report shall be delivered to the Congress not later than March 31, 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to prepare, in consultation with the Director of Central Intelligence, an intelligence estimate assessing the threat to the United States posed by a terrorist using a biological weapon. The intelligence estimate will also include an assessment of the relative consequences of a biological terrorist attack compared to attacks using other types of weapons. The Secretary shall submit the intelligence estimate to Congress not later than March 1, 2001.

Report on strategy, policies, and programs to combat domestic terrorism (sec. 1035)

The conferees continue to be concerned about the threat of domestic terrorism, particularly involving the use of weapons of

mass destruction (WMD), and the ability of the Federal Government to counter this threat. The conferees note that the Comptroller General has published a series of reports on federal programs to combat domestic terrorism, documenting the progress and problems in organizing and preparing to respond to a domestic terrorist incident.

The conferees agree to a provision that would require the Comptroller General to provide an updated report to Congress, not later than 180 days after enactment of this Act, on federal strategy, policy and programs to combat domestic terrorism. The conferees direct the Comptroller General to include in the report on combating domestic terrorism a discussion of the following issues: lead agency responsibility for crisis and consequence management; adequacy of existing plans formulated by the various federal agencies; threat and risk assessments; command and control structures; exercises, including a thorough assessment of the recent Top Official Exercise 2000; cyberterrorism; and research and development efforts of new technologies.

Subtitle E—Strategic Forces

Revised nuclear posture review (sec. 1041)

The Senate amendment contained a provision (sec. 1015) that would require the Secretary of Defense, in consultation with the Secretary of Energy, to conduct a comprehensive review of the nuclear posture of the United States for the next 5 to 10 years.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees direct the Secretary of Defense, in conducting the revised nuclear posture review, to consult with the Secretary of Energy only on those matters that relate to the nuclear weapons stockpile. The conferees urge the Secretary of Defense to consider, in conducting the revised nuclear posture review, the results of the report on strategic stability under START III, as required by section 1503 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

Plan for the long-term sustainment and modernization of United States strategic nuclear forces (sec. 1042)

The Senate amendment contained a provision (sec. 1016) that would require the Secretary of Defense, in consultation with the Secretary of Energy, to develop a long-range plan for the sustainment and modernization of United States strategic nuclear forces to counter emerging threats and to satisfy the evolving requirements of deterrence.

The House bill contained no similar provision.

The House recedes.

The conferees direct the Secretary of Defense, in preparing the plan, to consult with the Secretary of Energy only on those matters that relate to the nuclear weapons stockpile.

Modification of scope of waiver authority for limitation on retirement or dismantlement of strategic nuclear delivery systems (sec. 1043)

The Senate amendment contained a provision (sec. 1017) that would: (1) amend section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to clarify that the waiver contained in that section applies to all of the strategic nuclear delivery systems specified in section 1302(a); and (2) following completion of a new nuclear posture review, allow the President to waive the limitation on retirement or dismantlement of strategic nuclear delivery systems if the President determines that it is in the national security interests of the United States to do so.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 to modify the waiver contained in that section to apply to all of the strategic nuclear delivery systems specified in section 1302(a).

Report on the defeat of hardened and deeply buried targets (sec. 1044)

The Senate amendment contained a provision (sec. 1018) that would require the Secretaries of Defense and Energy to assess requirements and options for defeating hardened and deeply buried targets. The provision would expressly authorize the Department of Energy (DOE) to conduct any limited research and development that may be necessary to complete such assessments.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that a recent legal interpretation of existing law raised questions regarding whether DOE could participate in or otherwise support certain Department of Defense (DOD) studies and options assessments for defeating hardened and deeply buried targets. This expressly allows DOE to assist DOD with a review of these targets and the options for defeating such targets. The conferees believe that DOE should provide information and other assistance required to help DOD make informed decisions on whether: (1) to proceed with a new method of defeating hardened and deeply buried targets; and (2) to seek any necessary modifications to existing law.

The conferees are concerned that the ability to defeat hardened and deeply buried targets will continue to be a significant challenge for the foreseeable future.

Sense of Congress on the maintenance of the Strategic Nuclear Triad (sec. 1045)

The Senate amendment contained a provision (sec. 1019) that would express a sense of the Senate that, in light of the potential for further arms control agreements with the Russian Federation limiting strategic forces: (1) it is in the national interest of the United States to maintain a robust and balanced triad of strategic nuclear delivery systems; and (2) reductions to U.S. conventional bomber capability are not in the national interest of the United States.

The House bill contained no similar provision.

The House recedes with an amendment that would express a sense of Congress on this matter.

Subtitle F—Miscellaneous Reporting Requirements

Management review of working-capital fund activities (sec. 1051)

The Senate amendment contained a provision (sec. 1030) that would require the Comptroller General to review working-capital fund activities and identify potential process or policies that would result in more efficient and economical operations of those activities.

The House bill amendment contained no similar provision.

The House recedes.

Report on submarine rescue support vessels (sec. 1052)

The Senate amendment contained a provision (sec. 1031) that would require the Secretary of the Navy to report on the plan for providing submarine rescue support vessels through fiscal year 2007.

The House bill contained no similar provision.

The House recedes.

Report on Federal Government progress in developing information assurance strategies (sec. 1053)

The Senate amendment contained a provision (sec. 1032) that would require the Federal Government to report on the status of implementation of information assurance strategies outlined in Presidential Decision Directive Number 63 and the roles and responsibilities of the Department of Defense in defending against attacks on the critical infrastructure of the United States.

The House bill contained no similar provision.

The House recedes with a clarifying amendment on the scope, timing, and requirements of the information reported to Congress.

Department of Defense process for decision-making in cases of false claims (sec. 1054)

The Senate amendment contained a provision (sec. 1065) that would require the Secretary of Defense to submit to Congress a report describing the policies and procedures for Department of Defense decisionmaking under the Civil False Claims Act (31 U.S.C. 3729 et seq.) and any changes made in the policies and procedures since January 1, 2000.

The House bill contained no similar provision.

The House recedes with an amendment requiring that the report also address the manner in which the policies and procedures have been implemented.

Subtitle G—Government Information Security Reform

Government information security reform (secs. 1061–1065)

The Senate amendment contained a series of provisions (secs. 1401–1405) that would provide for reform of federal information security practices.

The House bill contained no similar provision.

The House recedes with an amendment that would simplify audit and evaluation requirements and would clarify the roles and responsibilities of the Department of Defense (DOD).

The amendment would establish a new subchapter of title 44, United States Code, addressing the responsibilities of the Office of Management and Budget (OMB) and federal agencies in the area of information security. This new subchapter would remain in effect for two years after the effective date of the provision. The amendment would provide specific guidance on the responsibilities of certain agencies including the DOD. The amendment would also address the relationship between the defense information assurance program established under section 2224, title 10, United States Code, and the government-wide information security program.

The conferees note that the conference agreement would provide the DOD authority to implement its own information assurance policy in accordance with the requirements of section 2224, title 10, United States Code. The amendment would require the Director of OMB to delegate policy and oversight authority with regard to national security systems, classified systems, and other critical information systems of the Department of Defense and Intelligence Community to the Secretary of Defense, the Director of Central Intelligence, and, if designated by the President, an additional agency head. These agencies would be directed to develop their own information security policies, principles, standards, and guidelines. For the DOD, these policies, principles, standards and guidelines would be required to cover the full range of information assurance issues addressed in section 2224 of title 10, United States Code.

Subtitle H—Security Matters

Limitation on granting of security clearances (sec. 1071)

The Senate amendment contained a provision (sec. 1074) that would prohibit any officer, employee, or contractor of the Department of Defense, or any member of the armed forces, from receiving a security clearance if that person: (1) has been convicted in any court within the United States and sentenced to imprisonment for a term exceeding 1 year; (2) is an unlawful user of, or addicted to any controlled substance; (3) is currently mentally incompetent; or (4) has been discharged from the armed forces under dishonorable conditions.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense or the secretaries of the military departments to waive this provision in meritorious cases for persons who would otherwise be prohibited from receiving a security clearance.

Process for prioritizing background investigations for security clearances for Department of Defense personnel and defense contractor personnel (sec. 1072)

The Senate amendment contained a provision (sec. 1043) that would require the Secretary of Defense to establish a process for prioritizing background investigations for security clearances for Department of Defense personnel.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to establish a process for prioritizing background investigations for security clearances for Department of Defense personnel and contractors of the Department of Defense.

Authority to withhold certain sensitive information from public disclosure (sec. 1073)

The Senate amendment contained a provision (sec. 1044) that would authorize the Secretary of Defense, the Secretary of Transportation, and the Secretary of Energy to withhold from public disclosure otherwise authorized by law sensitive information provided by a foreign government or an international organization which is itself protecting the information from disclosure. The provision would not authorize the withholding of information from Congress or, except in the case of foreign intelligence or counterintelligence activities, the Comptroller General.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Expansion of authority to exempt geodetic products of the Department of Defense from public disclosure (sec. 1074)

The Senate amendment contained a provision (sec. 916) that would expand the authority of the Secretary of Defense to exempt geodetic products from public disclosure.

The House bill contained no similar provision.

The House recedes.

Expenditures for declassification activities (sec. 1075)

The House bill contained a provision (sec. 1035) that would: (1) Clarify section 230 of Title 10, United States Code; (2) limit the amount of funds expended during fiscal year 2001 by the Department of Defense to carry out declassification activities; and (3) prohibit the Department of Defense, as part of a special search, from being required to compile records that have already been declassified.

The Senate amendment contained no similar provision.

The Senate recedes.

Enhanced access to criminal history record information for national security and other purposes (sec. 1076)

The Senate amendment contained a provision (sec. 1057) that would amend section 9101 of title 5, United States Code, to provide expanded access to criminal history information by the Department of Defense and certain other executive departments and agencies. The provision would expand the authority to cover acceptance or retention in the armed forces, and appointment, retention, or assignment to a position of public trust or a critical employee. It would also authorize the Federal Government to obtain the information through the use of common identifiers, such as names, and would prohibit states and localities from conditioning the provision of such information on indemnification agreements.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the authorization of the use of common identifiers and the prohibition on the requirement of indemnification agreements, and would repeal a superseded provision of law.

Two-year extension of authority to engage in commercial activities as security for intelligence collection activities (sec. 1077)

The Senate amendment contained a provision (sec. 1071) that would extend the authority provided by section 431(a) of Title 10, United States Code, by two years.

The House bill contained no similar provision.

The House recedes.

Coordination of nuclear weapons secrecy policies and consideration of health of workers at former Department of Defense nuclear facilities (sec. 1078)

The Senate amendment contained a provision (sec. 1077) that would: (1) Require the Secretary of Defense, in consultation with the Secretary of Energy, to ensure that secrecy policies do not prevent or discourage employees at former nuclear weapons facilities who may have been exposed to radioactive or other hazardous substances from discussing such exposures with appropriate health care providers; and (2) seek to identify individuals who are or were employed at sites that no longer store, assemble, disassemble, or maintain nuclear weapons, and, upon determination that such individuals may have been exposed to radioactive or hazardous substances, notify such individuals about any such exposure, including an explanation of how employees can discuss exposures with health care providers.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that the Department of Defense operates a number of sites not engaged in the manufacture or storage of nuclear weapons that may nonetheless have exposed workers to hazardous substances. The conferees agree that the Secretary of Defense shall address in the review and notifications described in this provision workers exposed to radioactive or other hazardous materials at all such facilities where secrecy policies may otherwise pose an obstacle to seeking medical advice and treatment.

Subtitle I—Other Matters

Funds for administrative expenses under Defense Export Loan Guarantee program (sec. 1081)

The House bill contained a provision (sec. 1031) that would amend section 2540c of title 10, United States Code, to provide authority to the Secretary of Defense to fund administrative expenses under the Defense Export Loan Guarantee (DELG) Program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to submit to the Congress a report on the operation of the DELG Program and a determination as to which Defense Department agency, office, or other activity should administer, manage, and oversee the loan guarantee program. The conferees direct the Secretary to submit the report and determination to Congress prior to providing funds for DELG Program administrative expenses.

The conferees note that during four years of loan program operations, the Secretary has provided limited, ad hoc resources to implement the program. The conferees urge the Secretary to take such actions as directed so as to utilize expeditiously the authority to fund administrative expenses for the DELG Program.

Transit pass program Department of Defense personnel in poor air quality areas (sec. 1082)

The Senate amendment contained a provision (sec. 1055) that would direct the Secretary of Defense to, within 180 days of enactment of this Act, implement the transit pass program authorized in section 7905 of title 5, United States Code, in any area in the United States that does not meet the revised national ambient air quality standards under section 109 of the Clean Air Act (42 U.S.C. 7409).

The House bill contained no similar provision.

The House recedes.

Transfer of Vietnam-era TA–4 aircraft to a non-profit foundation (sec. 1083)

The House bill contained a provision (sec. 1033) that would authorize the transfer of an excess TA–4 aircraft to the non-profit Collings Foundation at no cost to the government.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that the Collings Foundation demilitarize the aircraft within one year.

Transfer of 19th century cannon to museum (sec. 1084)

The House bill contained a provision (sec. 1034) that would authorize the Secretary of the Army to convey to the Cannonball House Museum in Macon, Georgia, a 12–pound Napoleon cannon with historical ties to the City of Macon.

The Senate amendment contained a similar provision (sec. 1059).

The Senate recedes with a clarifying amendment.

Fees for providing historical information to the public (sec. 1085)

The Senate amendment contained a provision (sec. 1056) that would authorize the secretaries of the military departments to charge the public fees for providing historical information from the services historical centers or agencies. These fees could be retained by the military departments to defray the costs of responding to requests for such information. The fees charged pursuant to this section could not exceed the costs of providing the information, and would not apply to requests from members of the armed forces or federal employees made in the course of their duties, or to requests under the Freedom of Information Act (5 U.S.C. 552).

The House bill contained no similar provision.

The House recedes.

The conferees direct the Comptroller General to provide a report to the Committees on Armed Services of the Senate and House of Representatives one year after the implementation of this provision by the military departments. The report should provide data on the fees collected for such information, and compare those sums with the actual costs to each military department of responding to such requests.

Grants to American Red Cross for Armed Forces emergency services (sec. 1086)

The Senate amendment contained a provision (sec. 1054) that would authorize the Secretary of Defense to make a grant to the American Red Cross up to $9.4 million in each of fiscal years 2001, 2002, and 2003. Such a grant could not be made until the American Red Cross certifies that it will expend, for the Armed Forces Emergency Services, an amount from non-federal sources that equals or exceeds the amount of the grant.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Technical and clerical amendments (sec. 1087)

The House bill contained a provision (sec. 1032) that would make various technical and clerical amendments to existing law.

The Senate amendment contained similar provisions (secs. 602 and 1052).

The Senate recedes with an amendment that would combine the provisions.

Maximum size of parcel post packages transported overseas for Armed Forces post offices (sec. 1088)

The Senate amendment contained a provision (sec. 1060) that would increase the authorized size of packages permitted to be mailed to eligible patrons of military post offices overseas to conform with those of the United States Postal Service.

The House bill contained no similar provision.

The House recedes.

Sense of Congress regarding tax treatment of members receiving special pay for duty subject to hostile fire or imminent danger (sec. 1089)

The Senate amendment contained a provision (sec. 1064) that would express a sense of the Senate that members of the armed forces who receive special pay for duty subject to hostile fire or imminent danger should receive the same tax treatment as members serving in combat zones.

The House bill contained no similar provision.

The House recedes with an amendment that would express the sense of Congress that tax treatment should be the same for special pay for duty subject to hostile for imminent danger and combat zone pay.

Organization and management of the civil air patrol (sec. 1090)

The House bill contained a provision (sec. 906) that would codify the agreement recently reached between the Secretary of the Air Force and the leadership of the Civil Air Patrol regarding the Civil Air Patrol's status as a volunteer civilian auxiliary of the Air Force.

The Senate amendment contained a similar provision.

The Senate recedes with an amendment that would not allow contract employees of the Air Force to commit federal resources in support of the Civil Air Patrol.

The amendment would also not require a minimum salary for these contract employees.

Additional duties for the Commission to Assess United States National Security Space Management and Organization (sec. 1091)

The Senate amendment contained a provision (sec. 907) that would amend section 1622 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to specify additional duties for the Commission to Assess United States National Security Space Management and Organization.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Commission on the future of the United States aerospace industry (sec. 1092)

The House bill contained a provision (sec. 1039) that would require the President to establish a commission to assess the future of the U.S. aerospace industry and to recommend actions to be taken by the Federal Government to support the ability of the U.S. aerospace industry to remain robust in the future.

The Senate amendment contained a similar provision (sec. 1061).

The House recedes with an amendment that would clarify the scope and requirements of the study. The conferees intend for the commission to provide guidance and insight to the next Administration as early as possible. Accordingly, the commission should plan to submit an interim report to the administration and the Congress outlining the areas the commission proposes to review and any preliminary findings.

Drug addiction treatment (sec. 1093)

The conference agreement includes a provision that would permit certain physicians to prescribe certain narcotic drugs to assist in combating heroin addiction.

LEGISLATIVE PROVISIONS NOT ADOPTED

Annual OMB/CBO joint report on scoring budget outlays

The Senate amendment contained a provision (sec. 1004) that would make minor administrative changes to the joint annual Office of Management and Budget/Congressional Budget Office (OMB/CBO) report on the scoring of budget outlays.

The House bill amendment contained no similar provision.

The Senate recedes.

Authority to provide headstones or markers for marked graves or otherwise commemorate certain individuals

The Senate amendment contained a provision (sec. 1067) that would require the Secretary of Veterans Affairs to, upon request, provide a headstone or marker for the marked or unmarked grave of the individual or at some other area appropriate for the purpose of commemorating the individual.

The House bill contained no similar provision.

The Senate recedes.

Breast cancer stamp extension

The Senate amendment contained a provision (sec. 1073) that would extend by two years the authorization for the breast cancer semipostal stamp.

The House bill contained no similar provision.

The Senate recedes.

Comprehensive study and support for criminal investigations and prosecutions by state and local law enforcement officials

The Senate amendment contained a provision (sec. 1068) that would require the Comptroller General to collect data and conduct a study of comparative treatment of hate crimes in jurisdictions having laws dealing specifically with such crimes and those having no such laws, and to submit a report to Congress. The provision would further authorize the Attorney General, upon request and where special circumstances existed, to provide assistance in the criminal investigation or prosecution of any hate crime. The Attorney General would be further authorized to make grants to states and localities to assist them in the investigation and prosecution of hate crimes.

The House bill contained no similar provision.

The Senate recedes.

Local Law Enforcement Enhancement Act of 2000

The Senate amendment contained several provisions (sec. 1501–1510) that would constitute the ''Local Law Enforcement Act of 2000.'' The Attorney General, at the request of a state or Indian tribe law enforcement official, could provide assistance in the investigation or prosecution of certain hate crimes. The Attorney General could also award grants to state, local, and Indian tribe law enforcement officials to assist with the investigation and prosecution of such crimes. Chapter 13 of title 18, United States Code, would be amended to establish a substantive federal prohibition of certain specific hate crime acts. No prosecution could be undertaken under this provision without certification from the Attorney General or certain other officials of the Department of Justice.

The House bill contained no similar provision.

The Senate recedes.

Plan to ensure compliance with financial management requirements

The House bill contained a provision (sec. 1006) that would require the Secretary of Defense to submit to the Congress a plan to ensure compliance by the Department of Defense, not later than October 1, 2001, with all statutory and regulatory financial management requirements.

The Senate amendment contained no similar provision.

The House recedes.

Protection of operational files of the Defense Intelligence Agency

The Senate amendment contained a provision (sec. 1045) that would authorize the Secretary of Defense to withhold from public disclosure the operational files of the Defense Intelligence Agency (DIA). These files would be protected from disclosure to the same extent as provided for under section 701 of the National Security Act of 1947 (50 U.S.C. 431). The provision would also make applicable to these files the decennial review of provisions of section 702 of that Act (50 U.S.C. 432), with the Secretary exercising the authority granted to the Director of Central Intelligence under that section.

The House bill contained no similar provision.

The Senate recedes.

Repeal of certain provisions shifting outlays from one fiscal year to another

The House bill contained a provision (sec. 1004), that would repeal two provisions of the Department of Defense Appropriations Act for Fiscal Year 2000 (Public Law 106–79) concerning the Prompt Payment Act and the shifting of pay days for federal employees. The conferees note that similar provisions were enacted into law in the Emergency Supplemental Appropriations Act, 2000 (Public Law 106–246).

The Senate amendment contained similar provisions (secs. 1006 and 1010).

The House and Senate recede.

Report to the Congress regarding extent and severity of child poverty

The Senate amendment contained a provision (sec. 1062) that would require the Secretary of Health and Human Services to, not later than June 1, 2001, report to the Congress on the extent and severity of child poverty in the United States.

The House bill contained no similar provision.

The Senate recedes.

Sense of the Senate concerning long-term economic development aid for communities rebuilding from hurricane Floyd

The Senate amendment contained a provision (sec. 1066) that would express the sense of the Senate that additional community and regional development funding should be appropriated to assist communities in need of long-term economic development aid as a result of damage suffered by Hurricane Floyd.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that additional economic assistance for the victims of natural disasters was provided in the Emergency Supplemental Act, 2000 (Public Law 106–246).

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Civilian Personnel Management Generally

Employment and compensation of employees for temporary organizations established by law or executive order (sec. 1101)

The House bill contained a provision (sec. 1101) that would provide legislative and executive agencies the flexibility to use a streamlined process to hire and pay employees for temporary organizations established by law or executive order.

The Senate amendment contained a similar provision (sec. 1106).

The House recedes with an amendment that would limit the term of the management flexibility to three years, would designate the head of the temporary activity as the appointing authority for the temporary employees, and would limit the health and life insurance benefits to the same benefit as that afforded other temporary civil service employees.

Assistive technology accommodations program (sec. 1102)

The Senate amendment contained a provision (sec. 1101) that would authorize the Secretary of Defense to expand the Computer/Electronic Accommodations Program to provide assistive technology services to any department or agency of the Federal Government.

The House bill contained no similar provision.

The House recedes with an amendment that would restore the funding for this program to the Defense Health Program.

Extension of authority for voluntary separations in reductions in force (sec. 1103)

The House bill contained a provision (sec. 1104) that would extend, until September 30, 2005, the authority of the Secretary of Defense to allow certain civilian employees to volunteer for separation under reduction in force procedures even though those employees would not otherwise be subject to separation.

The Senate amendment contained a similar provision (sec. 1107).

The House recedes.

Electronic maintenance of performance appraisal systems (sec. 1104)

The Senate amendment contained a provision (sec. 1108) that would authorize the head of an executive branch agency to administer and to maintain the performance appraisal system electronically.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Study on civilian personnel services (sec. 1105)

The Senate amendment contained a provision (sec. 1112) that would require the Secretary of Defense to establish a four-year public-private competition pilot program to assess the extent to which the effectiveness and efficiency of providing civilian personnel services could be increased by conducting competitions for the performance of such services between the public and private sectors.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to study whether civilian personnel services could be enhanced by public-private competition and report to the Committees on Armed Services of the Senate and the House of Representatives, and include, if appropriate, a proposal for a demonstration program that would test such a concept.

Subtitle B—Demonstration and Pilot Programs

Pilot program for reengineering the equal employment opportunity complaint process (sec. 1111)

The House bill contained a provision (sec. 1106) that would authorize the Secretary of the Navy to carry out a five-year pilot program to demonstrate improved processes for the resolution of equal employment opportunity complaints.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to conduct a three-year pilot program to demonstrate improved processes for the resolution of equal employment opportunity complaints in a minimum of one military department and two defense agencies, and would require a report to the Committees on Armed Services of the Senate and the House of Representatives not later than two years after initiation of the pilot program.

Work safety demonstration program (sec. 1112)

The Senate amendment contained a provision (sec. 1105) that would direct the Secretary of Defense to conduct a two-year work safety demonstration program in which private sector work safety models would be used to determine whether the work safety record of civilian employees of Department of Defense can be improved.

The House bill contained no similar provision.

The House recedes.

Extension, expansion, and revision of authority for experimental personnel program for scientific and technical personnel (sec. 1113)

The Senate amendment contained a provision (sec. 1113) that would extend, expand, and revise the authority for the experimental civilian personnel program for scientific and technical personnel previously authorized in section 1101 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to expand the number of positions in the Defense Advanced Research Projects Agency from 20 to 40 and would extend the authority to the military departments for use in the defense laboratories, the National Imagery and Mapping Agency, and the National Security Agency.

The House bill contained no similar provision.

The House recedes.

Clarification of personnel management authority under personnel demonstration project (sec. 1114)

The Senate amendment contained a provision (sec. 1114) that would provide direct hiring authority to the defense laboratory directors to appoint individuals and fix their compensation without the review or approval of any official or agency other than the Under Secretary of Defense for Acquisition, Technology and Logistics.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense to establish and to operate demonstration programs in the defense laboratories without the review or approval of the Office of Personnel Management and would raise the limit on compensation that may be provided to laboratory employees under a demonstration project. The amendment would authorize the Secretary of Defense to appoint individuals and fix their compensation without the review or approval of the Office of Personnel Management or any other outside official or agency.

The conferees believe that this is the single most important step the Secretary of Defense could take to enable the defense laboratories to compete with the private sector for scientific talent, and that the applicable requirements could adequately be addressed through after-the-fact review. The conferees urge the Secretary of Defense to provide the laboratory directors with direct hiring authority, as authorized by this section.

Subtitle C—Educational Assistance

Restructuring the restriction on degree training (sec. 1121)

The House bill contained a provision (sec. 1102) that would authorize the Secretary of Defense to pay tuition for a civilian employee to obtain an academic degree if that degree training occurs at an accredited institution and is part of a planned Department of Defense professional development program.

The Senate amendment contained a similar provision (sec. 1118).

The Senate recedes.

Student loan repayment programs (sec. 1122)

The Senate amendment contained a provision (sec. 1069) that would require the Director of the Office of Personnel Management to, not later than 240 days after enactment of this Act, issue regulations that would implement the student loan repayment program, would eliminate the restriction on repayment of student loans to professional, technical, or administrative personnel, and would include federal student loan repayment programs established since enactment of earlier statutory authority.

The House bill contained no similar provision.

The House recedes.

Extension of authority for tuition reimbursement and training for civilian employees in the defense acquisition workforce (sec. 1123)

The House bill contained a provision (sec. 1103) that would extend the ''shortage of personnel'' designation for qualified civilian acquisition personnel of the Department of Defense until September 30, 2005, in order to permit such personnel to qualify for reimbursement of expenses for training and tuition.

The Senate amendment contained a similar provision (sec. 1104).

The House recedes.

Subtitle D-Other Benefits

Additional special pay for foreign language proficiency beneficial for United States national security interests (sec. 1131)

The Senate amendment contained a provision (sec. 1102) that would authorize the Secretary of Defense to provide additional pay for civilian employees who maintain a foreign language proficiency determined to be beneficial for national security interests.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the additional pay for maintaining proficiency in a foreign language to those who agree to deploy to an area in which the foreign language is determined to be critical to the national security interests.

Approval authority for cash awards in excess of $10,000 (sec. 1132)

The Senate amendment contained a provision (sec. 1109) that would authorize the Secretary of Defense to grant a cash award up to the maximum of $25,000 without seeking approval from the Office of Personnel Management.

The House bill contained no similar provision.

The House recedes.

Leave for crews of certain vessels (sec. 1133)

The Senate amendment contained a provision (sec. 1110) that would authorize the Military Sealift Command to pay civil service mariners, in an extended leave status, a lump-sum equal to the difference between their pay at a temporary promotion rate and their lower permanent grade rates.

The House bill contained no similar provision.

The House recedes.

Life insurance for emergency essential Department of Defense employees (sec. 1134)

The Senate amendment contained a provision (sec. 1111) that would authorize civilian employees designated by the Secretary of Defense as emergency essential and subject to being deployed to combat areas to elect to participate in the Federal Employees Group Life Insurance program.

The House bill contained no similar provision.

The House recedes.

Subtitle E—Intelligence Civilian Personnel

Expansion of defense civilian intelligence personnel system positions (sec. 1141)

The House bill contained a provision (sec. 1105) that would authorize the Secretary of Defense to create positions within the defense civilian intelligence personnel system outside the designated intelligence components of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes.

Increase in number of positions authorized for the Defense Intelligence Senior Executive Service (sec. 1142)

The Senate amendment contained a provision (sec. 1103) that would increase, by 25, the number of positions authorized for the defense intelligence senior executive service.

The House bill contained no similar provision.

The House recedes.

The conferees note that the 25 additional positions are authorized for the entire defense intelligence community and are not intended to be allocated to any single agency within the defense intelligence community. The conferees direct the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 15, 2001, on how the additional senior executive service positions are allocated within the defense intelligence community.

Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

Voluntary separation incentive pay and early retirement authority (secs. 1151–1153)

The House bill contained a provision (sec. 1107) that would provide temporary authority to the Secretary of the Air Force to use voluntary separation incentives and voluntary early retirement authority for restructuring the work force to separate up to 1000 civilian employees during each calendar year through December 31, 2003.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide temporary authority to the Secretary of Defense to use voluntary separation incentives and voluntary early retirement authority for workforce restructuring to meet mission needs, achieve one or more strength reductions, correct skill imbalances or reduce the number of high-grade, managerial, or supervisory positions. The temporary authority to use the voluntary separation incentives in fiscal year 2001 is limited to 1000 employees. The temporary authority to use voluntary separation incentives and the voluntary early retirement authority in each of fiscal years 2002 and 2003 is limited to 4000 employees. The Secretary of Defense may only carry out these programs in fiscal years 2002 and 2003 with respect to workforce restructuring to the extent provided in a law enacted by the 107th Congress.

LEGISLATIVE PROVISIONS NOT ADOPTED

Department of Defense employee voluntary early retirement authority

The Senate amendment contained a provision (sec. 1117) that would revise the authority for using voluntary early retirement authority within the Department of Defense to include restructuring of the workforce.

The House bill contained no similar provision.

The Senate recedes.

Extension of authority for voluntary separations in reductions in force

The Senate amendment contained a provision (sec. 1115) that would extend the authority for voluntary separations during reduction in force actions.

The House bill contained no similar provision.

The Senate recedes.

Extension, revision, and expansion of authorities for use of voluntary separation incentive pay and voluntary early retirement

The Senate amendment contained a provision (sec. 1116) that would extend the authority for voluntary separation incentive pay and voluntary early retirement through September 30, 2005, and would revise the authority for using the voluntary separation incentive pay within the Department of Defense to include restructuring of the workforce.

The House bill contained no similar provision.

The Senate recedes.

Strategic plan

The Senate amendment contained a provision (sec. 1119) that would require the Secretary of Defense to submit a strategic plan to the congressional defense committees not later than six months after enactment of this Act and before exercising any of the authorities for workforce restructuring.

The House bill contained no similar provision.

The Senate recedes.

TITLE XII—MATTERS RELATING TO OTHER NATIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A-Matters Related to Arms Control

Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities (sec. 1201)

The House bill contained a provision (sec. 1201) that would extend, through fiscal year 2001, the authority of the Department of Defense to support United Nations-sponsored inspection and monitoring efforts to ensure full Iraqi compliance with its international obligations to destroy its weapons of mass destruction and associated delivery systems. The provision would limit the assistance that could be provided by the Secretary of Defense to $15.0 million for fiscal year 2001.

The Senate amendment contained an identical provision (sec. 1202).

The conference agreement includes this provision.

Support of consultations on Arab and Israeli arms control and regional security issues (sec. 1202)

The Senate amendment contained a provision (sec. 1211) that would authorize up to $1.0 million from Defense-wide Operation and Maintenance accounts for the support of programs to promote informal, region-wide consultations among Arab, Israeli, and U.S. officials and experts on arms control and security issues concerning the Middle East region.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the scope of the programs to include formal consultations.

Furnishing of nuclear test monitoring equipment to foreign governments (sec. 1203)

The Senate amendment contained a provision (sec. 1206) that would authorize the Secretary of Defense to accept contributions from a foreign government or other entities for the development, procurement, installation, operation, repair, or maintenance of equipment for monitoring nuclear test explosions, and to loan or convey nuclear test monitoring equipment to a foreign government, subject to a required agreement.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense to convey or to provide nuclear test monitoring equipment to a foreign government, subject to a required agreement.

The conferees believe that section 2608 of title 10, United States Code, already permits the Secretary of Defense to accept and to use contributions for purposes specified in the Senate amendment. Therefore, the conferees do not believe that additional authority is required. If the Secretary, in consultation with the Office of Management and Budget, determines that additional authority is required, the conferees are willing to reevaluate this matter in the future.

Additional matters for annual report on transfers of militarily sensitive technology to countries and entities of concern (sec. 1204)

The Senate amendment contained a provision (sec. 1075) that would require that the annual report required by section 1402 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) on transfers of militarily sensitive technology to countries of concern include a description of actions taken on recommendations of inspectors general contained in previous annual reports.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Matters Relating to the Balkans

Annual report assessing effect of continued operations in the Balkans region on readiness to execute the national military strategy (sec. 1211)

The House bill contained a provision (sec. 1202) that would amend section 1035 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to make the report on the readiness impact of U.S. military operations in the Balkans an annual report.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would sunset the reporting requirement upon termination of U.S. military activities in the Balkans.

Situation in the Balkans (sec. 1212)

The House bill contained a provision (sec. 1203) that would require the President to establish, not later than May 31, 2001, militarily significant benchmarks for conditions that would achieve a sustainable peace in Kosovo and ultimately allow for the withdrawal of the U.S. military presence in Kosovo. In developing those benchmarks, the Congress would urge the President to seek the concurrence of North Atlantic Treaty Organization (NATO) member nations. The provision would also require the President to develop a comprehensive political-military strategy for addressing the political, economic, humanitarian and military issues in the Balkans, and to establish near-term, mid-term and long-term objectives in the region. Finally, the provision would require the President to submit semiannual reports, beginning no later than June 30, 2001, on the progress being made in developing and implementing a comprehensive political-military strategy, and the progress being made in achieving the conditions established by the benchmarks.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the President to submit a single semiannual report on the progress made in achieving both the benchmarks for Kosovo and the benchmarks for Bosnia, as required by section 7 of the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174), and would make other technical modifications.

Semiannual report on Kosovo peacekeeping (sec. 1213)

The House bill contained a provision (sec. 1205) that would prohibit the use of Department of Defense funds for the continued deployment of U.S. ground combat troops in Kosovo after April 1, 2001, unless the President certifies to the Congress, prior to April 1, 2001, that the European Commission, the member nations of the European Union (EU), and the European member nations of the North Atlantic Treaty Organization (NATO) have provided specific amounts and types of assistance to the peacekeeping operations in Kosovo. The provision would also require the President to submit to the Congress, not later than April 30, 2001, a plan for the withdrawal of U.S. ground combat troops from Kosovo, if the President does not make the required certification; and submit a report to the Congress detailing the commitments and contributions of various European nations and organizations and the United Nations to the peacekeeping operations in Kosovo.

The Senate amendment contained a similar provision (sec. 1205) that would require a biannual report from the President to the Congress detailing the commitments and contributions of various European nations and organizations and the United Nations to the peacekeeping operations in Kosovo.

The House recedes.

The conferees note that, since congressional action focused attention on this issue earlier this year, European nations and organizations have made progress in providing the assistance and personnel they have pledged to peacekeeping operations in Kosovo. While more needs to be done by the Europeans in providing needed resources to the international community's operations, the conferees recognize that the pace of the civil implementation effort in Kosovo has improved since the beginning of the year. The conferees remain concerned, however, that U.S. troops, and the troops of other nations serving in Kosovo continue to perform a variety of non-military missions to compensate for remaining shortfalls in the civil implementation effort. In recognition of the fact that the United States bore the major share of the military burden for the air war on behalf of Kosovo, European nations agreed to pay the major share of the burden to secure the peace. The conferees believe that the Europeans must fulfill that commitment. The report required by this provision will provide the Congress with the information necessary, on a regular basis, to evaluate the performance of the nations and organizations covered by this provision in fulfilling their commitments regarding Kosovo. It is the intention of the conferees to pursue legislative options in the future if those commitments are not fulfilled.

Subtitle C—North Atlantic Treaty Organization and United States Forces in Europe

NATO fair burdensharing (sec. 1221)

The House bill contained a provision (sec. 1206) that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the costs to the United States of Operation Allied Force conducted against the Federal Republic of Yugoslavia. The report would include: (1) the costs of ordnance expended, fuel consumed, and personnel; (2) the estimated cost of the reduced service life of U.S. weapons systems which participated in the operation; and (3) whether and how the United States is being compensated by other NATO member nations for the costs of Operation Allied Force. The provision also would require a report from the Secretary whenever NATO undertakes a future military operation with the participation of the United States. The report would include: (1) how the costs of that operation are to be equitably distributed among the NATO member nations; or (2) how the United States is to be compensated by other NATO member nations, if the costs are borne disproportionately by the United States. The report would be due 30 days after the beginning of a military operation, or later, if the Secretary determines that such a delay is necessary to avoid an undue burden to ongoing operations.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) delete the requirement for the Secretary to report on whether and how the United States is being compensated by other NATO nations for the costs of Operation Allied Force; (2) change the reporting requirement on future NATO military operations to apply to all NATO operations, and to include information on the contributions to that operation made by each of the member nations of NATO and the contributions that each member nation of NATO makes or has pledged to make during any follow-on operation; and, (3) require the report on future operations to be submitted not later than 90 days after the completion of the military operation.

Repeal of restriction preventing cooperative airlift support through acquisition and cross-servicing agreements (sec. 1222)

The Senate amendment contained a provision (sec. 1203) that would amend section 2350c of title 10, United States Code, to repeal the restriction that authorizes the Secretary of Defense to enter into military airlift agreements with allied countries only under the authority of section 2350c.

The House bill contained no similar provision.

The House recedes.

GAO study on the benefits and costs of the United States military engagement in Europe (sec. 1223)

The House bill contained a provision (sec. 1207) that would require the Comptroller General to conduct a study assessing the value to the United States and its national security interests gained from the engagement of U.S. Armed Forces in Europe and from military strategies used to shape the international security environment in Europe. The study would include an assessment of a number of issues related to the U.S. military presence in Europe and the contributions made by the European allies of the United States. The report would be submitted to the Committees on Armed Services of the Senate and House of Representatives not later than March 1, 2001.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the report to a study of the benefits and costs of U.S. military engagement in Europe and change the date for the submission of the report to December 1, 2001.

Subtitle D-Other Matters

Joint data exchange center with Russian Federation on early warning systems and notification of ballistic missile launches (sec. 1231)

The Senate amendment contained a provision (sec. 1213) that would authorize the Secretary of Defense to establish, in conjunction with the Government of the Russian Federation, a United States-Russian Federation joint center for the exchange of data from early warning systems and for notification of missile launches.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) authorize the Secretary of Defense to establish a U.S.-Russian Federation joint center for the exchange of data from early warning systems and for notification of missile launches; (2) require that the Secretary submit a report to the Armed Services Committees of the Senate and the House of Representatives on plans for the joint data exchange center; and (3) prohibit the obligation of more than $4.0 million of fiscal year 2001 funds for establishment of the joint data exchange center until 30 days after the date on which the Secretary submits a copy of a written agreement between the United States and Russia providing the details of the cost-sharing arrangement required in the Memorandum of Agreement of June 4, 2000.

Report on sharing and exchange of ballistic missile launch early warning data (sec. 1232)

The Senate amendment contained a provision (sec. 1029) that would require the Secretary of Defense to report on the feasibility and advisability of establishing a center at which missile launch early warning data from the United States and other nations would be made available to nations concerned with the launch of ballistic missiles.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to report on current and planned activities of the Department of Defense with respect to the sharing and exchange with other countries of early warning data concerning ballistic missile launches. The report shall include the Secretary's assessment of the benefits and risks of sharing such data with other countries on a bilateral or multilateral basis.

Annual report of Communist Chinese military companies operating in the United States (sec. 1233)

The House bill contained a provision (sec. 1208) that would express the sense of Congress that the Secretary of Defense has not complied with requirements of section 1237 of the Strom Thurmond National Defense Act for Fiscal Year 1999 (Public Law 105–261) to publish and update a list of Communist Chinese military companies operating in the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the sense of Congress and would amend section 1237 to require the Secretary to report on, rather than publish, a list of Communist Chinese military companies operating in the United States. The Secretary would be directed to submit that report to the following: the Committee on Armed Services of the House of Representatives; the Committee on Armed Services of the Senate; the Secretary of State; the Secretary of the Treasury; the Attorney General; the Secretary of Commerce; the Secretary of Energy; and the Director of Central Intelligence.

Adjustment of composite theoretical performance levels of high performance computers (sec. 1234)

The House bill contained a provision (sec. 1209) that would amend section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to limit to 60 days, excluding days when the Congress is not in session because of an adjournment sine die, the time period for congressional review of a presidential change to the export control levels for high performance computers prior to that change going into effect.

The Senate amendment contained an identical provision (sec. 1214).

The conference agreement includes this provision.

The conferees believe that the administration needs to adequately assess the national security implications of commercial technological diffusion before new export levels are proposed. For that reason, the conferees direct the Secretary of Defense and the Director for Central Intelligence to jointly submit to Congress, not later than April 1, 2001, a report on the national security implications of trends in the research and development, manufacture, use, and proliferation of information technology in the commercial sector.

The report shall include a discussion of the following matters: (1) whether commercially available information technology has been or could be used for military and intelligence purposes by foreign nations and terrorist organizations, and the threats that such uses could pose to U.S. national security interests; (2) the advisability of inserting commercially available information technology as components into U.S. weapons systems, together with a discussion of the challenges associated with doing so; (3) whether the United States has the ability to control the proliferation of commercially available information technology effectively through unilateral or multilateral export control regimes; and (4) the identification of critical commercially available information technologies and associated knowledge for which unilateral, multilateral, or alternative export controls may be needed in the preservation of U.S. national security interests. The report should also consider the advisability of establishing a center to assess the military utility of commercially available information technology produced by both U.S. and foreign commercial sectors.

Increased authority to provide healthcare services as humanitarian and civic assistance (sec. 1235)

The Senate amendment contained a provision (sec. 321) that would allow under-served areas, as well as rural areas, to receive medical, dental, and veterinary services through the humanitarian and civic assistance program.

The House bill contained no similar provision.

The House recedes.

The conferees note that this increased authority is to be used in conjunction with authorized U.S. military operations in furtherance of U.S. security interests and the expansion of the operational readiness skills of the armed forces, and shall be carried out at no additional cost to the Department of Defense.

Sense of Congress regarding the use of children as soldiers (sec. 1236)

The Senate amendment contained a provision (sec. 1210) that would express the sense of Congress that the use of children as soldiers by governmental and non-governmental armed forces should be condemned worldwide, the optional protocol is a critical first step in ending the use of children as soldiers, that the President should consult closely with the Senate with the objective of building support for the optional protocol, that the President and Congress should work together to enact a law that establishes a fund for the rehabilitation and reintegration into society of child soldiers, and that the Secretaries of the Departments of State and Defense should undertake all possible efforts to persuade and encourage other governments to ratify and endorse the optional protocol on the use of child soldiers.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Sense of Congress regarding undersea rescue and recovery (sec. 1237)

The conferees agree to a provision that would express the sympathy of the Congress and of the American people to the people of the Russian Federation over the death of the crewmen of the submarine Kursk. The provision urges the President of the United States and the President of the Russian Federation, in coordination with the leaders of other maritime nations, to cooperate in establishing a plan for response, rescue, and recovery of the crew of undersea vessels involved in undersea accidents or incidents.

United States-China Security Review Commission (sec. 1238)

The Senate amendment contained a provision (sec. 1076) that would amend The Trade Deficit Review Commission Act to establish a 12–member commission, the United States-China Security Review Commission, to monitor and assess the national security implications of the evolving bilateral trade and economic relationship between the United States and the People's Republic of China. The commission would be established on the framework of the Trade Deficit Review Commission, which is scheduled to complete its work by the end of this year, and would issue an annual report.

The House bill contained no similar provision.

The House recedes with an amendment that would establish a free-standing United States-China Security Review Commission to review the national security implications of trade and economic ties between the United States and the People's Republic of China. The amendment would facilitate the assumption by the United States-China Security Review Commission of its duties regarding the review by providing for the transfer to that commission of staff, materials, and infrastructure of the Trade Deficit Review Commission that are appropriate for the review after the submittal of the final report of the Trade Deficit Review Commission. The amendment would also provide that the members of the Trade Deficit Review Commission, as of the date of the enactment of this Act, shall serve as members of the United States-China Security Review Commission until such time as members are appointed.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on number of military personnel in Colombia

The House bill contained a provision (sec. 1204) that would establish a limit of 500 on the number of U.S. military personnel authorized to be on duty in the Republic of Colombia at any time. The limit would not apply to military personnel deployed to Colombia for the purpose of rescuing or retrieving U.S. Government personnel, military personnel attached to the U.S. Embassy, military personnel engaged in relief operations, or nonoperational transient military personnel.

The Senate amendment contained no similar provision.

The House recedes.

Prohibition on assumption by United States Government of liability for nuclear accidents in North Korea

The House bill contained a provision (sec. 1210) that would prohibit the President or any department, agency, or instrumentality of the U.S. Government from using the authority of Public Law 85–804 (50 U.S.C. 1431) or any other provision of law to enter into any contract or arrangement which would impose liability on the U.S. Government for nuclear accidents occurring in North Korea.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

LEGISLATIVE PROVISIONS ADOPTED

Specification of cooperative threat reduction programs and funds (sec. 1301)

The House bill contained a provision (sec. 1301) that would define Cooperative Threat Reduction (CTR) programs and Department of Defense funding for CTR programs, and make fiscal year 2001 CTR funds available for obligation for three fiscal years.

The Senate amendment contained no similar provision.

The Senate recedes.

Funding allocations (sec. 1302)

The budget request included $458.4 million for the Cooperative Threat Reduction (CTR) Program.

The House bill contained a provision (sec. 1302) that would authorize $443.4 million for the CTR Program for fiscal year 2001, a $15.0 million decrease. The provision would increase funding for strategic nuclear arms elimination projects in Russia and Ukraine, decrease funding for defense and military contacts, and deny funding, pursuant to the prohibition contained in section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), for activities related to a chemical weapons destruction facility in Russia.

The Senate amendment would authorize the budget request.

The Senate recedes with an amendment that would authorize $443.4 million for CTR programs to include: $177.8 million for strategic offensive arms elimination in Russia; $29.1 million for strategic nuclear arms elimination in Ukraine; $9.3 million for warhead dismantlement processing in Russia;

$14.0 million for weapons transportation security in Russia; $57.4 million for planning, design, and construction of the storage facility for Russian fissile materials; $89.7 million for weapons storage security in Russia; $32.1 million for the elimination of the production of weapons grade plutonium at Russian reactors; $12.0 million for biological weapons proliferation prevention activities in the former Soviet Union; $13.0 million for other assessments and administrative support, and $9.0 million for defense and military contacts.

Prohibition on use of funds for elimination of conventional weapons (sec. 1303)

The House bill contained a provision (sec. 1303) that would prohibit the use of Cooperative Threat Reduction (CTR) funds to be used for the elimination of conventional weapons or delivery vehicles primarily intended to deliver such weapons.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees continue to believe that the CTR program should remain focused on eliminating the threat posed by weapons of mass destruction and their delivery vehicles in the former Soviet Union. The conferees are concerned by indications that the Department of Defense may be considering using CTR funds for the elimination of delivery systems primarily intended to deliver conventional weapons, and note that such actions would be prohibited by this section.

Limitations on use of funds for fissile material storage facility (sec. 1304)

The House bill contained a provision (sec. 1304) that would limit the use of fiscal year 2001 Cooperative Threat Reduction funds for construction, design, or planning of a second wing for the Mayak fissile material storage facility until 15 days after the date that the Secretary of Defense submits to Congress notification that Russia and the United States have signed a written transparency agreement that provides that the material stored at the facility is of weapons origin. The provision also establishes a funding cap for the first wing of the facility of not more than $412.6 million.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

The conferees agree to establish a funding cap for the first wing of the facility because of continuing concerns over the ability and willingness of Russia to pay its share of the costs, and the previous agreement of the Department of Defense to absorb additional costs without prior congressional consultation.

Limitation on use of funds to support warhead dismantlement processing (sec. 1305)

The House bill contained a provision (sec. 1307) that would limit fiscal year 2001 funds for warhead dismantlement processing in Russia until 15 days after the date that the Secretary of Defense submits to Congress notification that the United States has reached an agreement with Russia, providing for appropriate transparency measures regarding assistance by the United States with respect to such processing.

The Senate amendment contained no similar provision.

The Senate recedes.

Agreement on nuclear weapons storage sites (sec. 1306)

The House bill contained a provision (sec. 1308) that would direct the Secretary of Defense to seek to enter into an agreement with Russia regarding procedures to allow the United States appropriate access to nuclear weapons storage sites for which assistance under Cooperative Threat Reduction programs is provided.

The Senate amendment contained no similar provision.

The Senate recedes.

Limitation on use of funds for construction of fossil fuel energy plants; report (sec. 1307)

The House bill contained a provision (sec. 1309) that would prevent Cooperative Threat Reduction (CTR) funds from being used for the construction of a fossil fuel energy plant.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that prevents fiscal year 2001 CTR funds from being used for the construction of a fossil fuel energy plant intended to provide power to local communities already receiving power from nuclear energy plants that produce plutonium. The amendment also would require a report to Congress, no later than 60 days after enactment of this Act, detailing options for assisting Russia in the development of alternative energy sources to the three plutonium production reactors remaining in operation in Russia.

Reports on activities and assistance under cooperative threat reduction programs (sec. 1308)

The Senate amendment contained a provision (sec. 1207) that would consolidate several annual reporting requirements concerning the Cooperative Threat Reduction (CTR) program. The consolidated report would include: (1) an estimate of the total amount required to be expended to achieve the objectives of the program; (2) a description of a five year plan; (3) a description of the program activities carried out during the previous fiscal year; (4) a description of the audits and examinations conducted by the program to account for and ensure that the assistance is being used for its intended purpose; and (5) a current description of the tactical nuclear weapons arsenal of Russia. The first report would be submitted to Congress not later than the first Monday in February 2002. Also contained in the annual report would be a requirement for the Comptroller General of the United States to conduct an annual assessment of the information provided in the consolidated CTR report. The assessment would be due 60 days after the date on which the annual report is submitted to Congress.

The House bill contained a provision (sec. 1305) that would limit not more than 10 percent of fiscal year 2001 Cooperative Threat Reduction (CTR) funds from being expended or obligated until the Department of Defense submits to Congress an updated version of the CTR multiyear plan for fiscal year 2001, and another provision (sec. 1306) that would require the first report on Russian nonstrategic nuclear arms to be submitted to Congress not later than October 1, 2000.

The House recedes with an amendment that would add the provisions from the House bill to the CTR consolidated report, require the first consolidated report to be due on February 5, 2001, and narrow the scope of the Comptroller General's assessment to a review of the five year plan and the audits and examinations information in the annual report. This assessment would be submitted to Congress not later than 90 days after the date the CTR annual report is submitted to Congress, with the first Comptroller General's assessment submitted in 2001.

The conferees note that there have been repeated delays in the submission of the CTR reports to the Congress. The conferees expect that consolidating CTR reporting requirements into one annual report will facilitate the Department's ability to meet the congressionally mandated due date each year. The conferees believe that meeting this deadline provides the Congress with critical programmatic information crucial to the oversight of the CTR program. Failure to meet such deadlines impedes congressional oversight and is of great concern to the conferees. In light of this concern, the conferees expect the Department to meet the CTR report requirements and deadline, and agree that noncompliance may warrant future legislative measures to limit funding obligations and expenditures until such time as the necessary information is provided to the Congress.

Russian chemical weapons elimination (sec. 1309)

The Senate amendment contained a provision (sec. 1208) that would amend the prohibition contained in section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to limit fiscal year 2000 Cooperative Threat Reduction (CTR) funds, and funds appropriated after the date of enactment, from being obligated or expended to construct the Shchuch'ye chemical weapons destruction facility in Russia until 30 days after the Secretary of Defense certifies in writing to the Armed Services Committees of the Senate and the House of Representatives that for that fiscal year four specific criteria have been met. These criteria are: (1) that the government of Russia has agreed to provide at least $25.0 million annually for the construction, support, and operation of the facility; (2) that Russia has agreed to utilize this facility to destroy the remaining four stockpiles of nerve agents located throughout Russia; (3) that the United States has obtained multiyear commitments from the international community for the support of social infrastructure projects for Shchuch'ye; and (4) that Russia has agreed to destroy its chemical weapons production facilities at Volgograd and Novocheboksark.

The House bill contained no similar provision.

The House recedes with an amendment that would express support for international assistance, when practicable, to assist Russia in eliminating its chemical weapons stockpile in accordance with Russia's obligations under the Chemical Weapons Convention. The amendment would also require that the Secretary of Defense submit a report to the Armed Services Committees of the Senate and the House of Representatives that identifies: (1) the amount of money spent by Russia for chemical weapons elimination during fiscal year 2000; (2) the assistance being provided by the international community for the safe storage and elimination of Russia's stockpile of nerve agents, including those at Shchuch'ye; (3) the countries providing the assistance; and (4) the value of the assistance that the international community has already provided and has committed for this purpose.

The conferees agree not to repeal or amend the existing prohibition contained in Public Law 106–65 on funding for the chemical weapons destruction facility in Russia. The conferees believe the international community should take a more active role in assisting Russia with its chemical weapons elimination efforts. The conferees will continue to monitor progress in the effort to reduce and eliminate the threat from Russia's chemical weapons, including the participation of the international community in this effort. The conferees note that there are a number of options available within the CTR Program to advance U.S. threat reduction and nonproliferation objectives, including assisting Russia in its efforts to secure and eliminate its chemical weapons stockpiles. The conferees note the availability of prior-year funds that may be used to support this effort.

Limitation on use of funds for elimination of weapons grade plutonium program (sec. 1310)

The Senate amendment contained a provision (sec. 1209) that would prevent more than 50 percent of fiscal year 2001 Cooperative Threat Reduction (CTR) funds from being obligated or expended until 30 days after the Secretary of Defense submits to Congress a report on an agreement between the United States and Russia regarding a new option selected for the shut down or conversion of the reactors in the elimination of weapons grade plutonium program in Russia. The report must also contain the new date when such reactors will cease production of weapons grade plutonium and any cost sharing arrangements between Russia and the United States in undertaking the activities in this program.

The House bill contained no similar provision.

The House recedes.

Report on audits of Cooperative Threat Reduction programs (sec. 1311)

The House bill contained a provision (sec. 1310) that would direct the Comptroller General to submit to Congress a report not later than March 31, 2001, examining the procedures and mechanisms with respect to audits by the Department of Defense of the use of funds for Cooperative Threat Reduction programs.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on use of funds for prevention of biological weapons proliferation in Russia

The House bill contained a provision (sec. 1311) that would limit Cooperative Threat Reduction funds from being obligated or expended for the prevention of proliferation of biological weapons in Russia until the President submits to Congress the report on the Expanded Threat Reduction Initiative required by section 1309 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65). This report was due March 31, 2000.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XIV—COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE (EMP) ATTACK

LEGISLATIVE PROVISIONS ADOPTED

Commission to assess the threat to the United States from electromagnetic pulse (EMP) attack (secs. 1401–1409)

The House bill contained a provision (secs. 1401–1409) that would establish a Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to submit a report to Congress commenting on the Commission's findings and conclusions, describing the political-military scenarios that could possibly lead to an EMP attack against the United States, evaluating the relative likelihood of an EMP attack against the United States compared to other threats involving nuclear weapons, and explaining the actions intended to implement the recommendations of the Commission and the reasons for doing so.

TITLE XV—NAVY ACTIVITIES ON THE ISLAND OF VIEQUES, PUERTO RICO

LEGISLATIVE PROVISIONS ADOPTED

Navy activities on the island of Vieques, Puerto Rico (secs. 1501–1508)

The House bill contained a provision (sec. 1501) that would convey the Navy property, comprising the Naval Ammunition Support Detachment, on the western side of the Island of Vieques, Puerto Rico, except the communication and radar sites, to the Commonwealth of Puerto Rico under the terms of the agreement between the President and the Governor of Puerto Rico.

The Senate amendment contained provisions (secs. 1301–1308) that would support the agreement reached between the President and the Governor of Puerto Rico intended to restore relations between the people of Vieques and the Navy, and to provide for the continuation of live fire training on the Island of Vieques. Specifically, the Senate bill would authorize $40.0 million for infrastructure and other economic projects on the Island of Vieques, and would require the President to conduct a referendum on Vieques to determine whether the people of Vieques approve or disapprove of the continuation of live-fire military training on the island. The conservation zones on the western side of the island, containing seven endangered and threatened species, would be transferred to the Secretary of Interior to be administered as wildlife refuges. If the people of Vieques approve the continuation of live-fire training, the provision would authorize an additional $50.0 million in economic aid for the island. If the people of Vieques disapprove the continuation of live-fire training, the provision would require the Navy and Marine Corps to cease all training operations on the Island of Vieques by May 1, 2003; to terminate any operations at Roosevelt Roads related to the use of training ranges on Vieques, to reduce other defense activities at Roosevelt Roads to levels necessary for national security reasons, and to transfer all Navy property on the eastern side of the Island of Vieques to the Secretary of the Interior. The Secretary of Interior would be required to retain the transferred properties subject to further congressional action regarding disposition.

The conferees remain concerned about the lack of live-fire access to the Naval training facility on the Island of Vieques, and the related negative consequences for Navy and Marine Corps readiness. In testimony before the Congress, the Chairman of the Joint Chiefs of Staff, along with the Chief of Naval Operations and the Commandant of the Marine Corps, stated that Vieques provides integrated live-fire training ''. . . critical to our readiness.'' The Secretary of the Navy also testified that ''. . . only by providing this preparation can we fairly ask our service members to put their lives at risk.'' The concern of the Joint Chiefs of Staff were reinforced by operational commanders including the Commander of the Sixth Fleet of the Navy who stated that the loss of Vieques would ''cost American lives.''

The House recedes.

The conferees agree to include provisions that would support the agreement reached between the President and the Governor of Puerto Rico regarding the future of Navy live-fire military training on Vieques. The conferees agree to authorize $40.0 million in immediate economic assistance for the Municipality of Vieques.

The conferees would specifically include a provision that would transfer, with certain exceptions, the land comprising the Navy Ammunition Support Detachment to the Municipality of Vieques. The property would be administered, managed, and controlled by the Municipality of Vieques in a manner that is determined to be most advantageous to the majority of the residents of Vieques. The relocatable over-the-horizon radar site, the telecommunications equipment site on Mount Pirata, and any easements or rights-of-way associated with these sites would be exempted from transfer and retained by the Navy.

The conservation zones on the land comprising the Navy Ammunition Support Detachment would be transferred to the Secretary of Interior to be administered and managed by the Secretary as a wildlife refuge through a cooperative agreement among the Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of Interior. Property adjacent to these wildlife refuge areas could be included in the cooperative agreement, however, such areas would not exceed 800 acres. If the cooperative agreement is not completed before the required transfer date, the Secretary of Interior should begin the administration and management of the land as wildlife refuges.

Given the importance of the Navy training range to national security and the unique circumstances of the people of Vieques, the conferees would also include a provision that would require a binding referendum by the people of Vieques to determine if the range should remain available for live-fire training. The referendum would require that the residents of Vieques vote on the future of live-fire training at the Navy range on Vieques. The vote would take place on May 1, 2001, or 270 days before or after that date. The conferees would authorize the referendum, despite remaining reservations regarding the propriety of such an action, and would also do so with the clear expectation that this represents a unique circumstance, and such local referenda should not be used to determine the status of national security assets.

The conferees agree to authorize an additional $50.0 million to provide economic assistance to the people of Vieques if there is a vote in favor of continued live-fire training at the Navy range.

If the people of Vieques disapprove continued live-fire training, or the Chief of Naval Operations and the Commandant of the Marine Corps jointly submit to the congressional defense committees a certification that the range is no longer needed for training by the Navy and the Marine Corps, all Navy owned land on the eastern side of the island, with the exception of the live-fire area, would be transferred to the Secretary of Interior to be administered and managed as a wildlife refuge. The live impact area would be administered as a wilderness area with no public access permitted.

Finally, the conferees would also include a provision that would impose a moratorium on new construction at Fort Buchanan pending a determination that such construction would be required despite the potential for relocation to Roosevelt Roads. Reserve component and nonappropriated fund facilities would not be included in the moratorium.

The conferees recognize and appreciate the sacrifice made by the people of Vieques and other communities located near U.S. military training installations, which have ensured the readiness of U.S. military forces. The conferees remain concerned that future training may be jeopardized as a result of historically poor relations with the people of Vieques, and the tragic accident which resulted in the death of a civilian employee of the Navy. The conferees hope that the Navy and the people of Vieques will successfully develop and sustain a cooperative relationship for the future.

TITLE XVI—VETERANS EDUCATION BENEFITS

LEGISLATIVE PROVISIONS ADOPTED

Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery G.I. Bill (sec. 1601)

The Senate amendment contained a provision (sec. 683) that would authorize the secretary of a military department to, as a recruiting or retention incentive, permit a

service member who was previously eligible for the Veterans Educational Assistance Program (VEAP) or who did not elect to participate in the Montgomery G.I. Bill to enroll in the Montgomery G.I. Bill educational benefit program.

The House bill contained no similar provision.

The House recedes with an amendment that would, during a one-year period following enactment, permit individuals who were previously enrolled in VEAP to enroll in the Montgomery G.I. Bill program after paying a premium not to exceed $2,700.

Modification of authority to pay tuition for off-duty training and education (sec. 1602)

The Senate amendment contained a provision (sec. 684) that would authorize the secretary of a military department to pay up to 100 percent of the charges of an educational institution for the tuition or expenses of a service member enrolled in an off-duty educational program and would permit service members to use their Montgomery G.I. Bill educational benefit to pay any portion of the charges that are not paid by the secretary of the military department.

The House bill contained no similar provision.

The House recedes.

Clarification of Department of Veterans Affairs duty to assist (sec. 1611)

The Senate amendment contained a provision (sec. 672) that would clarify the responsibility of the Secretary of Veterans Affairs to assist claimants in developing all facts pertinent to a claim for benefits.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Modification of time for use by certain members of the Selected Reserve of entitlement to educational assistance

The Senate amendment contained a provision (sec. 670) that would extend the time frame in which members of the Selected Reserve could use their educational benefits.

The House bill contained no similar provision.

The Senate recedes.

Modification of time for use by certain members of Selected Reserve of entitlement to certain educational assistance

The Senate amendment contained a provision (sec. 685) that would extend the period in which members of the Selected Reserve may use their Reserve Montgomery G.I. Bill benefits to five years after they separate from the reserves.

The House bill contained no similar provision.

The Senate recedes.

Short title

The Senate amendment contained a provision (sec. 681) that would establish the subtitle, ''Helping Our Professionals Educationally (HOPE) Act of 2000.''

The House bill contained no similar provision.

The Senate recedes.

Transfer of entitlement to educational assistance by certain members of the armed forces

The Senate amendment contained a provision (sec. 682) that would authorize the secretary of a military department, as a recruiting or retention incentive, to permit a service member to transfer their entitlement to the basic educational benefit under the Montgomery G.I. Bill, in whole or in part, to their dependents.

The House bill contained no similar provision.

The Senate recedes.

TITLE XVII—ASSISTANCE TO FIREFIGHTERS

LEGISLATIVE PROVISIONS ADOPTED

Assistance to Firefighters (secs. 1701–1707)

The Senate amendment contained a provision (sec. 1072) that would authorize a six-year, $3.1 billion competitive federal grant program to provide assistance to local firefighting departments for the purpose of protecting the health and safety of the public and firefighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards. The provision would authorize grant funds to be used for various firefighting related activities including the hiring of additional personnel, the training of personnel, the procurement of vehicles and other equipment, certification of fire inspectors, and similar activities. A 10 percent matching requirement of non-federal funds under this program would be required. The Director of the Federal Emergency Management Agency (FEMA) would be responsible for the administration of the program.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize a series of provisions (secs. 1701–1707) to provide assistance to local firefighting departments.

The amendment would authorize a two-year, $400.0 million competitive grant program to provide assistance to local firefighting departments. Each grant could not exceed $750,000. In order for a grant applicant to receive funds, the applicant would have to demonstrate a financial need for the assistance; outline the costs and benefits of public safety in relation to the use of the assistance; and agree to provide information to the National Fire Incident Reporting System. There would be a 30 percent matching requirement of non-federal funds under this program for fire departments that serve more than 50,000 people, and a 10 percent matching requirement of non-federal funds for fire departments that serve 50,000 people or less. The Director of FEMA would be required to ensure that communities protected by volunteer firefighters receive grant funding that at least reflects a proportionate share, as compared to the U.S. population as a whole. The Director of FEMA would also be required to submit a report to Congress that provides the current role and activities associated with the fire services, the adequacy of current funding, and a needs assessment to identify shortfalls. The Director of FEMA would consult with the chief executive of a state when making a direct grant.

The amendment would also include a two-year, $30.0 million program to provide assistance to state foresters or equivalent state officials for firefighting activities. The Secretary of Agriculture would be responsible for the administration of this program. The Secretary of Agriculture would be required to submit a report to Congress on the results of the assistance provided under this program.

The amendment would further authorize a two-year, $30.0 million competitive grant program to hospitals that serve as regional burn centers, to safety organizations that conduct burn safety programs to assist burn prevention programs, to programs that augment existing burn prevention programs, or to other entities that provide after-burn treatment and counseling for burn victims. The Director of FEMA would be responsible for the administration of the program. The Director would be required to submit a report to Congress on the results of the assistance provided under this aspect of the grant program.

The amendment would also require the Secretary of Health and Human Services, in consultation with the Secretary of Labor, to conduct a study regarding the prevalence of hepatitis C among emergency response employees of the United States. The Secretary of Health and Human Services, in consultation with the Secretary of Labor, would also be authorized to make grants to qualifying local governments that are qualified to carry out demonstration projects that train employees to minimize the risk of hepatitis C infection, and to test and treat employees for the disease.

The amendment would further require the Secretary of Defense, in consultation with the Attorney General and the Secretary of Commerce, to conduct an engineering study to identify any portions of the 138–144 megahertz band that the Department of Defense can share with public safety radio services in various geographic regions of the United States. The study would include recommended measures necessary to prevent harmful interference between the Department of Defense systems and the public safety systems, and a reasonable schedule for the sharing of frequencies, provided such sharing can be accomplished without causing interference. The Secretary of Commerce and the Chairman of the Federal Communications Commission would also be required to submit a report to Congress on alternative frequencies that are, or could be made, available for use by public safety systems.

The amendment would authorize the Secretary of Defense to transfer excess personal property of the Department of Defense to firefighting agencies if the property is determined to be suitable for use in providing fire and emergency medical services. The property would have to be drawn from existing stocks of the Department of Defense and made without cost to the Department. The recipient firefighting department would accept the property on an as-is, where-is basis and cover all costs of the transfer of the property.

Finally, the amendment would require the establishment of a task force to identify defense technologies and equipment that could be readily put to use by fire service and emergency response personnel, and could be transferred to fire departments. The task force would consist of a representative from the Department of Defense and each of the seven organizations representing various views in firefighting.

TITLE XVIII—IMPACT AID

LEGISLATIVE PROVISIONS ADOPTED

Impact Aid Reauthorization Act of 2000 (secs. 1801–1818)

The conference agreement includes provisions that would amend the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701) to extend the authority for, and to restructure, assistance programs for local educational agencies impacted by federal presence. The provisions would make adjustments to the impact aid program to accommodate military housing privatization initiatives and would restructure the formula to increase impact aid to schools serving military children. Other provisions would hold school districts harmless in cases where military children have been temporarily relocated to off-base housing while on-base housing is renovated and would provide additional support to school districts required to support privatized military housing areas constructed on non-federal land. The provisions would accelerate payment of impact aid to the most severely effected school districts and would authorize the Secretary of Education to provide grants to school districts to renovate and repair schools with the greatest need. The provisions would also establish a minimum funding level for small, poor school districts.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Overview

The budget request for fiscal year 2001 included $8,033,908,000 for military construction and family housing.

The House bill would authorize $8,433,908,000 for military construction and family housing.

The Senate amendment would provide $8,463,908,000 for this purpose.

The conferees recommend authorization of appropriations of $8,821,172,000 for military construction and family housing, including general reductions and revised economic assumptions.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
DIVISION B					
MILITARY CONSTRUCTION					
Military Construction, Army	897,938	672,391	781,079	(160,343)	737,595 *
Military Construction, Navy	753,422	887,810	817,371	174,851	928,273
Military Construction, Air Force	530,969	703,873	763,491	339,239	870,208
Military Construction, Defense-wide	784,753	815,504	686,333	29,894	814,647 **
Military Construction, Army National Guard	59,130	129,139	181,629	207,401	266,531
Military Construction, Air National Guard	50,179	110,885	161,806	144,750	194,929
Military Construction, Army Reserve	81,713	104,854	92,497	27,025	108,738
Military Construction, Naval Reserve	16,103	56,574	38,091	45,970	62,073
Military Construction, Air Force Reserve	14,851	41,748	32,673	21,740	36,591
Base Realignment and Closure II, III, IV	1,174,369	1,174,369	1,174,369	(150,000)	1,024,369
NATO Infrastructure	190,000	177,500	190,000	(18,000)	172,000
Total Military Construction	4,553,427	4,874,647	4,919,339	662,527	5,215,954
FAMILY HOUSING					
Family Housing Construction, Army	162,106	198,505	218,306	73,850	235,956
Family Housing Support, Army	978,275	953,744	958,364	(26,482)	951,793
Family Housing Construction, Navy and Marine Corps	362,822	417,225	386,874	55,333	418,155
Family Housing Support, Navy and Marine Corps	882,638	882,638	881,567	(1,071)	881,567
Family Housing Construction, Air Force	223,483	241,384	247,147	28,499	251,982
Family Housing Support, Air Force	826,271	820,879	807,425	(5,392)	820,879
Family Housing Support, Defense-wide	44,886	44,886	44,886	0	44,886
Total Family Housing	3,480,481	3,559,261	3,544,569	124,737	3,605,218

* *Reflects projects previously authorized in PL 106-65 (Fiscal Year 2000, Defense Authorization Act)*

** *Reflects reduction of FOLs proposed in the FY 00 Congressional Emergency Supplemental*

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
1	Alabama	Army	Fort Rucker	Fitness Ctr	-	5,600	-	-	-
2	Alabama	Army	Redstone Arsenal	Dining Fac	-	5,100	-	-	-
3	Alabama	Army	Redstone Arsenal	Space & Missile Defense Cmd Bldg	23,400	23,400	23,400	15,600	39,000
4	Alabama	Air Force	Maxwell AFB	OTS Academic Fac	3,825	3,825	3,825	-	3,825
5	Alabama	Army National Guard	Redstone Arsenal	Patriot UTES&DS Maint Shop	-	-	8,083	-	-
6	Alabama	Air National Guard	Dothan AGS	Combat Com Squadron Fac	-	-	11,000	-	-
7	Alabama	Air Force Reserve	Maxwell AFB	Fuel Cell Maintenance Hanger	-	6,362	-	-	-
8	Alaska	Army	Fort Richardson	Central Vehicle Wash Fac	3,000	3,000	3,000	-	3,000
9	Alaska	Air Force	Cape Romanzof Radar Site	Generator Fuel Storage	3,900	3,900	3,900	-	3,900
10	Alaska	Air Force	Eielson AFB	Dormitory (120 Rooms)	14,540	14,540	14,540	-	14,540
11	Alaska	Air Force	Eielson AFB	Hazardous Material Storage	1,450	1,450	1,450	-	1,450
12	Alaska	Air Force	Eielson AFB	Joint Mobility Complex	-	-	25,000	25,000	25,000
13	Alaska	Air Force	Elmendorf AFB	Child Development Ctr	-	-	7,666	7,666	7,666
14	Alaska	Air Force	Elmendorf AFB	Dormitory (144 Rooms)	15,920	15,920	15,920	-	15,920
15	Alaska	Air Force	Elmendorf AFB	Upgrade Hangar Complex	11,600	11,600	11,600	-	11,600
16	Alaska	SOCOM	Kodiak	Cold Weather Training Fac Upgrade	-	5,200	-	-	-
17	Alaska	TRICARE	Fort Wainwright	Hospital Replacement, PH 2	44,000	44,000	44,000	-	44,000
18	Alaska	Air National Guard	Kulis ANGB	Corrosion Control Fac	-	-	12,000	12,000	12,000
19	Alaska	Navy Reserve	Anchorage	Marine Corps Reserve Training Ctr	6,403	6,403	6,403	-	6,403
20	Arizona	Army	Fort Huachuca	Chapel	-	4,000	-	-	-
21	Arizona	Army	Fort Huachuca	Child Development Ctr	-	3,350	-	3,350	3,350
22	Arizona	Army	Fort Huachuca	Field Operations Fac	1,250	1,250	1,250	-	1,250
23	Arizona	Navy	Camp Navajo NAVDET	Magazine Modernization	2,940	2,940	2,940	-	2,940
24	Arizona	Navy	Yuma MCAS	Combat Aircraft Loading Apron	8,200	8,200	8,200	-	8,200
25	Arizona	Air Force	Davis-Monthan AFB	Fitness Ctr	7,900	7,900	7,900	-	7,900
26	Arizona	Army National Guard	Papago Military Reservation	Add/Alter Readiness Ctr	-	2,265	-	2,265	2,265
27	Arizona	Army National Guard	Yuma	Readiness Ctr	-	1,598	-	1,598	1,598
28	Arkansas	Army	Pine Bluff Arsenal*	Ammunition Demilitarization Fac, PH 5	43,600	-	43,600	(43,600)	-
29	Arkansas	Army	Pine Bluff Arsenal	Chemical Defense Qualification Fac	15,500	92	2,592	(12,908)	2,592
30	Arkansas	Army	Pine Bluff Arsenal	Child Development Ctr	-	2,750	-	2,750	2,750
31	Arkansas	Air Force	Little Rock AFB	C-130 Squad Ops/Aircraft Maint Unit	7,960	7,960	7,960	-	7,960
32	Arkansas	Air Force	Little Rock AFB	Fitness Ctr	9,100	9,100	9,100	-	9,100
33	Arkansas	Air Force	Little Rock AFB	Easement "Blackjack Drop Zone"	-	1,259	1,259	1,259	1,259
34	Arkansas	ChemDemil	Pine Bluff Arsenal	Ammunition Demilitarization Fac, PH 5	-	43,600	-	43,600	43,600
35	Arkansas	Air National Guard	Fort Smith MAP	Fire Training Fac	1,760	1,760	1,760	-	1,760
36	Arkansas	Air National Guard	Fort Smith MAP	Operations and Training Fac	-	-	7,200	-	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
37	Arkansas	Army Reserve	Conway	Reserve Ctr	-	3,696	-	-	-
38	California	Army	Fort Irwin	Barracks Complex - North	31,000	31,000	31,000	-	31,000
39	California	Army	Presidio of Monterey	Barracks Addition	-	2,600	-	2,600	2,600
40	California	Army	Presidio of Monterey	Dir of Info Mngt Computer Cntr	-	2,000	-	-	-
41	California	Navy	Barstow MCLB	Paint and Undercoat Fac	-	6,660	-	6,660	6,660
42	California	Navy	Camp Pendleton MCB	Armor/Anti-Armor Tracking Range	4,100	4,100	4,100	-	4,100
43	California	Navy	Camp Pendleton MCB	Infantry Squadron Battle Course	4,000	4,000	4,000	-	4,000
44	California	Navy	Lemoore NAS	Bachelor Enlisted Quarters	8,260	8,260	8,260	-	8,260
45	California	Navy	Lemoore NAS	Child Development Ctr	-	2,500	-	3,790	3,790
46	California	Navy	Miramar MCAS	Ground Combat Training Range	7,350	7,350	7,350	-	7,350
47	California	Navy	Miramar MCAS	Physical Fitness Ctr	-	6,390	-	6,390	6,390
48	California	Navy	Monterey Nav Postgrad School	Bldg. 245 Extension, PH 1	-	5,280	-	5,280	5,280
49	California	Navy	North Island NADEP	Component Repair Clean Room Fac	4,340	4,340	4,340	-	4,340
50	California	Navy	North Island NAS	Berthing Wharf, PH 2	12,800	12,800	12,800	-	12,800
51	California	Navy	Point Mugu NAWCWD	Range Operations Ctr Add & Alter	11,400	12,600	11,400	-	11,400
52	California	Navy	Port Hueneme NSWC	Wpns Combat Systems Integration Lab	10,200	10,200	10,200	-	10,200
53	California	Navy	San Clemente NF	Aircraft Operations Building	8,860	8,860	8,860	-	8,860
54	California	Navy	San Diego NAVSTA	Berthing Pier PH 1	35,700	35,700	35,700	-	35,700
55	California	Navy	Twentynine Palms MCAGCC	Bachelor Enlisted Quarters	-	21,770	-	21,770	21,770
56	California	Navy	Twentynine Palms MCAGCC	Urban Assault Course	2,100	2,100	2,100	-	2,100
57	California	Air Force	Beale AFB	Control Tower	-	6,300	6,299	6,299	6,299
58	California	Air Force	Beale AFB	Water Treatment Plant & Distribution Line	3,800	3,800	3,800	-	3,800
59	California	Air Force	Los Angeles AFB	Fitness Ctr	6,580	6,580	6,580	-	6,580
60	California	Air Force	Vandenberg AFB	Upgrade Water Distribution System	4,650	4,650	4,650	-	4,650
61	California	DLA	DFSP North Island	Replace Fuel Storage Tanks	5,900	5,900	5,900	-	5,900
62	California	DLA	DFSP Twentynine Palms	Fuel Storage Fac	2,200	2,200	2,200	-	2,200
63	California	SOCOM	Coronado NAB	Applied Instruction Fac	4,300	4,300	4,300	-	4,300
64	California	SOCOM	North Island NAS	Small Craft Berthing Fac	1,350	1,350	1,350	-	1,350
65	California	TRICARE	Camp Pendleton MCB	Fleet Hospital Ops & Tng Cmd Spt Fac	2,900	2,900	2,900	-	2,900
66	California	TRICARE	Camp Pendleton MCB	Replace Med/Dent Clinic (Horno)	3,950	3,950	3,950	-	3,950
67	California	TRICARE	Camp Pendleton MCB	Replace Med/Dent Clinic (Las Pulgas)	3,750	3,750	3,750	-	3,750
68	California	TRICARE	Camp Pendleton MCB	Replace Med/Dent Clinic (Las Flores)	3,550	3,550	3,550	-	3,550
69	California	TRICARE	Edwards AFB	Med Clinic Replacement/Dent Clinic Alter	17,900	17,900	17,900	-	17,900
70	California	Army National Guard	Bakersfield	Organizational Maintenance Shop	1,380	1,380	-	(1,380)	-
71	California	Army National Guard	Camp Parks	Organizational Maintenance Shop	-	-	6,062	6,062	6,062
72	California	Army National Guard	Colton	Organizational Maintenance Shop	489	489	-	(489)	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
73	California	Army National Guard	Escondido	Organizational Maintenance Shop	1,380	1,380	-	(1,380)	-
74	California	Army National Guard	Fresno	Organizational Maintenance Shop	1,869	1,869	-	(1,869)	-
75	California	Army National Guard	Fresno (Shields Avenue)	Organizational Maintenance Shop	-	-	2,847	2,847	2,847
76	California	Army National Guard	Los Alamitos AFRC	Organizational Maintenance Shop	489	489	-	(489)	-
77	California	Army National Guard	Richmond	Organizational Maintenance Shop	489	489	-	(489)	-
78	California	Army National Guard	San Jose	Organizational Maintenance Shop	1,869	1,869	-	(1,869)	-
79	California	Army National Guard	San Mateo	Organizational Maintenance Shop	461	461	-	(461)	-
80	California	Army National Guard	Santa Barbara	Organizational Maintenance Shop	483	483	-	(483)	-
81	California	Navy Reserve	Alameda NAS	Seawall	950	950	950	-	950
82	California	Air Force Reserve	March ARB	Deployment Equipment Staging Area	-	1,680	-	-	-
83	Colorado	Army	Pueblo Depot Activity	Ammunition Demilitarization Fac, PH 2	10,700	-	10,700	(10,700)	-
84	Colorado	Air Force	Buckley ANGB	Space Based Infrared Sys Pwr Connection	2,750	2,750	2,750	-	2,750
85	Colorado	Air Force	Peterson AFB	Computer Network Defense Fac	-	-	6,826	6,826	6,826
86	Colorado	Air Force	Peterson AFB	Dormitory (144 Rooms)	11,000	11,000	11,000	-	11,000
87	Colorado	Air Force	Peterson AFB	Operations Support Fac	2,260	2,260	2,260	-	2,260
88	Colorado	Air Force	Peterson AFB	Main Access Gate	-	2,310	-	2,310	2,310
89	Colorado	Air Force	Schriever AFB	Add to Operational Support Fac	8,450	8,450	8,450	-	8,450
90	Colorado	Air Force	U.S. Air Force Academy	Add/Alter Athletic Facilities	18,960	18,960	18,960	-	18,960
91	Colorado	ChemDemil	Pueblo Depot Activity	Ammunition Demilitarization Fac, PH 2	-	10,700	-	10,700	10,700
92	Colorado	Army National Guard	Fort Carson	Mobilization and Training Equip Site, PH 1	-	15,100	-	15,100	15,100
93	Colorado	Air National Guard	Buckley ANGB	Repl Jt Munitions Maint & Storage Complex	-	6,000	6,000	6,000	6,000
94	Connecticut	Navy	New London NSB	Drydock Support Fac	3,100	3,100	3,100	-	3,100
95	Connecticut	Air National Guard	Orange ANGS	Air Control Squadron Complex	-	-	12,000	-	-
96	Delaware	Army National Guard	Smyrna	Readiness Ctr	-	-	7,020	7,020	7,020
97	District of Columbia	Navy	Marine Corps Barracks	Bachelor Enlisted Quarters	17,197	17,197	17,197	-	17,197
98	District of Columbia	Navy	Marine Corps Barracks	Site Improvement	-	7,400	-	7,400	7,400
99	District of Columbia	Navy	Washington NAVDIST	Navy Museum Annex	2,450	2,450	2,450	-	2,450
100	District of Columbia	Navy	Washington NRL	Nano Science Research Lab	-	12,390	-	12,390	12,390
101	District of Columbia	Air Force	Bolling AFB	Child Development Ctr	4,520	4,520	4,520	-	4,520
102	Florida	Navy	Blount Island Command	Land Acquisition, PH 2	-	3,320	-	-	-
103	Florida	Navy	Fort Lauderdale NSWC	Seawall & Ship Berthing Fac	3,570	3,570	3,570	-	3,570
104	Florida	Navy	Jacksonville NAS	Child Development Ctr Addition	-	1,400	-	-	-
105	Florida	Navy	Mayport NS	Aircraft Carrier Wharf Improvements	-	6,830	-	6,830	6,830
106	Florida	Navy	Panama City CSS	Amphibious Warfare Integration Fac	-	-	9,960	9,960	9,960
107	Florida	Navy	Panama City NSWCSS	Child Development Ctr	-	1,000	-	-	-
108	Florida	Navy	Whiting Field Milton NAS	JPATS T-6A GSE/Aircraft Paint Fac	3,900	3,900	3,900	-	3,900

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
109	Florida	Navy	Whiting Field Milton NAS	JPATS T-6A Operations Maint Fac	1,230	1,230	1,230	-	1,230
110	Florida	Air Force	Eglin AFB	Precision Guided Munit Maint Fac	3,340	3,340	3,340	-	3,340
111	Florida	Air Force	Eglin AFB	Upgrade Dormitory (72 Rooms)	5,600	5,600	5,600	-	5,600
112	Florida	Air Force	Eglin Aux Field 9	Defense Access Road	2,360	2,360	2,360	-	2,360
113	Florida	Air Force	Eglin Aux Field 9	Upgrade Access Roads	5,600	5,600	5,600	-	5,600
114	Florida	Air Force	Patrick AFB	DEOMI Fac	12,970	12,970	12,970	-	12,970
115	Florida	Air Force	Tyndall AFB	Add/Alter F-22 Maintenance Fac	18,500	18,500	18,500	-	18,500
116	Florida	Air Force	Tyndall AFB	F-22 Operations Fac	6,800	6,800	6,800	-	6,800
117	Florida	Air Force	Tyndall AFB	Weapons Controller Training School	-	6,195	-	6,195	6,195
118	Florida	DLA	DFSP MacDill AFB	Replace Hydrant Fuel System	16,956	16,956	16,956	-	16,956
119	Florida	SOCOM	Eglin Aux Field 9	AGE Maintenance/Dispatch Complex	4,750	4,750	4,750	-	4,750
120	Florida	SOCOM	Eglin Aux Field 9	Air Field Readiness Improvements	3,000	3,000	3,000	-	3,000
121	Florida	SOCOM	Eglin Aux Field 9	Corrosion Control Fac	8,100	8,100	8,100	-	8,100
122	Florida	SOCOM	Eglin Aux Field 9	Hot Cargo Pad	7,354	7,354	7,354	-	7,354
123	Florida	SOCOM	Eglin Aux Field 9	Supply Package Fac	-	3,319	-	-	-
124	Florida	TRICARE	Eglin AFB	Hospital Add/Alter/Life Safety Upgrade	37,600	37,600	37,600	-	37,600
125	Florida	TRICARE	Patrick AFB	Medical Clinic	2,700	2,700	2,700	-	2,700
126	Florida	TRICARE	Tyndall AFB	Add/Alter Medical Clinic	7,700	7,700	7,700	-	7,700
127	Florida	Army Reserve	Clearwater	Army Aviation Support Fac	-	17,800	-	17,800	17,800
128	Florida	Army Reserve	Orlando	Add/Alter AFR Ctr/OMS	17,953	17,953	17,953	-	17,953
129	Florida	Army Reserve	St. Petersburg	Armed Forces Reserve Ctr, PH 1	-	10,000	-	10,000	10,000
130	Florida	Air Force Reserve	Homestead AFB	Add/Alter Fire Station, PH 2	-	-	-	2,000	2,000
131	Georgia	Army	Fort Benning*	Barracks Complex (Kelley Hill), PH 3B	24,000	-	-	(24,000)	-
132	Georgia	Army	Fort Benning	Fixed Wing Aircraft Parking Apron	15,800	15,800	15,800	-	15,800
133	Georgia	Army	Fort Gordon	Consolidated Fire Station	-	2,600	-	2,600	2,600
134	Georgia	Army	Fort Stewart/Hunter AAF *	Barracks Complex (Hunter AAF), PH 1C	26,000	-	-	(26,000)	-
135	Georgia	Navy	Albany MCLB	Renovate Vehicle Storage Fac	1,100	1,100	1,100	-	1,100
136	Georgia	Navy	Athens NSCS	Fitness Ctr	-	2,950	-	2,950	2,950
137	Georgia	Navy	TRIREFITFAC Kings Bay	Sand Blasting/Paint Fac	5,200	5,200	5,200	-	5,200
138	Georgia	Air Force	Fort Stewart/Hunter AAF	Air Support Operations Squadron Fac	4,920	4,920	4,920	-	4,920
139	Georgia	Air Force	Moody AFB	Dormitory	-	-	8,818	8,818	8,818
140	Georgia	Air Force	Moody AFB	Water Treatment Plant	2,500	2,500	2,500	-	2,500
141	Georgia	Air Force	Robins AFB	Add/Alter Storm Drainage System	-	11,762	-	11,762	11,762
142	Georgia	Air Force	Robins AFB	Airmen Dining Hall	-	-	4,095	4,095	4,095
143	Georgia	Air National Guard	Robins AFB	B-1 Munitions Maint and Trng Complex	8,500	8,500	8,500	-	8,500
144	Georgia	Navy Reserve	Atlanta NAS	Bachelor Enlisted Quarters, PH 1	-	-	5,970	-	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
145	Georgia	Navy Reserve	Atlanta NAS	Fitness Ctr Expansion	2,650	2,650	2,650	-	2,650
146	Georgia	Navy Reserve	Atlanta NAS	Reserve Training Building Addition	1,769	1,769	1,769	-	1,769
147	Georgia	Air Force Reserve	Dobbins AFB	C-130 Assault Strip	6,032	6,032	6,032	-	6,032
148	Hawaii	Army	Pohakuloa Training Facility	Saddle Access Road, PH 1	-	-	12,000	12,000	12,000
149	Hawaii	Army	Schofield Barracks	Barracks Complex (Wilson Str), PH 1B	46,400	22,400	22,400	(24,000)	22,400
150	Hawaii	Army	Schofield Barracks	Barracks Complex (Quad F)`				43,800	43,800
151	Hawaii	Army	Wheeler AAF	Barracks Complex	43,800	43,800	43,800	(43,800)	-
152	Hawaii	Navy	Camp Smith	CINCPAC Headquarters, PH 2	35,600	35,600	35,600	-	35,600
153	Hawaii	Navy	Kaneohe MCB	Bachelor Enlisted Quarters	18,400	18,400	18,400	-	18,400
154	Hawaii	Navy	Lualualei NAVUWEC	Consolidated Fleet Test Support Fac	2,100	2,100	2,100	-	2,100
155	Hawaii	Navy	Pearl Harbor FISC	Wharf Upgrade	12,000	12,000	12,000	-	12,000
156	Hawaii	Navy	Pearl Harbor NAVSTA	Bachelor Enlisted Quarters	16,500	16,500	16,500	-	16,500
157	Hawaii	Navy	Pearl Harbor NAVSTA	Relocate Seal Delivery Vehicle Team	14,200	14,200	14,200	-	14,200
158	Hawaii	Navy	Pearl Harbor NAVSTA	Sewer Force Main (Ford Island)	-	-	6,900	6,900	6,900
159	Hawaii	Air Force	Hickam AFB	Upgrade Hangar Complex	4,620	4,620	4,620	-	4,620
160	Hawaii	SOCOM	Pearl Harbor	Special Delivery Drydeck Fac	-	9,990	-	9,900	9,900
161	Hawaii	Army National Guard	Maui	Readiness Ctr	-	-	11,592	11,592	11,592
162	Idaho	Air Force	Mountain Home AFB	Enhanced Training Range, PH 3	10,125	10,125	10,125	-	10,125
163	Idaho	Air National Guard	Gowan Field	C-130 Assault Strip	-	-	-	9,000	9,000
164	Illinois	Navy	Great Lakes NTC	Child Development Ctr	-	3,400	-	-	-
165	Illinois	Navy	Great Lakes NTC	Recruit Barracks	37,000	37,000	37,000	-	37,000
166	Illinois	Navy	Great Lakes NTC	Recruit Barracks	37,700	37,700	37,700	-	37,700
167	Illinois	Navy	Great Lakes NTC	Replace RTC Drill Hall	11,700	11,700	11,700	-	11,700
168	Illinois	Navy	Great Lakes NTC	Physical Training Fac	35,000	35,000	35,000	-	35,000
169	Illinois	Air Force	Scott AFB	Munitions Storage/Land Acquisition	3,830	3,830	3,830	-	3,830
170	Illinois	Army National Guard	Aurora	Readiness Ctr	-	2,871	-	2,871	2,871
171	Illinois	Army National Guard	Danville	Readiness Ctr	-	2,435	-	2,435	2,435
172	Illinois	Air National Guard	Scott AFB	KC-135 Simulator Fac	1,500	1,500	1,500	-	1,500
173	Illinois	Air Force Reserve	Scott AFB	Support Group Training Fac	-	-	6,912	-	-
174	Indiana	Army	Newport AD	Ammunition Demilitarization Fac, PH 3	54,400	-	54,400	(54,400)	-
175	Indiana	Navy	Crane NWSC	Microwave Engineering Devices Ctr	-	8,460	-	-	-
176	Indiana	ChemDemil	Newport AD	Ammunition Demilitarization Fac, PH 3	-	54,400	-	54,400	54,400
177	Indiana	Army National Guard	Delphi	Organizational Maintenance Shop	1,563	1,563	1,563	-	1,563
178	Indiana	Army National Guard	Elkhart	Organizational Maintenance Shop	2,322	2,322	2,322	-	2,322
179	Indiana	Army National Guard	Logansport	Organizational Maintenance Shop	739	739	739	-	739
180	Indiana	Army National Guard	Plymouth	Organizational Maintenance Shop	951	951	951	-	951

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
181	Indiana	Army National Guard	South Bend	Organizational Maintenance Shop	951	951	951	-	951
182	Indiana	Air National Guard	Fort Wayne IAP	Repl Fuel Cell and Corrosion Control Fac	-	7,000	-	7,000	7,000
183	Indiana	Navy Reserve	Grissom ARB MCRC	Reserve Training Ctr	-	-	4,730	4,730	4,730
184	Indiana	Air Force Reserve	Grissom ARB	Services Complex, PH 2	-	11,290	-	11,290	11,290
185	Kansas	Army	Fort Riley	Advanced Waste Water Treatment Fac	-	-	22,000	22,000	22,000
186	Kansas	Army	Fort Riley*	Barracks Complex (Infantry Dr.), PH 1C	15,000	10,000	10,000	(5,000)	10,000
187	Kansas	Army	Fort Riley	Child Development Ctr	-	5,600	-	-	-
188	Kansas	Air Force	McConnell AFB	Approach Lighting System	-	-	2,100	2,100	2,100
189	Kansas	Air Force	McConnell AFB	KC-135 Squad Ops/Aircraft Maint Unit	-	9,764	-	9,764	9,764
190	Kansas	DLA	McConnell AFB	Hydrant Fuel System	11,000	11,000	11,000	-	11,000
191	Kansas	Army National Guard	Kansas City	Organizational Maintenance Shop	641	641	641	-	641
192	Kansas	Air National Guard	McConnell AFB	B-1 Power Check Pad w/Sound Suppressor	-	1,600	1,550	1,550	1,550
193	Kentucky	Army	Blue Grass AD*	Ammunition Demilitarization Support, PH 2	8,500	-	8,500	(8,500)	-
194	Kentucky	Army	Fort Campbell*	Barracks Complex (Market Garden Rd), PH 2C	9,400	-	-	(9,400)	-
195	Kentucky	Army	Fort Knox	Multi-Purpose Digital Training Range, PH 3	8,450	-	600	(7,900)	550
196	Kentucky	ChemDemil	Blue Grass AD	Ammunition Demilitarization Support, PH 2	-	8,500	-	8,500	8,500
197	Kentucky	SOCOM	Fort Campbell	Equipment Maintenance Complex	4,500	4,500	4,500	-	4,500
198	Kentucky	SOCOM	Fort Campbell	Flight Simulator Fac	5,400	5,400	5,400	-	5,400
199	Kentucky	SOCOM	Fort Campbell	Tactical Equipment Complex	6,400	6,400	6,400	-	6,400
200	Kentucky	Army National Guard	Fort Knox	Parking at MATES	-	-	3,929	3,929	3,929
201	Louisiana	Air Force	Barksdale AFB	B-52H Fuel Cell Maintenance Dock	-	-	14,074	14,074	14,074
202	Louisiana	Air Force	Barksdale AFB	Dormitory (96 Rooms)	6,390	6,390	6,390	-	6,390
203	Louisiana	Army Reserve	Fort Polk	Add/Alter USARC/OMS/Equip Conc Site	9,912	9,912	9,912	-	9,912
204	Louisiana	Army Reserve	New Orleans	USARC/OMS/Unheated Storage	10,375	-	10,375	(10,375)	-
205	Louisiana	Navy Reserve	New Orleans NAS	Air Passenger Terminal	590	590	590	-	590
206	Louisiana	Navy Reserve	New Orleans NAS	Joint Reserve Ctr, PH 1	-	10,375	-	7,000	7,000
207	Louisiana	Navy Reserve	New Orleans NSA	Physical Fitness/Recreational Area	-	-	1,670	1,670	1,670
208	Louisiana	Navy Reserve	New Orleans NSA	Warehouse Add'n for Administration Support	800	800	800	-	800
209	Maine	Navy	Brunswick NAS	Aircraft De-Ice/Rinse Fac	2,450	2,450	2,450	-	2,450
210	Maine	Navy	Portsmouth NSY	Standardize Waterfront Crane Rail System	-	4,960	4,960	4,960	4,960
211	Maryland	Army	Aberdeen Proving Ground	Ammunition Demilitarization Fac, PH 3	45,700	-	45,700	(45,700)	-
212	Maryland	Army	Aberdeen Proving Ground	Emergency Services Ctr	-	5,800	-	-	-
213	Maryland	Army	Aberdeen Proving Ground	Munitions Assessment/Processing Syst Fac	3,100	-	3,100	(3,100)	-
214	Maryland	Army	Fort Meade	Replace Barracks	-	-	19,000	19,000	19,000
215	Maryland	Navy	NavExplOrdDispTechCtr Ind'n Head	Joint Service EOD Equipment Support Fac	6,430	6,430	6,430	-	6,430
216	Maryland	Navy	NAS Patuxent River	Environmental Noise Reduction Wall	-	1,670	-	1,670	1,670

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
217	Maryland	Navy	NAS Patuxent River	RDT&E Support Fac	-	6,570	-	6,570	6,570
218	Maryland	ChemDemil	Aberdeen Proving Ground	Ammunition Demilitarization Fac, PH 3	-	45,700	-	45,700	45,700
219	Maryland	ChemDemil	Aberdeen Proving Ground	Munitions Assessment/Processing Syst Fac	-	3,100	-	3,100	3,100
220	Maryland	DLA	DFSP Patuxent River	Replace Operating Fuel Tanks	8,300	8,300	8,300	-	8,300
221	Maryland	NSA	Fort Meade	Critical Utility Control, PH 2	769	769	769	-	769
222	Maryland	NSA	Fort Meade	Route 32	3,459	3,459	3,459	-	3,459
223	Massachusetts	Air Force	Hanscom AFB	Renovate Acquisition Mgmt Fac, PH 2	-	-	17,851	12,000	12,000
224	Massachusetts	Air National Guard	Barnes MAP	Relocate Taxiway	-	4,000	-	4,000	4,000
225	Massachusetts	Air National Guard	Otis ANG	Upgrade Airfield Storm Water System	-	2,000	-	2,000	2,000
226	Massachusetts	Navy Reserve	Westover AFRB	Marine Reserve Training Fac	-	9,100	-	9,100	9,100
227	Massachusetts	Navy Reserve	Westover AFRB	MCR Technical Fac (Rescission FY 1998)	-	-	-	(2,400)	(2,400)
228	Massachusetts	Air Force Reserve	Westover AFRB	Repair/Alter Airman Quarters	-	7,450	-	7,450	7,450
229	Michigan	Army National Guard	Augusta	Organizational Maintenance Shop	-	3,600	3,600	3,600	3,600
230	Michigan	Army National Guard	Lansing	Combined Maintenance Shop, PH 1	-	-	22,743	17,000	17,000
231	Michigan	Army National Guard	Midland	Organizational Maintenance Shop	3,600	-	-	(3,600)	-
232	Michigan	Air National Guard	Alpena County RAP	Replace Operations and Training Fac	4,500	4,500	4,500	-	4,500
233	Michigan	Air National Guard	Selfridge ANGB	Upgrade Runway	-	-	18,000	18,000	18,000
234	Minnesota	Army National Guard	Camp Ripley*	Combined Maintenance Shop	-	-	-	-	-
235	Minnesota	Army National Guard	Mankato	Readiness Ctr	4,681	4,681	4,681	-	4,681
236	Mississippi	Navy	Meridian NAS	Control Tower and Beacon Tower	-	-	1,530	-	-
237	Mississippi	Navy	Meridian NAS	T-45 Aircraft Support Fac	4,700	4,700	4,700	-	4,700
238	Mississippi	Navy	Stennis Space Center	Warfighting Support Ctr	-	-	6,950	6,950	6,950
239	Mississippi	Air Force	Columbus AFB	Corrosion Control Fac	-	-	4,828	4,828	4,828
240	Mississippi	Air Force	Keesler AFB	Technical Training Fac	15,040	15,040	15,040	-	15,040
241	Mississippi	Army National Guard	Camp McCain (Elliot)	Modified Record Fire Range, Range 2B	-	2,000	-	2,000	2,000
242	Mississippi	Army National Guard	Oxford	Readiness Ctr	-	3,348	-	3,348	3,348
243	Mississippi	Air National Guard	Jackson IAP	C-17 Corrosion Control/Maint Hangar	10,500	10,500	12,800	1,700	12,200
244	Missouri	Army	Fort Leonard Wood	Air Field Improvement	-	4,200	-	4,200	4,200
245	Missouri	Army	Fort Leonard Wood	Basic Training Complex, PH 1A	38,600	38,600	38,600	-	38,600
246	Missouri	Air Force	Whiteman AFB	B-2 Conv Munitions Storage Igloos	4,150	4,150	4,150	-	4,150
247	Missouri	Air Force	Whiteman AFB	B-2 Munitions Assembly Area	7,900	7,900	7,900	-	7,900
248	Missouri	Army National Guard	Maryville	Readiness Ctr	-	-	-	4,225	4,225
249	Missouri	Navy Reserve	Whiteman AFB	Littoral Surveillance System	-	3,570	-	3,570	3,570
250	Montana	Air Force	Malmstrom AFB	Convert Commercial Gate	-	-	3,517	3,517	3,517
251	Montana	Air Force	Malmstrom AFB	Helicopter Operations Fac	-	-	2,362	2,362	2,362
252	Montana	Air Force	Malmstrom AFB	Minuteman III Missile Maint Fac	5,300	5,300	5,300	-	5,300

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
253	Montana	Army National Guard	Bozeman	Readiness Ctr	-	-	-	4,916	4,916
254	Montana	Army National Guard	Havre	Organizational Maintenance Shop	461	461	461	-	461
255	Montana	Army National Guard	Kalispell	Organizational Maintenance Shop	493	493	493	-	493
256	Montana	Army National Guard	Libby	Organizational Maintenance Shop	463	463	463	-	463
257	Nebraska	Air Force	Offutt AFB	Fire/Crash Rescue Station	-	-	9,765	-	-
258	Nebraska	Army National Guard	Gering	Organizational Maintenance Shop	657	657	657	-	657
259	Nebraska	Army National Guard	Mead	Organizational Maintenance Shop	714	714	714	-	714
260	Nebraska	Army National Guard	North Platte	Organizational Maintenance Shop	508	508	508	-	508
261	Nevada	Navy	Fallon NAS	Corrosion Control Hanger	-	6,280	6,280	6,280	6,280
262	Nevada	DLA	DFSP Fallon NAS	Replace Operating Fuel Tanks	5,000	5,000	5,000	-	5,000
263	Nevada	Army National Guard	Carson City	USP&FO Administrative Building	-	-	4,472	4,472	4,472
264	Nevada	Air National Guard	Reno-Tahoe IAP	Fuel Storage Complex	-	-	5,000	5,000	5,000
265	New Hampshire	Air National Guard	Pease International Trade Port	Replace Medical Training Fac	-	-	4,000	4,000	4,000
266	New Hampshire	Army Reserve	Rochester	Land Acquisition	980	980	980	-	980
267	New Jersey	Army	Picatinny Arsenal	Armament Software Eng Ctr, PH 1	-	5,600	-	5,600	5,600
268	New Jersey	Navy	NWS Earle	Recreation Ctr	2,420	2,420	2,420	-	2,420
269	New Jersey	Air Force	McGuire AFB	Air Freight /Base Supply Complex, PH 1	-	10,600	-	10,600	10,600
270	New Jersey	Air Force	McGuire AFB	Fitness Ctr	9,772	9,772	9,772	-	9,772
271	New Jersey	Army Reserve	Fort Dix	OES Barracks Upgrade	-	-	9,975	-	-
272	New Mexico	Army	White Sands Missile Range	Professional Development Ctr	-	9,000	-	-	-
273	New Mexico	Air Force	Cannon AFB	Control Tower	-	-	4,934	4,934	4,934
274	New Mexico	Air Force	Holloman AFB	Repair Bonito Pipeline	-	-	18,380	18,380	18,380
275	New Mexico	Air Force	Kirtland AFB	Fire/Crash Rescue Station	-	7,350	-	7,350	7,350
276	New Mexico	Air Force	Kirtland AFB	Replace Airfield Pavement, PH 2	-	-	7,352	-	-
277	New York	Army	Fort Drum	Battle Simulation Ctr, PH 1	-	12,000	-	12,000	12,000
278	New York	Army	Fort Drum*	Consolidated Soldier Support Ctr, PH 2	10,300	-	-	(10,300)	-
279	New York	Army	United States Military Academy *	Cadet Physical Development Ctr, PH 2A	13,600	-	-	(13,600)	-
280	New York	TRICARE	Fort Drum	Veterinary Treatment Fac	1,400	1,400	1,400	-	1,400
281	New York	Army National Guard	Hancock Field (ANG)	Readiness Ctr	5,376	5,376	5,376	-	5,376
282	New York	Air National Guard	Hancock Field Syracuse	Small Arms Range Training Fac	-	1,250	-	1,250	1,250
283	New York	Air National Guard	Hancock Field (ANG) Syracuse	Upgrade Aircraft Maintenance Shops	-	9,100	-	9,100	9,100
284	New York	Air National Guard	Niagara Falls IAP	Upgrade Overrun and Runway	-	4,100	-	4,100	4,100
285	New York	Air Force Reserve	Niagara ARS	Visiting Airmen Quarters, PH 1	-	-	6,881	-	-
286	North Carolina	Army	Fort Bragg	Ammunition Holding Area	12,600	12,600	12,600	-	12,600
287	North Carolina	Army	Fort Bragg	Barracks Complex (Butner Rd), PH 1	26,000	26,000	26,000	-	26,000
288	North Carolina	Army	Fort Bragg	Barracks Complex (Longstreet Rd), PH 1	45,600	45,600	45,600	-	45,600

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
289	North Carolina	Army	Fort Bragg*	Barracks Complex (Tagaytay Str), PH 2B	38,600	3,108	3,108	(35,492)	3,108
290	North Carolina	Army	Sunny Point Army Terminal	Railroad Equipment Maintenance Fac	2,300	2,300	2,300	-	2,300
291	North Carolina	Navy	Camp LeJeune MCB	Amphibious Ops/Maint Storage Complex	9,500	9,500	9,500	-	9,500
292	North Carolina	Navy	Camp LeJeune MCB	Armories	10,000	14,000	10,000	4,000	14,000
293	North Carolina	Navy	Camp LeJeune MCB	Bachelor Enlisted Quarters	14,300	14,300	14,300	-	14,300
294	North Carolina	Navy	Camp LeJeune MCB	Child Development Ctr	4,420	4,420	4,420	-	4,420
295	North Carolina	Navy	Camp LeJeune MCB	Operations/Maintenance Storage Fac	3,650	3,650	3,650	-	3,650
296	North Carolina	Navy	Cherry Point MCAS	Aircraft Hangar Improvements	8,480	8,480	8,480	-	8,480
297	North Carolina	Navy	Cherry Point NADEP	Aircraft Stripping Fac Addition	7,540	7,540	7,540	-	7,540
298	North Carolina	Navy	New River MCAS	Aircraft Rinse Fac	800	800	800	-	800
299	North Carolina	Navy	New River MCAS	Control Tower	2,600	2,600	2,600	-	2,600
300	North Carolina	Air Force	Pope AFB	Dangerous Cargo Pads	24,570	24,570	24,570	-	24,570
301	North Carolina	Air Force	Seymour Johnson AFB	Repair Airfield Pavement	-	7,141	-	7,141	7,141
302	North Carolina	DODEA	Camp LeJeune MCB	Russell Elementary School	5,914	5,914	5,914	-	5,914
303	North Carolina	DLA	DFSP Cherry Point	Replace Fuel Storage Tanks	5,700	5,700	5,700	-	5,700
304	North Carolina	SOCOM	Fort Bragg	Media Operations Complex	8,600	8,600	8,600	-	8,600
305	North Carolina	Army National Guard	Fort Bragg	Military Educational Fac, PH 1	8,709	8,709	8,709	-	8,709
306	North Carolina	Air National Guard	Charlotte/Douglas IAP	Replace Base Supply Warehouse	-	6,300	-	6,300	6,300
307	North Dakota	Air Force	Minot AFB	Add to Missile Maint Fac	-	3,151	-	-	-
308	North Dakota	Army National Guard	Wahpeton	Armed Forces Readiness Ctr	-	-	10,960	10,960	10,960
309	Ohio	Army	Columbus	Military Entrance Processing Station	1,832	1,832	1,832	-	1,832
310	Ohio	Air Force	Wright-Patterson AFB	Consolidated Toxic Hazard Lab	-	14,908	-	14,908	14,908
311	Ohio	Air Force	Wright-Patterson AFB	Replace West Ramp, PH 1	22,600	22,600	22,600	-	22,600
312	Ohio	Air National Guard	Mansfield-Lahm MAP	Replace Squad Ops and Communications	-	7,700	-	7,700	7,700
313	Ohio	Air National Guard	Springfield-Buckley MAP	Relocate Pwr Check & Arm/DeArm Pad, PH 1	-	4,000	-	4,000	4,000
314	Ohio	Air National Guard	Toledo Express Airport	Replace Logistics Complex	-	6,900	-	-	-
315	Ohio	Navy Reserve	Columbus NMCRC	Consolidate Navy Marine Corps Reserve Ctr	-	7,080	-	7,080	7,080
316	Ohio	Navy Reserve	Rickenbacker NMCRC	Relocation and Consolidation of Facilities	-	-	7,080	-	-
317	Oklahoma	Army	Fort Sill	Tactical Equipment Shop, PH 2	-	10,991	10,100	10,100	10,100
318	Oklahoma	Air Force	Altus AFB	C-17 Cargo Compartment Trainer	-	2,939	2,939	2,939	2,939
319	Oklahoma	Air Force	Tinker AFB	Depot Corrosion Control Strip Fac (WCF)	12,380	12,380	12,380	-	12,380
320	Oklahoma	Air Force	Tinker AFB	Dormitory	-	8,715	-	8,715	8,715
321	Oklahoma	Air Force	Tinker AFB	Dormitory (96 Rooms)	5,800	5,800	5,800	-	5,800
322	Oklahoma	Air Force	Vance AFB	Maintenance Hanger	-	-	10,504	10,504	10,504
323	Oklahoma	Army National Guard	Sand Springs	Armed Forces Reserve Ctr	-	-	13,530	13,530	13,530
324	Oregon	Army	Umatilla DA	Ammunition Demilitarization Fac, PH 6	9,400	-	9,400	(9,400)	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
325	Oregon	ChemDemil	Umatilla DA	Ammunition Demilitarization Fac, PH 6	-	9,400	-	9,400	9,400
326	Oregon	Army National Guard	Baker City	Readiness Ctr	3,122	3,122	3,122	-	3,122
327	Oregon	Army National Guard	Camp Rilea	Training Simulation Ctr	-	1,470	-	1,470	1,470
328	Oregon	Navy Reserve	Portland IAP	Reserve Ctr Alternation/Vehicle Maint Fac	1,420	1,420	1,420	-	1,420
329	Pennsylvania	Army	Carlisle Barracks	Academic Research Fac	10,500	10,500	10,500	-	10,500
330	Pennsylvania	Army	New Cumberland AD	Military Entrance Processing Station	3,700	3,700	3,700	-	3,700
331	Pennsylvania	Navy	Philadelphia NSWC	Gas Turbine Test Fac	-	10,680	-	10,680	10,680
332	Pennsylvania	DLA	DDSP New Cumberland	Child Development Ctr	4,700	4,700	4,700	-	4,700
333	Pennsylvania	DLA	DDSP New Cumberland	Replace Controlled Humidity Warehouse	13,000	13,000	13,000	-	13,000
334	Pennsylvania	Army National Guard	Fort Indiantown Gap	Repair Waste Treatment Sewage Plant Line	-	8,518	-	8,518	8,518
335	Pennsylvania	Army National Guard	Johnstown	Regional Maintenance Shop	-	4,500	-	4,500	4,500
336	Pennsylvania	Army National Guard	Mansfield	Readiness Ctr	-	3,100	-	3,100	3,100
337	Pennsylvania	Army National Guard	New Milford	Readiness Ctr	-	2,675	-	2,675	2,675
338	Pennsylvania	Air Force Reserve	Pittsburgh IAP	Combat Communications Fac	-	-	3,105	-	-
339	Pennsylvania	Air Force Reserve	Willow Grove ARS	Alter Hangar and Fire Suppression	2,400	2,400	2,400	-	2,400
340	Rhode Island	Navy	Division Newport NUWC	Shore Based Launch Fac	4,150	4,150	4,150	-	4,150
341	Rhode Island	Air National Guard	Quonset Point*	Maintenance Hanger, PH 1	-	-	-	-	-
342	South Carolina	Navy	Beaufort MCAS	Flightline Fire Safety Improvements	3,140	3,140	3,140	-	3,140
343	South Carolina	Navy	Parris Island MCRD	Field Training Complex	2,660	2,660	2,660	-	2,660
344	South Carolina	Air Force	Charleston AFB	Base Mobility Warehouse	-	-	9,449	9,449	9,449
345	South Carolina	Air Force	Charleston AFB	C-17 Add to Flight Simulator Fac	2,500	2,500	2,500	-	2,500
346	South Carolina	Air Force	Charleston AFB	Repair Runway, North Field	-	10,289	10,289	10,289	10,289
347	South Carolina	Air Force	Shaw AFB	Dining Fac	-	5,252	-	5,252	5,252
348	South Carolina	Air Force	Shaw AFB	USCENTAF Operations Weather Sqd Fac	2,850	2,850	2,850	-	2,850
349	South Carolina	DODEA	Laurel Bay	Laurel Bay Primary Classroom Addition	804	804	804	-	804
350	South Carolina	Army National Guard	Beaufort	Readiness Ctr	-	4,870	-	4,870	4,870
351	South Carolina	Army National Guard	Leesburg Training Center	Infrastructure Upgrades	-	-	5,682	5,682	5,682
352	South Carolina	Navy Reserve	Fort Jackson	Naval Reserve Readiness Ctr	-	5,200	-	5,200	5,200
353	South Dakota	Air Force	Ellsworth AFB	Base Civil Engineer Complex, PH 1	-	-	10,290	10,290	10,290
354	South Dakota	Army National Guard	Sioux Falls*	Consolidated Barracks/Education Fac	-	4,955	-	137	137
355	Tennessee	Army National Guard	Henderson	Organizational Maint Shop, PH 1	-	1,976	1,976	-	-
356	Tennessee	Army National Guard	Henderson	Readiness Ctr	-	-	-	5,165	5,165
357	Tennessee	Army National Guard	New Tazwell	Readiness Ctr	-	3,510	-	3,510	3,510
358	Texas	Army	Fort Bliss	Railyard Infrastructure	26,000	26,000	26,000	-	26,000
359	Texas	Army	Fort Hood	Command and Control Fac, PH 1	-	4,000	-	4,000	4,000
360	Texas	Army	Fort Hood	Fire Station/Transportation Motor Pool	-	6,492	-	6,492	6,492

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
361	Texas	Army	Fort Hood	Multi-Purpose Digital Trng Range, PH 1	16,000	16,000	16,000	-	16,000
362	Texas	Army	Fort Hood	Railhead Fac, PH 3	9,800	9,800	9,800	-	9,800
363	Texas	Army	Red River Army Depot	Ammunition Container Complex	800	800	800	-	800
364	Texas	Navy	Corpus Christi NAS	Parking Apron Expansion	-	4,850	-	4,850	4,850
365	Texas	Navy	Ingleside NS	Mobile Mine Assembly Unit Fac	-	2,420	-	2,420	2,420
366	Texas	Navy	Kingsville NAS	Aircraft Parking Apron	-	2,670	-	2,670	2,670
367	Texas	Air Force	Dyess AFB	C-130 Squad Ops/Aircraft Maint Unit	-	7,348	-	-	-
368	Texas	Air Force	Dyess AFB	Fitness Ctr	-	-	12,813	12,813	12,813
369	Texas	Air Force	Dyess AFB	Realistic Bomber Training Initiative	12,175	12,175	12,175	-	12,175
370	Texas	Air Force	Lackland AFB	Child Development Ctr	-	4,830	4,830	4,830	4,830
371	Texas	Air Force	Lackland AFB	Dormitory (96 Rooms)	5,500	5,500	5,500	-	5,500
372	Texas	Air Force	Laughlin AFB	Visitors Quarters	-	11,973	-	11,973	11,973
373	Texas	Air Force	Sheppard AFB	Dining Fac	-	6,450	-	6,450	6,450
374	Texas	TRICARE	William Beaumont Medical Ctr	Laboratory Renovation	-	4,200	-	4,200	4,200
375	Texas	Air National Guard	Ellington Field	Base Supply Complex	-	-	10,000	10,000	10,000
376	Texas	Army Reserve	Camp Bullis	USAR Ctr/Unheated Storage	1,464	1,464	1,464	-	1,464
377	Texas	Army Reserve	Fort Sam Houston	USAR Ctr/OMS/Equip Conc Site	13,678	13,678	13,678	-	13,678
378	Texas	Navy Reserve	Fort Worth NAS, JRB	Indoor Rifle Range	-	3,490	-	3,490	3,490
379	Texas	Navy Reserve	Fort Worth NAS, JRB	Religious Ministry Fac	-	1,580	-	1,830	1,830
380	Utah	Air Force	Hill AFB	C-130 Corrosion Control Fac (WCF)	16,500	16,500	16,500	-	16,500
381	Utah	Air Force	Hill AFB	Dormitory	-	11,550	11,550	11,550	11,550
382	Utah	Air National Guard	Salt Lake City IAP	Aircraft Maintenance Complex	10,300	10,300	10,300	-	10,300
383	Vermont	Air National Guard	Burlington IAP	Aircraft Maintenance Complex	-	-	9,300	9,300	9,300
384	Virginia	Army	Fort Eustis	Aircraft Maint Instructional Building	-	-	4,450	4,450	4,450
385	Virginia	Navy	AEGIS CSC Wallops Island	Spy 1-D T&E Fac Addition	3,300	3,300	3,300	-	3,300
386	Virginia	Navy	Dahlgren NSWC	Innovative Tech & Infrastructure Fac	11,300	11,300	11,300	-	11,300
387	Virginia	Navy	Dahlgren NSWC	Joint Warfare Analysis Ctr	-	-	19,400	19,400	19,400
388	Virginia	Navy	Little Creek NAB	Waterfront Operations Fac	2,830	2,830	2,830	-	2,830
389	Virginia	Navy	Norfolk NAS	Aircraft Maintenance Hangar	13,300	13,300	13,300	-	13,300
390	Virginia	Navy	Norfolk NAS	Aircraft Maintenance Hangar	11,800	11,800	11,800	-	11,800
391	Virginia	Navy	Norfolk NAS	Taxiway Extension & Lights	6,350	6,350	6,350	-	6,350
392	Virginia	Navy	Norfolk NAVSTA	Pier Enhancements	4,700	4,700	4,700	-	4,700
393	Virginia	Navy	Norfolk NSY, Portsmouth	Bachelor Enlisted Quarters	16,100	16,100	16,100	-	16,100
394	Virginia	Navy	Oceana NAS	Airfield Improvements	5,250	5,250	5,250	-	5,250
395	Virginia	Navy	Oceana NAS	Airfield Perimeter Fence	-	4,190	-	-	-
396	Virginia	Navy	Quantico MCCDC	Physical Training Fac	8,590	8,590	8,590	-	8,590

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
397	Virginia	Air Force	Langley AFB	Dormitory (96 Rooms)	7,470	7,470	7,470	-	7,470
398	Virginia	Air Force	Langley AFB	Fitness Ctr	-	12,180	-	12,180	12,180
399	Virginia	DLA	DFSP Oceana	Replace Fuel Storage Tank	2,000	2,000	2,000	-	2,000
400	Virginia	DLA	DSC Richmond	Emergency Services Fac	4,500	4,500	4,500	-	4,500
401	Virginia	SOCOM	Classified	Unit Training Fac	-	-	2,303	-	-
402	Virginia	SOCOM	FCTC Dam Neck	Operational Support Fac	5,500	5,500	5,500	-	5,500
403	Virginia	SOCOM	Little Creek NAB	Air Operations Fac	5,400	5,400	5,400	-	5,400
404	Virginia	SOCOM	Oceana NAS	Operations Support Fac	3,400	3,400	3,400	-	3,400
405	Virginia	Army National Guard	Richlands	Organizational Maintenance Shop	-	-	1,175	1,175	1,175
406	Virginia	Army Reserve	Fort A.P. Hill	USAR/OMS/Area Maint Support Activity	4,275	4,275	4,275	-	4,275
407	Washington	Navy	Bangor NSB	Strategic Security Support Fac	-	-	4,600	4,600	4,600
408	Washington	Navy	Bremerton NS	Fleet Recreation Fac	-	1,930	-	1,930	1,930
409	Washington	Navy	Everett NS	Aquatic Combat Training Fac	-	-	5,500	5,500	5,500
410	Washington	Navy	Puget Sound NSY,Bremerton	Chemical Metallurgical Lab	9,400	9,400	9,400	-	9,400
411	Washington	Navy	Puget Sound NSY, Bremerton	Industrial Skills Ctr	-	10,000	-	10,000	10,000
412	Washington	Navy	Puget Sound NSY, Bremerton	Oily Wastewater Collection	6,600	6,600	6,600	-	6,600
413	Washington	Navy	Puget Sound NSY, Bremerton	Pier Replacement, PH 1	38,000	38,000	38,000	-	38,000
414	Washington	Navy	Strat Wpns Fac Pac, Bremerton	Explosives Handling Wharf Mod	1,400	1,400	1,400	-	1,400
415	Washington	Air Force	Fairchild AFB	Joint Personnel Recovery Ctr	-	5,880	-	5,880	5,880
416	Washington	Air Force	Fairchild AFB	Runway Ctrline Lights	-	2,046	2,046	2,046	2,046
417	Washington	Air Force	McChord AFB	C-17 Add/Alter Nose Docks	3,750	3,750	3,750	-	3,750
418	Washington	Air Force	McChord AFB	C-17 Sqd Ops/Aircraft Maint Unit	6,500	6,500	6,500	-	6,500
419	Washington	Army National Guard	Bremerton	Readiness Ctr	2,639	4,341	4,248	1,702	4,341
420	Washington	Army National Guard	Yakima Training Center	Readiness Ctr	5,104	5,104	6,522	1,609	6,713
421	Washington	Army Reserve	Fort Lawton	Transfer	-	-	-	3,400	3,400
422	Washington	Army Reserve	Tacoma	USAR Ctr/OMS/AMSA, Marine	14,759	14,759	14,759	-	14,759
423	West Virginia	Air National Guard	Yeager ANG	Upgrade Parking Apron and Taxiway	-	-	6,000	6,000	6,000
424	West Virginia	Navy Reserve	Eleanor	Reserve Ctr	-	-	2,500	2,500	2,500
425	Wyoming	Air Force	F. E. Warren AFB	Command And Control Support Fac	10,200	10,200	10,200	-	10,200
426	Wyoming	Air Force	F. E. Warren AFB	Minuteman III Missile Service Complex	15,520	15,520	15,520	-	15,520
427	Wyoming	Air Force	F. E .Warren AFB	Upgrade Storm Water Drainage System	-	-	10,394	-	-
428	Wyoming	Air National Guard	Cheyenne	Control Tower	-	-	1,450	1,450	1,450
429	CONUS Classified	Air Force	Classified	Special Tactical Unit Detachment Fac	1,810	1,810	1,810	-	1,810
430	CONUS Various	Navy	CONUS Various	Bachelor Enlisted Quarters and Dining Fac	11,500	11,500	11,500	-	11,500
431	Bahrain	Navy	ASU	Operations Ctr	19,400	19,400	19,400	-	19,400
432	Curacao/Aruba	OSD	Aruba	Airfield Pavement/Rinse Fac	8,800	-	-	(8,800)	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
433	Curacao/Aruba	OSD	Aruba	Expeditionary Maintenance Facilities	860	-	-	(860)	-
434	Curacao/Aruba	OSD	Aruba	Expeditionary Aircraft Maint Hangar/Apron	590	-	-	(590)	-
435	Curacao/Aruba	OSD	Curacao	Expeditionary Maintenance Facilities	3,000	-	-	(3,000)	-
436	Curacao/Aruba	OSD	Curacao	Expeditionary Squadron Ops/AMU/Storage	2,200	-	-	(2,200)	-
437	Curacao/Aruba	OSD	Curacao	Airfield Pavement/Rinse Fac	29,500	-	-	(29,500)	-
438	Curacao/Aruba	OSD	Curacao	Aircraft Maint Hangar/Nose/Dock/Apron	9,200	-	-	(9,200)	-
439	Diego Garcia	Air Force	Diego Garcia	Munitions Storage Igloos	5,475	5,475	5,475	-	5,475
440	Ecuador	OSD	Manta	Aircraft Maint Hangar/Nose/Dock/Apron	6,723	-	-	(6,723)	-
441	Ecuador	OSD	Manta	Expeditionary Maintenance Facilities	4,900	-	-	(4,900)	-
442	Ecuador	OSD	Manta	Expeditionary Rescue Station	2,200	-	-	(2,200)	-
443	Ecuador	OSD	Manta	Expeditionary Squadron Ops/AMU/Storage	2,600	-	-	(2,600)	-
444	Ecuador	OSD	Manta	Expeditionary Visiting Airmen Qtrs/Dining Fac	4,650	-	-	(4,650)	-
445	Ecuador	OSD	Manta	Expeditionary Visiting Officer Quarters	1,600	-	-	(1,600)	-
446	Germany	Army	Bamberg ASG	Barracks Complex - Warner 7005	7,800	7,800	7,800	-	7,800
447	Germany	Army	Bamberg ASG	Barracks Complex - Warner 7041	3,850	3,850	3,850	-	3,850
448	Germany	Army	Darmstadt ASG	Barracks Complex - Kelley 4164	5,600	5,600	5,600	-	5,600
449	Germany	Army	Darmstadt ASG	Barracks Complex - Cambrai Fritsch 4002	5,700	5,700	5,700	-	5,700
450	Germany	Army	Kaiserslautern	Child Development Ctr	3,400	3,400	3,400	-	3,400
451	Germany	Army	Mannheim	Barracks Complex - Coleman 2	4,050	4,050	4,050	-	4,050
452	Germany	DFAS	Kleber Kaserne	Renovate Administrative Fac	7,500	7,500	7,500	-	7,500
453	Germany	DODEA	Hanau	Argonner Elem School Classroom Add	1,026	1,026	1,026	1,004	2,030
454	Germany	DODEA	Hohenfels	Construct New Middle/High School	13,774	13,774	13,774	-	13,774
455	Germany	DODEA	Schweinfurt	Schweinfurt Elem School Add	1,444	1,444	1,444	306	1,750
456	Germany	DODEA	Wurtzburg	Wuerzburg Elem School Classroom Add	1,798	1,798	1,798	837	2,635
457	Germany	DTRA	Darmstadt	Renovate Administrative Fac	2,450	2,450	2,450	-	2,450
458	Germany	TRICARE	Kitzingen	Health/Dental Clinic Life Safety Upgrade	1,400	1,400	1,400	-	1,400
459	Germany	TRICARE	Wiesbaden AB	Health/Dental Clinic Add/Alter	7,187	7,187	7,187	-	7,187
460	Guam	Navy	Naval Activities Guam	Child Development Ctr	-	1,000	-	-	-
461	Guam	DLA	DFSP Andersen AFB	Replace Fuel Storage Tanks	16,000	16,000	16,000	-	16,000
462	Guam	DLA	DFSP Andersen AFB	Replace Hydrant Fuel System	20,000	20,000	20,000	-	20,000
463	Italy	Navy	Naples NSA	Bachelor Enlisted Quarters	15,000	15,000	15,000	-	15,000
464	Italy	Navy	Sigonella NAS	Community Facilities	32,029	32,969	32,029	940	32,969
465	Italy	Air Force	Aviano AB	Dormitory (102 Rooms)	8,000	8,000	8,000	-	8,000
466	Italy	DLA	DFSP Sigonella	Replace Bulk Fuel Storage Fac	16,300	16,300	16,300	-	16,300
467	Italy	DODEA	Sigonella	Sigonella Elem School/High School Add	971	971	971	2,479	3,450
468	Italy	TRICARE	Naples NSA	Medical Dental Fac Replacement	43,850	-	42,400	(43,850)	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
469	Japan	DLA	DFSP Iwakuni MCAS	Bulk Fuel Storage Tanks	22,400	22,400	22,400	-	22,400
470	Japan	DLA	DFSP Misawa AB	Bulk Fuel Storage Tanks	26,400	26,400	26,400	-	26,400
471	Korea	Army	Camp Carroll	Whole Barracks Renewal Complex	-	10,000	-	10,000	10,000
472	Korea	Army	Camp Hovey	Dining Fac	-	4,200	-	4,200	4,200
473	Korea	Army	Camp Hovey	Whole Barracks Renewal Complex	-	-	-	26,000	26,000
474	Korea	Army	Camp Hovey	Unaccompanied Officers Quarters	-	-	-	-	-
475	Korea	Army	Camp Humphreys	Whole Barracks Renewal Complex	14,200	14,200	14,200	-	14,200
476	Korea	Army	Camp Page	Barracks Complex	19,500	19,500	19,500	-	19,500
477	Korea	Army	Yongpyong	MOUT Collective Fac	-	-	-	11,850	11,850
478	Korea	Air Force	Kunsan AB	Upgrade Water Distribution System	6,400	6,400	6,400	-	6,400
479	Korea	Air Force	Osan AB	Dormitory (156 Rooms)	11,348	11,348	11,348	-	11,348
480	Korea	Air Force	Osan AB	Upgrade Water Distribution System	10,600	10,600	10,600	-	10,600
481	Korea	SOCOM	Taegu AB	Tactical Equipment Maint Complex	1,450	1,450	1,450	-	1,450
482	Korea	DODEA	Osan	Elementary School Classroom Add	-	-	-	892	892
483	Korea	DODEA	Seoul	Elementary School Classroom Add	-	-	-	2,451	2,451
484	Korea	DODEA	Taegu AB	Elementary School Classroom Add	-	-	-	806	806
485	Kwajalein	Army	Kwajalein	Unaccompanied Pers Hous Renovation	18,000	18,000	-	(18,000)	-
486	Puerto Rico	Army	Fort Buchanan	Child Development Ctr	-	-	-	3,700	3,700
487	Puerto Rico	SOCOM	Roosevelt Roads	SOF Boat Maintenance Fac	1,241	1,241	1,241	-	1,241
488	Spain	Air Force	Rota NAVSTA	Enhance Rota, Various Facilities	5,052	5,052	5,052	-	5,052
489	Turkey	Air Force	Incirlik AB	Fire Training Fac	1,000	1,000	1,000	-	1,000
490	United Kingdom	DLA	DFSP RAF Mildenhall	Replace Hydrant Fuel System	10,000	10,000	10,000	-	10,000
491	United Kingdom	DODEA	RAF Feltwell	Feltwell Elem School Classroom Add	1,287	1,287	1,287	513	1,800
492	United Kingdom	DODEA	RAF Lakenheath	Lakenheath Elem School Classroom Add	3,086	3,086	3,086	2,564	5,650
493	Worldwide Unspecified	Army	Unspecified Worldwide	Classified Project	11,500	11,500	11,500	(500)	11,000
494	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Adjustment	-	(635)	(635)	(635)	(635)
495	Worldwide Unspecified	Army	Unspecified Worldwide	Planning And Design	72,106	83,261	74,882	14,600	86,706
496	Worldwide Unspecified	Army	Unspecified Worldwide	Host Nation	22,600	22,600	22,600	-	22,600
497	Worldwide Unspecified	Navy	Unspecified Worldwide	Planning And Design	63,335	67,502	64,093	10,000	73,335
498	Worldwide Unspecified	Army	Unspecified Worldwide	Unspecified Minor Construction	15,000	17,000	15,000	5,700	20,700
499	Worldwide Unspecified	Navy	Unspecified Worldwide	Foreign Currency Fluctuation	-	(2,889)	(2,889)	(2,889)	(2,889)
500	Worldwide Unspecified	Navy	Unspecified Worldwide	General Reduction	-	-	-	(20,000)	(20,000)
501	Worldwide Unspecified	Navy	Unspecified Worldwide	Unspecified Minor Construction	7,659	7,659	7,659	4,000	11,659
502	Worldwide Unspecified	Air Force	Unspecified Worldwide	Planning And Design	54,237	56,949	71,529	20,391	74,628
503	Worldwide Unspecified	Air Force	Unspecified Worldwide	Prior Years Unobligated Funds	-	-	(15,000)	-	-
504	Worldwide Unspecified	Air Force	Unspecified Worldwide	Unspecified Minor Construction	9,850	9,850	9,850	1,500	11,350

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
505	Worldwide Unspecified	BMDO	Unspecified Worldwide	NMD Initial Deployment Facilities	85,095	85,095	85,095	-	85,095
506	Worldwide Unspecified	BMDO	Unspecified Worldwide	Planning And Design	14,729	14,729	14,729	-	14,729
507	Worldwide Unspecified	BMDO	Unspecified Worldwide	Unspecified Minor Construction	3,694	3,694	3,694	-	3,694
508	Worldwide Unspecified	ChemDemil	Unspecified Worldwide	General Reduction (ChemDemil)	-	-	-	(20,000)	(20,000)
509	Worldwide Unspecified	Defense Agencies	Unspecified Worldwide	Foreign Currency Fluctuation	-	(7,115)	(7,115)	(7,115)	(7,115)
510	Worldwide Unspecified	DLA	Unspecified Worldwide	Planning And Design	1,800	1,800	1,800	-	1,800
511	Worldwide Unspecified	DIA	Unspecified Worldwide	Planning And Design	6,786	6,786	6,786	-	6,786
512	Worldwide Unspecified	DFAS	Unspecified Worldwide	Unspecified Minor Construction	1,500	1,500	1,500	-	1,500
513	Worldwide Unspecified	DTRA	Unspecified Worldwide	Planning And Design	2,600	2,600	2,600	-	2,600
514	Worldwide Unspecified	Energy Cons Impr Prgm	Unspecified Worldwide	Energy Conservation Improv Program	33,570	-	16,785	(18,570)	15,000
515	Worldwide Unspecified	Joint Chiefs of Staff	Unspecified Worldwide	Unspecified Minor Construction	6,196	6,196	6,196	-	6,196
516	Worldwide Unspecified	OSD	Unspecified Worldwide	Planning And Design (OSD)	2,900	-	2,900	(1,100)	1,800
517	Worldwide Unspecified	OSD	Unspecified Worldwide	Minor Construction (Defense Level)	3,000	3,000	3,000	-	3,000
518	Worldwide Unspecified	OSD	Unspecified Worldwide	Planning And Design (Defense Level)	24,000	24,000	24,000	-	24,000
519	Worldwide Unspecified	OSD Contingencies	Unspecified Worldwide	Contingency Construction	10,000	10,000	10,000	(4,000)	6,000
520	Worldwide Unspecified	SOCOM	Unspecified Worldwide	Planning And Design	3,790	3,790	3,790	-	3,790
521	Worldwide Unspecified	TRICARE	Unspecified Worldwide	Planning And Design	22,000	22,000	22,000	-	22,000
522	Worldwide Unspecified	TRICARE	Unspecified Worldwide	Unspecified Minor Construction	3,000	3,000	3,000	-	3,000
523	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Planning And Design	4,232	6,348	7,542	20,547	24,779
524	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Unspecified Minor Construction	2,295	3,295	2,295	10,480	12,775
525	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Unspecified Minor WMDCST	-	-	25,000	25,000	25,000
526	Worldwide Unspecified	Air National Guard	Unspecified Worldwide	Planning And Design	9,119	9,875	16,396	11,300	20,419
527	Worldwide Unspecified	Air National Guard	Unspecified Worldwide	Unspecified Minor Construction	4,000	4,000	4,000	4,000	8,000
528	Worldwide Unspecified	Army Reserve	Unspecified Worldwide	Planning And Design	6,400	7,720	7,209	5,500	11,900
529	Worldwide Unspecified	Army Reserve	Unspecified Worldwide	Unspecified Minor Construction	1,917	2,617	1,917	700	2,617
530	Worldwide Unspecified	Navy Reserve	Unspecified Worldwide	Planning And Design	1,521	1,597	1,559	2,200	3,721
531	Worldwide Unspecified	Air Force Reserve	Unspecified Worldwide	Planning And Design	2,304	2,419	3,228	1,000	3,304
532	Worldwide Unspecified	Air Force Reserve	Unspecified Worldwide	Unspecified Minor Construction	4,115	4,115	4,115	-	4,115
533	Worldwide Unspecified	Base Closure IV	BRAC IV	Base Realignment & Closure IV	1,174,369	1,174,369	1,174,369	(150,000)	1,024,369
534	Worldwide Unspecified	NATO Sec Invest Prgm	Unspecified Worldwide	NATO Security Investment Program	190,000	177,500	190,000	(18,000)	172,000
535	Worldwide Various	Navy	Various Worldwide	Host Nation Infrastructure Support	142	142	142	-	142
536	Worldwide Unspecified	Navy	Unspecified Worldwide	General Reduction	-	(20,000)	-	-	-
				Total	4,553,427	4,874,647	4,919,339	662,527	5,215,954
				* Authorized for Appropriation in FY00 Authorization Act				-	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
1	Alaska	Army	Fort Wainright	Family Hous Revitalization (75 Units)	-	-	24,000	24,000	24,000
2	Arizona	Army	Fort Huachuca	Family Hous Replacement Const (110 Units)	16,224	16,224	16,224	-	16,224
3	California	Army	Fort Irwin	Family Hous Const (24 Units)	-	-	-	4,700	4,700
4	California	Navy	Lemoore NAS	Replace Family Hous (160 Units)	27,768	27,768	27,768	-	27,768
5	California	Navy	Lemoore NAS	Replace Family Hous (100 Units)	-	20,103	-	20,103	20,103
6	California	Navy	Twentynine Palms MCAGCC	Replacement Construction (79 Units)	13,923	13,923	13,923	-	13,923
7	California	Air Force	Edwards AFB	Replace Family Hous (57 Units)	-	9,870	-	9,870	9,870
8	California	Air Force	Travis AFB	Replace Family Hous (64 Units)	-	9,870	-	9,870	9,870
9	District of Columbia	Air Force	Bolling AFB	Replace Military Family Hous (136 Units)	17,137	17,137	17,137	-	17,137
10	Hawaii	Army	Schofield Barracks	Family Hous Replacement Const (72 Units)	15,500	15,500	15,500	-	15,500
11	Hawaii	Navy	Kaneohe Bay MCAS	Replace Capehart South (84 Units)	21,910	21,910	21,910	-	21,910
12	Hawaii	Navy	Pearl Harbor CNB	Replace Family Hous, Hale Moku (98 Units)	22,230	22,230	22,230	-	22,230
13	Hawaii	Navy	Pearl Harbor CNB	Replace Family Hous, Radford Terr (112 Units)	23,654	23,654	23,654	-	23,654
14	Hawaii	Navy	Pearl Harbor CNB	Replace Family Hous, Pearl City (62 Units)	14,237	14,237	14,237	-	14,237
15	Idaho	Air Force	Mountain Home AFB	Family Hous Replacement Const (119 Units)	-	-	22,694	10,598	10,598
16	Kentucky	Army	Fort Campbell	Family Hous Replacement Const (56 Units)	7,800	7,800	7,800	-	7,800
17	Kentucky	Army	Fort Campbell	Family Hous Replacement Const (128 Units)	-	8,000	20,000	20,000	20,000
18	Louisiana	Navy	New Orleans Naval Complex	Family Hous Construction (100 Units)	-	5,000	-	5,000	5,000
19	Maine	Navy	Brunswick NAS	Replace/New Enlisted Homes (168 Units)	18,722	18,722	18,722	-	18,722
20	Maryland	Army	Fort Detrick	Family Hous Replacement Const (48 Units)	5,600	5,600	5,600	-	5,600
21	Mississippi	Navy	Gulfport NCBC	Family Hous (157 Units)	-	20,700	-	20,700	20,700
22	Mississippi	Navy	Pascagoula NS	Family Hous (140 Units)		-	21,605	-	-
23	Nevada	Air Force	Nellis AFB	Family Hous (26 Units)	-	5,000	-	5,000	5,000
24	Missouri	Army	Fort Leonard Wood	Family Hous Replacement Const (24 Units)	-	-	-	4,150	4,150
25	North Carolina	Army	Fort Bragg	Family Hous Replacement Const (112 Units)	14,600	14,600	14,600	-	14,600
26	North Carolina	Army	Fort Bragg	Family Hous Replacement Const (54 Units)	-	7,400	-	7,400	7,400
27	North Carolina	Navy	Camp Lejeune	Revitalize Family Hous (149 Units)	-	-	7,838	-	-
28	North Dakota	Air Force	Cavalier AFS	Construct Military Family Hous (2 Units)	443	443	443	-	443
29	North Dakota	Air Force	Minot AFB	Replace Military Family Hous (134 Units)	19,097	19,097	19,097	-	19,097
30	South Carolina	Army	Fort Jackson	Family Hous New Construction (1 Unit)	250	250	250	-	250
31	Texas	Army	Fort Bliss	Family Hous Replacement Const (64 Units)	10,200	10,200	10,200	-	10,200
32	Texas	Army	Fort Sam Houston	Replace Family Hous (80 Units)	-	-	10,000	-	-
33	Virginia	Army	Fort Belvoir	Family Hous, New Construction (27 Units)	-	5,500	-	-	-
34	Virginia	Army	Fort Lee	Replace Family Hous (51 Units)	-	8,600	-	8,600	8,600
35	Washington	Navy	Whidbey Island NAS	Replace/New Family Hous (98 Units)	16,873	16,873	16,873	-	16,873
36	Korea	Army	Camp Humphreys	Family Hous New Construction (60 Units)	21,800	21,800	21,800	-	21,800

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
37	Puerto Rico	Army	Fort Buchanan	Family Hous Replacement Const (31 Units)	-	-	-	5,000	5,000
38	Worldwide Unspecified	Army	Unspecified Worldwide	Construction Improvement	63,590	72,440	63,590	-	63,590
39	Worldwide Unspecified	Army	Unspecified Worldwide	Planning	6,542	6,542	8,742	-	6,542
40	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Adjustment	-	(1,951)	-	-	0
41	Worldwide Unspecified	Army	Unspecified Worldwide	Furnishings Account	44,374	44,374	44,374	-	44,374
42	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Adjustment	-	(17,960)	(19,911)	(19,911)	(19,911)
43	Worldwide Unspecified	Army	Unspecified Worldwide	Interest Payment	1	1	1	-	1
44	Worldwide Unspecified	Army	Unspecified Worldwide	Leasing	202,011	202,011	202,011	-	202,011
45	Worldwide Unspecified	Army	Unspecified Worldwide	Maintenance of Real Property	397,792	397,792	397,792	-	397,792
46	Worldwide Unspecified	Army	Unspecified Worldwide	Management Account	90,286	83,715	90,286	(6,571)	83,715
47	Worldwide Unspecified	Army	Unspecified Worldwide	Miscellaneous Account	855	855	855	-	855
48	Worldwide Unspecified	Army	Unspecified Worldwide	Services Account	44,855	44,855	44,855	-	44,855
49	Worldwide Unspecified	Army	Unspecified Worldwide	Utilities Account	198,101	198,101	198,101	-	198,101
50	Worldwide Unspecified	Navy	Unspecified Worldwide	Construction Improvements	183,547	192,147	183,547	9,530	193,077
51	Worldwide Unspecified	Navy	Unspecified Worldwide	Planning	19,958	19,958	19,958	-	19,958
52	Worldwide Unspecified	Navy	Unspecified Worldwide	Foreign Currency Adjustment	-	-	(1,071)	(1,071)	(1,071)
53	Worldwide Unspecified	Navy	Unspecified Worldwide	Furnishings Account	30,884	30,884	30,884	-	30,884
54	Worldwide Unspecified	Navy	Unspecified Worldwide	Leasing	142,690	142,690	142,690	-	142,690
55	Worldwide Unspecified	Navy	Unspecified Worldwide	Management Account	84,914	84,914	84,914	-	84,914
56	Worldwide Unspecified	Navy	Unspecified Worldwide	Maintenance of Real Property	393,830	393,830	393,830	-	393,830
57	Worldwide Unspecified	Navy	Unspecified Worldwide	Miscellaneous Account	1,239	1,239	1,239	-	1,239
58	Worldwide Unspecified	Navy	Unspecified Worldwide	Mortgage Insurance Premiums	71	71	71	-	71
59	Worldwide Unspecified	Navy	Unspecified Worldwide	Prior Years Unobligated Funds	-	-	(5,391)	-	-
60	Worldwide Unspecified	Navy	Unspecified Worldwide	Services Account	63,953	63,953	63,953	-	63,953
61	Worldwide Unspecified	Navy	Unspecified Worldwide	Utilities Account	165,057	165,057	165,057	-	165,057
62	Worldwide Unspecified	Air Force	Unspecified Worldwide	Construction Improvements	174,046	174,046	174,046	-	174,046
63	Worldwide Unspecified	Air Force	Unspecified Worldwide	Planning	12,760	12,760	13,730	-	12,760
64	Worldwide Unspecified	Air Force	Unspecified Worldwide	Foreign Currency Fluctuation Adjustment	-	(6,839)	-	(6,839)	(6,839)
65	Worldwide Unspecified	Air Force	Unspecified Worldwide	Foreign Currency Fluctuation	-	(5,392)	(12,231)	(5,392)	(5,392)
66	Worldwide Unspecified	Air Force	Unspecified Worldwide	Furnishings Account	38,180	38,180	38,180	-	38,180
67	Worldwide Unspecified	Air Force	Unspecified Worldwide	Leasing	114,628	114,628	114,628	-	114,628
68	Worldwide Unspecified	Air Force	Unspecified Worldwide	Management Account	55,685	55,685	55,685	-	55,685
69	Worldwide Unspecified	Air Force	Unspecified Worldwide	Maintenance of Real Property	428,456	428,456	428,456	-	428,456
70	Worldwide Unspecified	Air Force	Unspecified Worldwide	Miscellaneous Account	2,332	2,332	2,332	-	2,332
71	Worldwide Unspecified	Air Force	Unspecified Worldwide	Mortgage Insurance Premiums	34	34	34	-	34
72	Worldwide Unspecified	Air Force	Unspecified Worldwide	Prior Years Unobligated Funds	-	-	(6,615)	-	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
73	Worldwide Unspecified	Air Force	Unspecified Worldwide	Services Account	27,997	27,997	27,997	-	27,997
74	Worldwide Unspecified	Air Force	Unspecified Worldwide	Utilities Account	158,959	158,959	158,959	-	158,959
75	Worldwide Unspecified	DIA	Unspecified Worldwide	Furnishings Account	3,564	3,564	3,564	-	3,564
76	Worldwide Unspecified	DIA	Unspecified Worldwide	Leasing	25,924	25,924	25,924	-	25,924
77	Worldwide Unspecified	DLA	Unspecified Worldwide	Management Account	271	271	271	-	271
78	Worldwide Unspecified	DLA	Unspecified Worldwide	Utilities Account	421	421	421	-	421
79	Worldwide Unspecified	DLA	Unspecified Worldwide	Services Account	77	77	77	-	77
80	Worldwide Unspecified	DLA	Unspecified Worldwide	Maintenance of Real Property	316	316	316	-	316
81	Worldwide Unspecified	DLA	Unspecified Worldwide	Furnishings Account	22	22	22	-	22
82	Worldwide Unspecified	NSA	Unspecified Worldwide	Leasing	12,554	12,554	12,554	-	12,554
83	Worldwide Unspecified	NSA	Unspecified Worldwide	Maintenance of Real Property	653	653	653	-	653
84	Worldwide Unspecified	NSA	Unspecified Worldwide	Services Account	415	415	415	-	415
85	Worldwide Unspecified	NSA	Unspecified Worldwide	Furnishings Account	146	146	146	-	146
86	Worldwide Unspecified	NSA	Unspecified Worldwide	Utilities Account	444	444	444	-	444
87	Worldwide Unspecified	NSA	Unspecified Worldwide	Management Account	15	15	15	-	15
88	Worldwide Unspecified	NSA	Unspecified Worldwide	Miscellaneous Account	64	64	64	-	64
				Total	3,480,481	3,559,261	3,544,569	124,737	3,605,218

FY 2001 BRAC MILITARY CONSTRUCTION PROJECTS—AIR FORCE: BRAC IV CONSTRUCTION, FISCAL YEAR 2001

[Dollars in Thousands]

State	Installation or location	Description	Amount
Texas	Fort Sam Houston	Defense Reutilization and Marketing Organization Complex	12,800
Total Air Force-BRAC IV Construction			12,800

TITLE XXI—ARMY

Overview

The House bill would authorize $1,824,640,000 for Army military construction and family housing programs for fiscal year 2001.

The Senate amendment would authorize $1,978,295,000 for this purpose.

The conferees recommend authorization of appropriations of $1,925,344,000 for Army military construction and family housing for fiscal year 2001.

The conferees agree to the following reductions: $635,000, which represents the combination of savings from adjustment to foreign currency rates for military construction outside the United States; and $19,911,000, which represents the combination of savings from adjustment to foreign currency rates for military family housing construction and military family housing support outside the United States. The reductions shall not cancel any military construction authorized by title XXI of this Act.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Army construction and land acquisition projects (sec. 2101)

The House bill contained a provision (sec. 2101) that would authorize Army construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Family housing (sec. 2102)

The House bill included a provision (sec. 2102) that would authorize new construction and planning and design of family housing units for the Army for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Improvements to military family housing units (sec. 2103)

The House bill contained a provision (sec. 2103) that would authorize improvements to existing units of family housing for fiscal year 2001.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Authorization of appropriations, Army (sec. 2104)

The House bill contained a provision (sec. 2104) that would authorize specific appropriations for each line item contained in the Army's budget for fiscal year 2001. This section would also provide an overall limit on the amount the Army may spend on military construction projects.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Modification of authority to carry out certain fiscal year 2000 projects (sec. 2105)

The Senate amendment contained a provision (sec. 2105) that would amend section 2101 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to make technical corrections in the funding authorization for Fort Stewart, Georgia, and Fort Riley, Kansas. The provision would also amend section 2104 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to provide for an increase in the amount authorized for appropriation for unspecified minor construction from $9.5 million to $14.6 million. The provision would also make certain conforming changes.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 2101 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to provide for an increase in the amount authorized for CONUS Various due to a change in scope.

Modification of authority to carry out certain fiscal year 1999 projects (sec. 2106)

The House bill contained a provision (sec. 2105) would amend section 2101 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261) to provide for an increase in the amount authorized for the construction of a railhead facility at Fort Hood, Texas.

The Senate amendment contained a similar provision (sec. 2106) that would amend section 2101 of the Military Construction Act for Fiscal Year 1999 (division B of Public Law 105–261) to increase the amount authorized for the construction of a barracks project at Fort Riley, Kansas, from $41.0 million to $44.5 million, and a railhead facility at Fort Hood, Texas, from $32.5 million to $45.3 million. The provision would also make certain technical corrections.

The House recedes with a technical amendment.

Modification of authority to carry out fiscal year 1998 project (sec. 2107)

The Senate amendment contained a provision (sec. 2107) that would amend section 2101 of the Military Construction Act for Fiscal Year 1998 (division B of Public Law 105–85) to provide an increase in the amount authorized for the construction of a barracks project at Hunter Army Airfield, Fort Stewart, Georgia, from $54.0 million to $57.5 million. The provision would also make certain technical corrections.

The House bill contained no similar provision.

The House recedes.

Authority to accept funds for realignment of certain military construction project, Fort Campbell, Kentucky (sec. 2108)

The Senate amendment contained a provision (sec. 2108) that would authorize the Secretary of the Army to accept funds from the Federal Highway Administration (FHA) or the Commonwealth of Kentucky to fund the additional costs associated with the realignment of a rail connector military construction project at Fort Campbell, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–210). The provision would authorize the Secretary to use the funds received from the FHA or the Commonwealth in the same manner as funds authorized and appropriated for the rail connector project. The provision would also specify that the costs associated with realignment include, but are not limited to, redesign costs, additional construction costs, additional costs due to construction delays related to the realignment, and additional real estate costs.

The House bill contained no similar provision.

The House recedes with a technical amendment.

TITLE XXII—NAVY

Overview

The House bill would authorize $2,187,673,000 for Navy military construction and family housing programs for fiscal year 2001.

The Senate amendment would authorize $2,095,163,000 for this purpose.

The conferees recommend authorization of appropriations of $2,227,995,000 for Navy military construction and family housing for fiscal year 2001.

The conferees agree to general reductions of $20,000,000 in the authorization of appropriations for the Navy military construction and military family housing accounts. The reductions are to be offset by savings from favorable bids, reduction in overhead costs, and cancellation of projects due to force structure changes. The conferees further agree to a reductions of $2,889,000, which represents the combination of savings from adjustment to foreign currency rates for military construction outside the United States and $1,071,000, which represents the combination of savings from adjustment to foreign currency rates for military family housing support outside the United States. The general reductions shall not cancel any military construction authorized by title XXII of this Act.

ITEMS OF SPECIAL INTEREST

Improvements to military family housing, Navy

The conferees recommend that, within authorized amounts for improvements to military family housing and facilities, the Secretary of the Navy execute the following projects: $9,030,000 for Whole House Revitalization (98 units) at Marine Corps Base, Camp Pendleton, California; and $500,000 for Whole House Revitalization (one unit) at the 8th and I Marine Corps Barracks, District of Columbia.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Navy construction and land acquisition projects (sec. 2201)

The House bill contained a provision (sec. 2201) that would authorize Navy construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Family housing (sec. 2202)

The House bill contained a provision (sec. 2202) that would authorize new construction

and planning and design of family housing units for the Navy for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Improvements to military family housing units (sec. 2203)

The House contained a provision (sec. 2203) that would authorize improvements to existing units of family housing for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate bill amendment contained a similar provision.

The conference agreement includes a similar provision.

Authorization of appropriations, Navy (sec. 2204)

The House bill contained a provision (sec. 2204) that would authorize specific appropriations for each line item in the Navy's budget for fiscal year 2001. This provision would also provide an overall limit on the amount the Navy may spend on military construction projects.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Modification of authority to carry out fiscal year 1997 project at Marine Corps Combat Development Command, Quantico, Virginia (sec. 2205)

The House bill contained a provision (sec. 2205) that would modify the authorized use of funds authorized for appropriation for fiscal year 1997 for a military construction project at Marine Corps Command Development Command, Quantico, Virginia. The provision would permit the use of previously authorized funds to carry out a military construction project involving infrastructure development at that installation.

The Senate amendment contained a similar provision (sec. 2205).

The House recedes with a technical amendment.

TITLE XXIII—AIR FORCE

Overview

The House bill would authorize $1,766,136,000 for Air Force military construction and family housing programs for fiscal year 2001.

The Senate amendment would authorize $1,851,909,000 for this purpose.

The conferees recommend authorization of appropriations of $1,943,069,000 for Air Force military construction and family housing for fiscal year 2001.

The conferees agree to a $12,231,000 reduction which represents the combination of savings from adjustment to foreign currency rates for military family housing construction and military family housing support outside the United States. The reduction shall not cancel any military construction authorized by title XXIII of this Act.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Air Force construction and land acquisition projects (sec. 2301)

The House bill contained a provision (sec. 2301) that would authorize Air Force construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Family housing (sec. 2302)

The House bill contained a provision (sec. 2302) that would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2001.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Improvements to military family housing units (sec. 2303)

The House bill contained a provision (sec. 2303) that would authorize improvements to existing units of family housing for fiscal year 2001.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Authorization of appropriations, Air Force (sec. 2304)

The House bill contained a provision (sec. 2304) that would authorize specific appropriations for each line item in the Air Force budget for fiscal year 2001. This provision would also provide an overall limit on the amount the Air Force may spend on military construction projects.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

TITLE XXIV—DEFENSE AGENCIES

Overview

The House bill would authorize $860,390,000 for Defense Agencies military construction and family housing programs for fiscal year 2001. The bill would also authorize $1,174,369,000 for base closure activities.

The Senate amendment would authorize $736,884,000 for Defense Agencies military construction and family housing programs for fiscal year 2001. The amendment would also authorize $1,174,369,000 for base closure activities.

The conferees recommend authorization of appropriations of $859,533,000 for Defense Agencies military construction and family housing for fiscal year 2001. The conferees also recommend authorization of appropriations of $1,024,369,000 for base closure activities.

The conferees agree to a general reduction of $20,000,000 in the authorization of appropriations for the chemical demilitarization program. The reduction represents the combination of project savings in military construction for chemical demilitarization resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes. The conferees do not intend this reduction to interfere with timely compliance with the Chemical Weapons Convention. The conferees further agree to a reduction of $7,115,000, which represents the combination of savings from adjustment to foreign currency rates for military construction outside the United States. The reductions shall not cancel any military construction projects authorized by title XXIV of this Act.

ITEMS OF SPECIAL INTEREST

Military construction projects, Manta Air Base, Ecuador

The conferees agree, upon certification by the Secretary of Defense that sufficient aircraft will be scheduled to operate out of the Manta Air Base, Ecuador, to justify construction of projects at that facility, funds that have been authorized and appropriated shall be made available for the construction of large aerial surveillance aircraft related facilities, visiting officers' quarters, visiting airmen quarters, and dining facilities at Manta, Ecuador.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Defense Agencies construction and land acquisition projects (sec. 2401)

The House bill contained a provision (sec. 2401) that would authorize defense agencies construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Energy conservation projects (sec. 2402)

The Senate amendment contained a provision (sec. 2402) that would authorize the Secretary of Defense to carry out energy conservation projects.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize for appropriation $15.0 million to carry out energy conservation projects.

Authorization of appropriations, Defense Agencies (sec. 2403)

The House bill contained a provision (sec. 2402) that would authorize specific appropriations for each line item in the Defense Agencies budgets for fiscal year 2001. This provision would also provide an overall limit on the amount the Defense Agencies may spend on military construction projects.

The Senate amendment contained a similar provision (sec. 2403).

The conference agreement includes a similar provision.

Modification of authority to carry out certain fiscal year 1990 project (sec. 2404)

The Senate amendment contained a provision (sec. 2404) that would amend section 2401 of the Military Construction Act for Fiscal Year 1990 and 1991 (division B of Public Law 101–189), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 103–261) to provide for an increase in the amount authorized for the construction of the Portsmouth Naval Hospital, Virginia, from $342,854,000 to $351,354,000.

The House bill contained no similar provision.

The House recedes with a technical amendment.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Overview

The House bill would authorize $177,500,000 for the U.S. contribution to the NATO Security Investment Program for fiscal year 2001.

The Senate amendment would authorize $190,000,000 for this purpose.

The conferees agree to authorize $172,000,000 for the U.S. contribution to the NATO Security Investment Program.

LEGISLATIVE PROVISIONS ADOPTED

Authorized NATO construction and land acquisition projects (sec. 2501)

The House bill contained a provision (sec. 2501) that would authorize the Secretary of Defense to make contributions to the North

Atlantic Treaty Organization Security Investment Program in an amount equal to the sum of the amount specifically authorized in section 2502 of the House bill and the amount of recoupment due to the United States for construction previously financed by the United States.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Authorization of appropriations, NATO (sec. 2502)

The House bill contained a provision (sec. 2502) that would authorize appropriations of $177,500,000 as the United States contribution to the North Atlantic Treaty Organization (NATO) Security Investment Program.

The Senate amendment would authorize $190,000,000 for this purpose.

The conferees agree to authorize $172,000,000 for the United States contribution to the NATO Security Investment Program.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Overview

The House bill would authorize $443,200,000 for military construction and land acquisition for fiscal year 2001 for the Guard and Reserve components.

The Senate amendment would authorize $508,146,000 for this purpose.

The conferees recommend authorization of appropriations of $668,862,000 for military construction and land acquisition for fiscal year 2001. This authorization would be distributed as follows:

Army National Guard	$266,531,000
Air National Guard	194,929,000
Army Reserve	108,738,000
Naval and Marine Corps Reserve	62,073,000
Air Force Reserve	36,591,000
Total	668,862,000

ITEMS OF SPECIAL INTEREST

Support for Weapons of Mass Destruction Civil Support Teams

The conferees included $25.0 million for Unspecified Minor Construction, Army National Guard, to support the activation of the Weapons of Mass Destruction Civil Support Teams. Although these teams are to be assigned to locations that have existing facilities to accommodate their needs, the conferees understand that the Army National Guard has identified a requirement of approximately $31.0 million for the renovation of facilities to accommodate these teams. The conferees are aware that the military construction program for the reserve components is underfunded and that this requirement would place an additional burden on an already constrained military construction program for the Army National Guard. The conferees agree to authorize additional funds for this purpose on a one-time basis and direct the Secretary of the Army to provide a report on the expenditure of these funds not later than October 1, 2001.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Guard and Reserve construction and land acquisition projects (sec. 2601)

The House bill contained a provision (sec. 2601) that would authorize appropriations for military construction for the guard and reserve by service component for fiscal year 2002.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The state list contained in this report is intended to be the binding list of specific projects authorized at each location.

Authority to contribute to construction of airport tower, Cheyenne Airport, Cheyenne, Wyoming (sec. 2602)

The Senate amendment contained a provision (sec. 2602) that would authorize $1,450,000 for a contribution by the Air National Guard to construction of a new airport tower at Cheyenne Airport, Cheyenne, Wyoming.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of the Air Force to contribute to the Cheyenne Airport Authority, consistent with applicable agreements, up to $1,450,000 from the funds authorized for appropriation in section 2601 to provide for the construction of an airport tower, at Cheyenne Airport, Cheyenne, Wyoming, in support of the Air National Guard mission.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

LEGISLATIVE PROVISIONS ADOPTED

Expiration of authorizations and amounts required to be specified by law (sec. 2701)

The House bill contained a provision (sec. 2701) that would provide that authorizations for military construction projects, repair of real property, land acquisition, family housing projects and facilities, contributions to the North Atlantic Treaty Organization Security Investment Program, and guard and reserve projects will expire on October 1, 2003, or the date of enactment of an Act authorizing funds for military construction for fiscal year 2004, whichever is later. This expiration would not apply to authorizations for which appropriated funds have been obligated before October 1, 2003, or the date of enactment of an Act authorizing funds for these projects, whichever is later.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Extension of authorizations of certain fiscal year 1998 projects (sec. 2702)

The House bill contained a provision (sec. 2702) that would provide for selected extension of certain fiscal year 1998 military construction authorizations until October 1, 2001, or the date of the enactment of the Act authorizing funds for military construction for fiscal year 2002, whichever is later.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Extension of authorizations of certain fiscal year 1997 projects (sec. 2703)

The House bill contained a provision (sec. 2703) that would provide for selected extension of certain fiscal year 1997 military construction authorizations until October 1, 2001, or the date of the enactment of the Act authorizing funds for military construction for fiscal year 2002, whichever is later.

The Senate amendment contained a similar provision.

The House recedes with a technical amendment.

Effective date (sec. 2704)

The House bill contained a provision (sec. 2704) that would provide that Titles XXI, XXII, XXIII, XXIV, XV, and XXVI of this bill shall take effect on October 1, 2000, or the date of the enactment of this Act, whichever is later.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Joint use military construction projects (sec. 2801)

The Senate amendment contained a provision (sec. 2801) that would express the sense of Congress that the Secretary of Defense, when preparing the budget request, should identify military construction projects suitable for joint use, specify in the budget request joint use military construction projects, and give priority to joint use military construction projects. The provision would also direct the Secretary to include in the budget request a certification by each secretary concerned that the service screened each construction project in the budget request for the feasibility for joint use. The provision would further require the Secretary of Defense to submit, not later than September 30 of each year, a report that included the number of military construction projects evaluated for joint use construction, when the project could be executed, and a list of the military construction projects determined to be feasible for joint use. The provision would also make certain conforming changes.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to implement the program requirement by fiscal year 2003. The amendment would also eliminate the requirement that the Secretary of Defense conduct an annual evaluation.

Exclusion of certain costs from determination of applicability of limitation on use of funds for improvement of family housing (sec. 2802)

The Senate amendment contained a provision (sec. 2802) that would amend section 2825 of title 10, United States Code, to authorize the secretary concerned to exclude certain costs from the application of the limitation on the use of funds for improvement of military family housing units. The specific costs that would be excluded are the installation, maintenance, and repair of communications, security, or anti-terrorism equipment required by the occupant in the performance of his duties. The provision would also exclude the cost of repairing or replacing the exterior of the unit or units if such repair or replacement is necessary to meet historic preservation standards.

The House bill contained no similar provision.

The House recedes with an amendment that would exclude only those costs associated with the installation, maintenance, and repair of communications, security, or anti-terrorism equipment required by the occupant in the performance of his duties.

Revision of space limitations for military family housing (sec. 2803)

The House bill contained a provision (sec. 2801) that would amend section 2826 of title 10, United States Code, to require the secretary concerned to ensure that the room patterns and floor areas of military family housing units constructed, acquired, or improved by the secretary shall be generally comparable to those available in the locality of the military installation on which such military family housing units are located.

The Senate amendment contained a similar provision (sec. 2803).

The House recedes with a technical amendment.

Modification of lease authority for high-cost military family housing (sec. 2804)

The House bill contained a provision (sec. 2802) that would amend section 2828 of title

10, United States Code, to modify the authorized terms of leasing for military family housing to support the United States Southern Command in Miami, Florida.

The Senate amendment contained a provision (sec. 2804) that would amend section 2828 of title 10, United States Code, to eliminate the $60,000 per year limitation on the lease of an individual housing unit and to authorize the Secretary of the Army to enter into leases for eight housing units in the Miami area for no more than five years. The provision would further amend section 2828 to authorize the Secretary concerned to adjust the maximum cost authorized for family housing leases based on the percentage that the national average monthly cost of housing differ during the two preceding fiscal years. The provision would authorize the Secretary of the Army to adjust the maximum amount of the eight family housing unit leases in the Miami area by the percent the annual average cost of housing for the Miami Military Housing Area exceeds the annual average cost for the same region for the fiscal year preceding the fiscal year.

The House recedes with a technical amendment.

Provision of utilities and services under alternative authority for acquisition and improvement of military housing (sec. 2805)

The Senate amendment contained a provision (sec. 2806) that would amend section 2872 of title 10, United States Code, to authorize the service secretaries to provide utilities and services to privatized housing units located on a military installation on a reimbursable basis. The payments received for such services would be credited to the appropriate account or working capital fund from which the cost of furnishing the utilities and services are paid.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the list of covered utilities and services.

Extension of alternative authority for acquisition and improvement of military housing (sec. 2806)

The House bill contained a provision (sec. 2803) that would amend section 2885 of title 10, United States Code, to extend the authorities contained in subchapter 169 of title 10, United States Code, for an additional five-year period to 2006.

The Senate amendment contained a provision (sec. 2807) that would amend section 2885 of title 10, United States Code, to extend the authorities contained in subchapter 169 of title 10, United States Code, for an additional three-year period.

The House recedes with an amendment that would extend the authorities contained in subchapter 169 of title 10, United States Code, to December 31, 2004.

Expansion of definition of armory to include readiness centers (sec. 2807)

The House bill contained a provision (sec. 2804) that would amend section 18232 of title 10, United States Code, to clarify that the term ''readiness center'' shall have the same meaning as the term ''armory.''

The Senate amendment contained a similar provision (sec. 2808).

The Senate recedes with a technical amendment.

Subtitle B—Real Property and Facilities Administration

Increase in threshold for notice and wait requirements for real property transactions (sec. 2811)

The House bill contained a provision (sec. 2811) that would amend section 2662 of title 10, United States Code, to increase the threshold for notice and wait requirements for real property transactions from $200,000 to $500,000.

The Senate amendment contained a similar provision (sec. 2811).

The Senate recedes.

Enhancement of authority of military departments to lease non-excess property (sec. 2812)

The House bill contained a provision (sec. 2812) that would amend section 2667 of title 10, United States, to modify the permissible forms of consideration received by the secretary concerned for the lease of non-excess real property under the control of the secretary.

The Senate amendment contained a provision (sec. 2812) that would amend section 2667 of title 10, United States Code, to authorize the secretary concerned to lease facilities that are under the control of that department and that are not excess to the needs of that department. The secretary concerned would be authorized to accept as compensation for the leases, either payment in-kind or cash. The provision would further authorize the secretary concerned to use cash proceeds from leases for maintenance, protection, alteration, repair, improvements or restoration of property or facilities, construction or acquisition of new facilities, lease facilities, and facilities support. The provision would authorize the secretary concerned to construct or acquire facilities in excess of $500,000 only after submission of a report on the facts of the construction or acquisition of such facilities to the congressional defense committees and passage of a waits 30–day waiting period. The provision would also authorize the secretary concerned to indemnify the leasee from any claim for personal injury or property damage, that results from the release of hazardous substance, pollutants or contaminants, petroleum, or unexploded ordnance as a result of Department of Defense activities on the military installation at which the leased property is located.

The Senate recedes with an amendment that would include the construction of new facilities as in-kind consideration and authorize the secretary concerned to use funds received from money rentals for the construction or acquisition of new facilities. The amendment would impose a notice and wait requirement for any new construction or acquisition of new facilities exceeding $500,000. The amendment would also not include a requirement for a certification by the Comptroller General prior to secretarial acceptance of in-kind consideration or money rentals.

Conveyance authority regarding utility systems of military departments (sec. 2813)

The House bill contained a provision (sec. 2813) that would amend section 2688 of title 10, United States Code, to require the secretary concerned to comply with the competition requirements of section 2304 of title 10, United States Code, in the conveyance of utility system infrastructure. The provision would also require that the secretary concerned carry out a conveyance or award only if he determines that the conveyance or award complies with State laws, regulations, rulings, and policies governing the provision of utility systems.

The Senate amendment contained a provision (sec. 2813) that would amend section 2688 of title 10, United States Code, to clarify that the secretary concerned may use procedures other than competitive procedures only under the circumstances specified in section 2304 (c) through (f) of title 10, United States Code.

The House recedes with an amendment that would require the secretary concerned to structure the solicitation process for the privatization of utility systems on military installations in such a manner that would allow, to the maximum extent possible, all interested regulated and unregulated entities the opportunity to acquire and operate utility systems on military installations regardless of franchise rights in the area of the installation concerned. The amendment would also direct the secretary concerned to require the conveyee or awardee of the utility system to manage and operate the utility system consistent with federal and state regulations pertaining to health safety, fire, and environmental requirements.

Permanent conveyance authority to improve property management (sec. 2814)

The Senate amendment contained a provision (sec. 1063) that would extend the authority of the Administrator of the General Services Administration to convey surplus property to local governments for law enforcement purposes until December 2002.

The House bill amendment contained no similar provision.

The House recedes with an amendment that would make permanent the authority of the Administrator of the General Services Administration to convey surplus property to local governments for law enforcement purposes.

Subtitle C—Defense Base Closure and Realignment

Scope of agreements to transfer property to redevelopment authorities without consideration under the base closure laws (sec. 2821)

The Senate amendment contained a provision (sec. 2821) that would amend section 2905 of the Department of Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510) and section 204 of the Defense Authorization Amendments and Base Closure Realignment Act (title II of Public Law 100–526) to clarify that the seven-year period to account for the proceeds from any sale or lease of property received by the redevelopment authority begins with the date of the initial transfer of property.

The House bill contained no similar provision.

The House recedes.

Subtitle D—Land Conveyances

Part I—Army Conveyances

Transfer of jurisdiction, Rock Island Arsenal, Illinois (sec. 2831)

The House bill contained a provision (sec. 2831) that would authorize the transfer of, and exchange of jurisdiction on, a parcel of real property with improvements consisting of approximately 23 acres at Rock Island Arsenal, Illinois, between the Secretary of the Army and the Secretary of Veterans' Affairs. The parcel is to be incorporated into the Rock Island National Cemetery.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Army Reserve Center, Galesburg, Illinois (sec. 2832)

The House bill contained a provision (sec. 2832) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 4.65 acres in Galesburg, Illinois, to Knox County, Illinois.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Charles Melvin Price Support Center, Illinois (sec. 2833)

The House bill contained a provision (sec. 2839) that would authorize the Secretary of the Army to convey a parcel of real property with improvements consisting of approximately 752 acres to the Tri-City Regional

Port District of Granite City, Illinois. As consideration for the conveyance, the Secretary shall determine if the Port District satisfies the criteria to qualify for a public benefit conveyance. If the public interest is served, the Secretary may accept an amount less than fair market value for a lease of the property. The cost of any surveys necessary for the conveyance would be borne by the Port District.

The Senate amendment contained a similar provision (sec. 2831).

The Senate recedes with an amendment that would authorize the Secretary of the Army to require as a condition for the conveyance that the Port District lease to the Department of Defense or any other federal agency facilities on the property to be conveyed. The amendment would also make certain technical corrections.

Land conveyance, Fort Riley, Kansas (sec. 2834)

The House bill contained a provision (sec. 2841) that would authorize the Secretary of the Army to convey, without consideration, approximately 70 acres of real property at the Fort Riley Military Reservation, Fort Riley, Kansas, to the State of Kansas. The purpose of the conveyance would be to establish a State-operated veterans cemetery. All costs associated with the conveyance would be borne by the State. The provision would waive the screening requirement under section 2696 of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 2836).

The House recedes with a technical amendment.

Land conveyance, Fort Polk, Louisiana (sec. 2835)

The House bill contained a provision (sec. 2834) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 200 acres at Fort Polk, Louisiana, to the State of Louisiana. The property is to be used for the establishment of a State-run veterans' cemetery. The cost of any surveys necessary for the conveyance would be borne by the Commission.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Army Reserve Center, Winona, Minnesota (sec. 2836)

The House bill contained a provision (sec. 2833) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements to Winona State University Foundation. The property is to be used for educational purposes. The cost of any surveys necessary for the conveyance would be borne by the Foundation.

The Senate amendment contained an identical provision (sec. 2837).

The conference agreement includes this provision.

Land conveyance, Fort Dix, New Jersey (sec. 2837)

The House bill contained a provision (sec. 2836) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately two acres and containing a parking lot in advertently constructed on the parcel, at Fort Dix, New Jersey, to Pemberton Township, New Jersey.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Nike Site 43, Elrama, Pennsylvania (sec. 2838)

The House bill contained a provision (sec. 2837) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 160 acres in Elmara, Pennsylvania, to the Board of Supervisors of Union Township, Pennsylvania. The parcel is to be used for municipal and other public purposes. The cost of any surveys necessary for the conveyance would be borne by the Township.

The Senate amendment contained no similar provision.

The Senate recedes.

Land exchange, Army Reserve Local Training Center, Chattanooga, Tennessee (sec. 2839)

The House bill contained a provision (sec. 2840) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 15 acres at the Army Reserve Local Training Center, Chattanooga, Tennessee, to the Medal of Honor Museum, Inc., Chattanooga, Tennessee. The parcel is to be used as a museum and for other educational purposes. The cost of any surveys necessary for the conveyance would be borne by the Corporation.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Land exchange, Fort Hood, Texas (sec. 2840)

The House bill contained a provision (sec. 2838) that would authorize the Secretary of the Army to convey a parcel of real property with improvements, consisting of approximately 100 acres at Fort Hood, Texas, to the City of Copperas Cove, Texas. As consideration for the conveyance, the City would convey one or more parcels of real property, consisting of approximately 300 acres, to the Secretary. The cost of any surveys necessary for the conveyances would be borne by the City.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Fort Pickett, Virginia (sec. 2841)

The House bill contained a provision (sec. 2835) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 700 acres, at Fort Pickett, Virginia, to the Commonwealth of Virginia. The property is to be used for the development and operation of a public safety training facility. The cost of any surveys necessary for the conveyance would be borne by the Commonwealth.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Fort Lawton, Washington (sec. 2842)

The Senate amendment contained a provision (sec. 2834) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property at Fort Lawton, Washington, consisting of Area 500 and Government Way from 36th Avenue to Area 500 to the City of Seattle, Washington. The property is to be used for inclusion in Discovery Park, Seattle, Washington.

The House bill contained no similar provision.

The House recedes.

Land conveyance, Vancouver Barracks, Washington (sec. 2843)

The House bill contained a provision (sec. 2842) that would authorize the Secretary of the Army to convey, without consideration, to the City of Vancouver, Washington, two parcels of real property, including any improvements, at Vancouver Barracks, Washington, known as East and West Barracks.

The Senate amendment contained a provision (sec. 2835) that would authorize the Secretary of the Army to convey, without consideration, to the City of Vancouver, Washington, a parcel of real property, including any improvements, at Vancouver Barracks, Washington, known as the West Barracks.

The House recedes.

Part II—Navy Conveyances

Modification of land conveyance, Marine Corps Air Station, El Toro, California (sec. 2846)

The House bill contained a provision (sec. 2852) that would amend section 2811 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189) to modify the permissible uses of funds received by the Secretary of the Navy.

The Senate amendment contained a similar provision (sec. 2851).

The House recedes with a technical amendment.

Modification of authority for Oxnard Harbor District, Port Hueneme, California, to use certain Navy property (sec. 2847)

The House bill contained a provision (sec. 2851) that would amend section 2843 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337) to clarify the restrictions on the use of real property under the jurisdiction of the Secretary of the Navy by the Oxnard Harbor District, Port Hueneme, California. This provision would also clarify the forms of consideration that the District shall pay to the Secretary for the use of the property.

The Senate amendment contained an identical provision (sec. 2855).

The conference agreement includes this provision.

Transfer of jurisdiction, Marine Corps Air Station, Miramar, California (sec. 2848)

The House bill contained a provision (sec. 2853) that would authorize the transfer of, and exchange of jurisdiction on, a parcel of real property with improvements, consisting of approximately 250 acres at Marine Corps Air Station, Miramar, California, between the Secretary of the Navy and the Secretary of the Interior. The parcel is to be incorporated into the Vernal Pool Unit of the San Diego National Wildlife Refuge.

The Senate amendment contained no similar provision.

The Senate recedes.

Land exchange, Marine Corps Recruit Depot, San Diego, California (sec. 2849)

The House bill contained a provision (sec. 2856) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements, consisting of approximately 44.5 acres at Marine Corps Recruit Depot, San Diego, California, to the San Diego Unified Port District. As consideration for the conveyance, the Port District would convey to the Secretary a parcel of real property contiguous to the installation and would construct suitable replacement facilities and necessary supporting structures, as determined by the Secretary.

The Senate amendment contained no similar provision.

The Senate recedes.

Lease of property, Naval Air Station, Pensacola, Florida (sec. 2850)

The House bill contained a provision (sec. 2855) that would authorize the Secretary of the Navy to lease real property improvements to be designed and constructed by the Naval Aviation Museum Foundation at the National Museum of Naval Aviation at Naval Air Station, Pensacola, Florida, to the Foundation for a period up to 50 years, with an option to renew for an additional 50 years. The improvements are to be used for the development and operation of a National Flight Academy. As a condition for the lease, the Foundation would make the property available at no cost to the Secretary under certain specified conditions. This section would

also authorize the Secretary to provide assistance to the Foundation in the form services on a reimbursable basis.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Naval Reserve Center, Tampa, Florida (sec. 2851)

The House bill contained a provision (sec. 2858) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements, consisting of approximately 2.18 acres and comprising the Naval Reserve Center, Tampa, Florida, to the Tampa Port Authority. As consideration for the conveyance, the Port Authority would be required to provide a replacement facility and to bear all reasonable costs incurred during the relocation. The cost of any surveys necessary for the conveyance would be borne by the Port Authority.

The Senate amendment contained no similar provision.

The Senate recedes.

Modification of land conveyance, Defense Fuel Supply Point, Casco Bay, Maine (sec. 2852)

The Senate amendment contained a provision (sec. 2852) that would amend section 2839 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337) to authorize the Secretary of Defense to replace electric utility service removed during environmental remediation at Defense Fuel Supply Point, Casco Bay, Maine. The provision would also authorize the Secretary, in consultation with the community, to improve the utility services and install telecommunications service, provided the community funds the cost of the improvements.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the Secretary of Defense to use funds available from Operations and Maintenance, Defense-Wide to replace the electric utility service.

Land conveyance, Naval Computer and Telecommunications Station, Cutler, Maine (sec. 2853)

The Senate amendment contained a provision (sec. 2854) that would authorize the Secretary of the Navy to convey, without consideration, a parcel of real property with improvements consisting of approximately 263 acres known as the Naval Computer and Telecommunications Station, Cutler, Maine, to the State of Maine, any political subdivision of the State of Maine, or any tax-supported agency in the State of Maine. The provision would authorize the Secretary to lease the property to the recipient pending the conveyance of the deed and would authorize the Secretary to require the recipient of the property to reimburse the cost of any environmental assessment or other studies required with respect to the conveyance of the property paid by the Secretary.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Modification of land conveyance authority, former Naval Training Center, Bainbridge, Cecil County, Maryland (sec. 2854)

The Senate amendment contained a provision (sec. 2853) that would amend section 1 of an Act to convey land in Cecil County, Maryland (Public Law 99–596) to authorize the Secretary of the Navy to reduce the amount of consideration received from the State of Maryland by an amount equal to the cost of restoring the historic buildings on the property. The total amount of the reduction would not exceed $500,000.

The House bill contained no similar provision.

The House recedes.

Land conveyance, Marine Corps Base, Camp Lejeune, North Carolina (sec. 2855)

The Senate amendment contained a provision (sec. 2856) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements consisting of approximately 50 acres known as the railroad right-of-way located between Highway 24 and Highway 17 at Marine Corps Base, Camp Lejeune, North Carolina, to the City of Jacksonville, North Carolina. The parcel is to be used for a bike/green way trail. The city would reimburse the Secretary for the costs incurred in carrying out the conveyance.

The House bill contained no similar provision.

The House recedes with clarifying amendment.

Land exchange, Naval Air Reserve Center, Columbus, Ohio (sec. 2856)

The House bill contained a provision (sec. 2857) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements, consisting of approximately 24 acres comprising the Naval Air Reserve Center at Rickenbacker International Airport, Ohio, to the Rickenbacker Port Authority of Columbus, Ohio. As consideration for the conveyance, the Authority would convey to the Secretary a parcel of real property consisting of approximately 15 acres. This section would require the Secretary to utilize the property conveyed by the Authority as the site for a joint reserve center for units associated with the Naval Air Reserve Center at the Airport and the Naval and Marine Corps Reserve Center currently located in Columbus, Ohio. The cost of any survey necessary for the exchange would be borne by the Authority.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Naval Station, Bremerton, Washington (sec. 2857)

The conferees agree to include a provision that would authorize the Secretary of the Navy to convey a parcel of real property with improvements consisting of approximately 45.8 acres and comprising the former East Park Transient Family Accommodations, Naval Station, Bremerton, Washington, to the City of Bremerton, Washington. The property would be used for public benefit purposes. The conveyance would be without consideration except in the event the City uses the property for other purposes. In such an event, the City would pay fair market value, as determined by an appraisal acceptable to the Secretary. The City would be required to reimburse the Secretary for any administrative expenses incurred in carrying out the conveyance.

Part III—Air Force Conveyances

Land conveyance, Los Angeles Air Force Base, California (sec. 2861)

The House bill contained a provision (sec. 2863) that would authorize the Secretary of the Air Force to convey on terms the Secretary considers appropriate, any or all portions of four parcels of real property with improvements, totaling approximately 111 acres at Los Angeles Air Force Base, California. As consideration for the conveyance, the recipient shall provide for the design and construction, acceptable to the Secretary, of one or more facilities to consolidate the mission and support functions at the installation. Any such facilities would comply with specified seismic and safety standards. The provision would also authorize the Secretary to enter into a lease for the facility for a period not to exceed 10 years in the event the fair market value of a facility provided as consideration for the conveyance exceeds the fair market value of the conveyed property. Rental payments under the lease would be established at the rate necessary for the lessor to recover, by the end of the lease term, the difference between the fair market value of the facility and the fair market value of the conveyed property. The cost of any surveys necessary for the conveyance would be borne by the recipient.

The Senate amendment contained an identical provision (sec. 2862).

The conference agreement includes this provision.

Land conveyance, Point Arena Air Force Station, California (sec. 2862)

The House bill contained a provision (sec. 2862) that would authorize the Secretary of the Air Force to convey, without consideration, a parcel of real property with improvements, consisting of approximately 82 acres at the Point Arena Air Force Station, California, to Mendocino County, California. The property is to be used for municipal and other public purposes. The cost of any surveys necessary for the conveyance would be borne by the County.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the condition of conveyance to authorize Mendocino County to reconvey the property without consideration only for public benefit purposes.

Land conveyance, Lowry Air Force Base, Colorado (sec. 2863)

The House bill contained a provision (sec. 2864) that would authorize the Secretary of the Air Force to convey, without consideration, or lease, under such terms as he considers appropriate, to the Lowry Redevelopment Authority approximately 23 acres at the former Lowry Air Force Base, Colorado. The purpose of the conveyance would be for economic development and other public purposes.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Wright Patterson Air Force Base, Ohio (sec. 2864)

The House bill contained a provision (sec. 2861) that would authorize the Secretary of the Air Force to convey, without consideration, a parcel of real property with improvements, consisting of approximately 92 acres at Wright Patterson Air Force Base, Ohio, to Greene County, Ohio. The property is to be used for recreational purposes. The cost of any surveys necessary for the conveyance would be borne by the County.

The Senate amendment contained no similar provision.

The Senate recedes.

Modification of land conveyance, Ellsworth Air Force Base, South Dakota (sec. 2865)

The Senate amendment contained a provision (sec. 2861) that would amend section 2863 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85) to modify the recipient of the property from the Greater Box Elder Economic Development Corporation to the West River Foundation for Economic and Community Development, Sturgis, South Dakota.

The House bill contained no similar provision.

The House recedes.

Land conveyance, Mukilteo Tank Farm, Everett, Washington (sec. 2866)

The Senate amendment contained a provision (sec. 2863) that would authorize the Secretary of the Air Force to convey, without consideration, a parcel of real property with

improvements consisting of approximately 22 acres, known as the Mukilteo Tank Farm, to the Port of Everett, Washington. The parcel is to be used for the development and operation of a port facility. The provision would authorize the Secretary to convey personal property, excess to the needs of the Air Force, in the event the Secretary of Transportation determines it is appropriate for the development or operation of the tank farm as a port facility. The provision would also authorize the Secretary to provide an interim lease to the Port for the facility until transferred by deed.

The House bill contained no similar provision.

The House recedes.

Part IV—Other Conveyances

Land conveyance, Army and Air Force Exchange Service property, Farmers Branch, Texas (sec. 2871)

The House bill contained a provision (sec. 2871) that would authorize the Secretary of Defense to permit the Army and Air Force Exchange Service to sell a parcel of real property with improvements in Farmers Branch, Texas, for an amount equal to the fair market value of the parcel. The provision would also require the payment by the purchaser to be handled in the manner provided by section 485 of title 40, United States Code. The cost of any surveys necessary for the sale would be borne by the purchaser.

The Senate amendment contained a similar provision (sec. 2871).

The Senate recedes with a technical amendment.

Land conveyance, former National Ground Intelligence Center, Charlottesville, Virginia (sec. 2872)

The Senate amendment contained a provision (sec. 2881) that would authorize the Administrator of the General Services to convey, without consideration, a parcel of real property formerly occupied by the National Ground Intelligence Center, known as the Jefferson Street property, to the City of Charlottesville, Virginia. The conveyance would be for economic purposes. The provision would include a five-year reversionary clause and waive certain property management laws.

The House bill contained no similar provision.

The House recedes with an amendment that would specify the conditions that would apply to the reconveyance of the property by the City.

Subtitle E—Other Matters

Relation of easement authority to leased parkland, Marine Corps Base, Camp Pendleton, California (sec. 2881)

The House bill contained a provision (sec. 2881) that would amend section 2851 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261) to exempt certain lands located within Marine Corps Base, Camp Pendleton, California, and leased by the State of California for use as a restricted access highway from the requirements of section 303 of title 49 and section 138 of title 23, United States Code. This section would also require the Foothill/Eastern Transportation Agency to be responsible for the implementation of any mitigation measures required by the Secretary of Transportation.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of demonstration project for purchase of fire, security, police, public works, and utility services from local government agencies (sec. 2882)

The House bill contained a provision (sec. 2882) that would amend section 816 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337), as amended, to extend the period under which a demonstration project is authorized for the purchase of fire, security, police, public works, and utility services from local government at specified locations in Monterey, California.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend the period under which the demonstration project is authorized for one year.

The conferees note the multiple extensions of this authority. However, the conferees are aware that both the Secretary of the Army and the Secretary of the Navy are in the process of implementing a pilot program. The conferees expect both services to demonstrate success prior to any further extension of these authorities.

Acceptance and use of gifts for construction of third building at United States Air Force Museum, Wright-Patterson Air Force Base, Ohio (sec. 2883)

The Senate amendment contained a provision (sec. 2892) that would authorize the Secretary of the Air Force to accept funds provided by the Air Forces Museum Foundation to support the construction of a third building for the United States Air Force Museum at Wright-Patterson Air Force Base, Ohio. The provision would direct that any funds not needed to meet current requirements would be invested in public debt securities as determined by the Comptroller of the Air Force Material Command. The proceeds of investments would be used for construction. Upon completion of the project the escrow would be closed and any funds remaining in the account could be used by the Secretary of the Air Force as he or she considers appropriate.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Development of Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia (sec. 2884)

The Senate amendment contained a provision (sec. 2893) that would authorize the Secretary of the Navy to enter into a joint venture with the Marine Corps Heritage Foundation for the design and construction of the Marine Corps Heritage Center. The provision would also authorize the Secretary to accept, without compensation, a parcel of real property, known as Locust Shade Park, from the County of Prince William, Virginia. The provision would also exempt the County from the requirement to provide replacement property, as required under section 6 of the Land and Water Conservation Fund Act of 1965. Upon completion of construction and the satisfaction of any financial obligations incurred by the Marine Corps Heritage Foundation, the Center would become the property of the Department of the Navy. The provision would further authorize the Secretary to lease the Center to the Heritage Foundation for revenue generating purposes. As compensation, the Foundation would pay the Secretary an amount equal to the cost of operating the facility.

The House bill contained no similar provision.

The House recedes.

Activities relating to the greenbelt at Fallon Naval Air Station, Nevada (sec. 2885)

The Senate amendment contained a provision (sec. 2894) that would require the Secretary of the Navy, in consultation with the Secretary of the Army acting through the Chief of Engineers, to carry out appropriate activities after examination of the potential environmental and flight safety ramifications of eliminating irrigation in the greenbelt at Fallon Naval Air Station, Nevada.

The House bill contained no similar provision.

The House recedes.

The conferees direct the Secretary of Navy to carry out all appropriate activities consistent with current legal requirements.

Establishment of World War II Memorial on Guam (sec. 2886)

The House bill contained a provision (sec. 2883) that would authorize the Secretary of Defense, in consultation with the American Battle Monuments Commission, to establish a suitable memorial on federal property near the Fena Caves in Guam to honor those civilians killed during the occupation of Guam during World War II and to commemorate the liberation of Guam by the Armed Forces of the United States in 1944.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees expect the Secretary to establish a memorial that requires minimal maintenance.

Naming of Army Missile Testing Range at Kwajalein Atoll as the Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll (sec. 2887)

The House bill contained a provision (sec. 2884) that would designate the missile testing range at Kwajalein Atoll as the Ronald Reagan Ballistic Defense Test Site at Kwajalein Atoll.

The Senate amendment contained an identical provision (sec. 2891).

The conference agreement includes this provision.

Designation of Building at Fort Belvoir, Virginia, in honor of Andrew T. McNamara (sec. 2888)

The House bill contained a provision (sec. 2885) that would designate a building at Fort Belvoir, Virginia, as the Andrew T. McNamara Building.

The Senate amendment contained no similar provision.

The Senate recedes.

Designation of Balboa Naval Hospital, San Diego, California, in honor of Bob Wilson, a former member of the House of Representatives (sec. 2889)

The House bill contained a provision (sec. 2886) that would redesignate the Balboa Naval Hospital, San Diego, California, as the Bob Wilson Naval Hospital.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress regarding importance of expansion of National Training Center, Fort Irwin, California (sec. 2890)

The House bill contained a provision (sec. 2887) that would express a sense of Congress that the prompt expansion of the National Training Center is vital to the national security interests of the United States.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress regarding land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington (sec. 2891)

The Senate amendment contained a provision (sec. 2895) that would express a sense of Congress that the land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington, will support military training, safety, and land management concerns on the lands subject to transfer.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Applicability of competition policy to alternative authority for acquisition and improvement of military family housing

The Senate amendment contained a provision (sec. 2805) that would amend subchapter IV of chapter 169 of title 10, United States Code, to require that the secretary concerned use competitive procedures when exercising the alternative authorities for the acquisition and improvement of military housing. The secretary concerned could waive competitive procedures if he determines competition would be inconsistent with the public interest and notifies the Congress in writing of such determination not less than 30 days before entering the agreement.

The House bill contained no similar provision.

The Senate recedes.

The conferees note the innovative approaches undertaken by the service secretaries in execution of the alternative authorities for the acquisition and improvement of military housing. The conferees remain strongly supportive of these authorities and believe competition in the private marketplace has resulted in a number of successful procurements after an early period of difficulty in program implementation. While supportive of a variety of innovative options to construct and acquire military housing under these authorities, the conferees were concerned that a methodology considered by the Secretary of the Air Force in the determination of the awardee of the housing privatization project at Patrick Air Force Base, Florida, appeared to be noncompetitive and to delegate the selection process to the private sector. The conferees are aware that the Secretary has subsequently directed a change in the solicitation process. The conferees reiterate that the use of competitive procedures should apply when exercising the alternative authorities for the acquisition and improvement of military housing, regardless of the process that may be used.

Land conveyance, Colonel Harold E. Steele Army Reserve Center and Maintenance Shop, Pittsburgh, Pennsylvania

The Senate amendment contained a provision (sec. 2833) that would authorize the Secretary of the Army to convey, at fair market value, a parcel of real property, with improvements, located at 6482 Aurelia Street in Pittsburgh, Pennsylvania, and containing the Colonel Harold E. Steele Army Reserve Center and Maintenance Shop to the Ellis School, Pittsburgh, Pennsylvania. The cost of any survey necessary for the conveyance would be borne by the Ellis School.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Secretary of the Army and the Ellis School are in the process of negotiating a land exchange under the authority provided by section 18233 of title 10, United States Code. The conferees urge the Secretary to complete the exchange as soon as practical and on an equitable basis.

Land conveyance, Lieutenant General Malcolm Hay Army Reserve Center, Pittsburgh, Pennsylvania

The Senate amendment contained a provision (sec. 2832) that would authorize the Secretary of the Army to convey, at fair market value, a parcel of real property, with improvements, located at 950 Saw Mill Run Boulevard in Pittsburgh, Pennsylvania, and containing the Lieutenant General Malcolm Hay Army Reserve Center to the City of Pittsburgh, Pennsylvania. The cost of any surveys necessary for the conveyance would be borne by the City.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Secretary of the Army and the City of Pittsburgh are in the process of negotiating a land exchange under the authority provided by section 18233 of title 10, United States Code. The conferees urge the Secretary to complete the exchange as soon as practical and on an equitable basis.

Lease of property, Marine Corps Air Station, Miramar, California

The House bill contained a provision (sec. 2854) that would authorize the Secretary of the Navy to lease, without consideration, a parcel of real property with improvements, consisting of approximately 44 acres and known as the Hickman Field, to the City of San Diego, California, for a period not to exceed five years. The lease would be subject to the condition that the City maintain the property at no cost to the United States, make the property available to the existing tenant at no cost, and use the property solely for recreational purposes. The cost of any survey necessary for the lease would be borne by the City.

The Senate amendment contained no similar provision.

The House recedes.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Overview

Title XXXI authorizes appropriations for the atomic energy defense activities of the Department of Energy for fiscal year 2001, including: the purchase, construction, and acquisition of plant and capital equipment; research and development; nuclear weapons; naval nuclear propulsion; environmental restoration and waste management; operating expenses; and other expenses necessary to carry out the purposes of the Department of Energy Organization Act (Public Law 95–91). The title would authorize appropriations in six categories: national nuclear security administration; defense environmental restoration and waste management; defense environmental management privatization; other defense activities; and defense nuclear waste disposal.

The budget request included for the atomic energy defense activities totaled $13.2 billion, an 8.3 percent increase over the adjusted fiscal year 2000 level. Of the total amount requested: $4.6 billion would be for weapons activities; $1.6 billion would be for other nuclear security activities; $4.6 billion would be for defense environmental restoration and waste management activities; $1.1 billion would be for defense facility closure projects; $540.1 million would be for defense environmental management privatization; $555.1 million would be for other defense activities; $112.0 million would be for defense nuclear waste disposal; $17.0 million would be for a Department of Energy Employees Compensation Initiative; and $140.0 million would be for the formerly utilized sites remedial action program.

The conferees agree to authorize $13.1 billion for atomic energy defense activities, a decrease of $118.7 million to the budget request. The conferees agree to authorize $6.4 billion for the national nuclear security administration (NNSA), an increase of $244.7 million of the amount authorized for the NNSA: $4.8 billion would be for weapons activities, an increase of $246.3 million; $877.5 million would be for defense nuclear nonproliferation, a decrease of $28.6 million; and $694.6 million would be for naval reactors, an increase of $17.0 million. The conferees agree to authorize $6.0 billion for defense environmental restoration and waste management activities, an increase of $1.4 billion. Of the amount authorized for environmental management activities: $1.1 billion would be for closure projects, the amount of the request; $941.7 million would be for site and project completion, a decrease of $29.2 million; $3.4 billion would be for post fiscal year 2006 completion, an increase of $324.0 million; $246.5 million would be for technology development, an increase of $50.0 million; and $355.0 million would be for program direction, a decrease of $4.9 million. The conferees agree to authorize $91.0 million for defense environmental management privatization projects, a decrease of $450.0 million. The conferees agree to authorize $523.8 million for other defense activities, a decrease of $31.3 million. Of the amount authorized for other defense activities: $38.1 million would be for the Office of Intelligence, the amount of the request; $45.2 million would be for the Office of Counterintelligence, the amount of the budget request; $284.1 million would be for the Office of Security and Emergency Operations, a decrease of $56.3 million; $14.9 million would be for independent oversight and performance assurance, the amount of the request; $134.1 million would be for environment, safety and health-defense, an increase of $25.0 million; $24.5 million would be for the Office of Worker and Community Transition, the amount of the budget request; and $3.0 million would be for the Office of Hearings and Appeals, the amount of the budget request. The conferees agree to authorize $112.0 million for defense nuclear waste disposal, the amount of the budget request. The conferees agree to authorize no funding for the formerly utilized sites remedial action program, a decrease of $140.0 million, and agree to authorize no funding for the Department of Energy Employees Compensation Initiative, a decrease of $17.0 million.

The following table summarizes the budget request and the conferees recommendations:

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE XXXI-XXXII					
ATOMIC ENERGY DEFENSE ACTIVITIES (053)					
National Nuclear Security Administration					
Weapons Activities	4,594,000	4,677,800	4,747,800	246,289	4,840,289
Other Nuclear Security Activities	1,583,635	914,035	1,554,535	(706,168)	877,467
Naval Reactors	0	677,600	0	694,600	694,600
Office of the Administrator	0	0	0	10,000	10,000
Defense Environmental Restoration and Waste Management	4,551,527	4,591,527	5,576,824	1,422,165	5,973,692
Defense Facilities Closure Projects	1,082,297	1,082,297	0	(1,082,297)	0
Defense Environmental Management Privatization	515,000	259,000	365,000	(515,000)	0
Other Defense Activities	555,122	557,122	466,322	(31,300)	523,822
Defense Nuclear Waste Disposal	112,000	112,000	112,000	0	112,000
Energy Employees Compensation Initiative	17,000	0	17,000	(17,000)	0
Interim Storage Activities	0	0	0	0	0
Formerly Utilized Site Remediation	140,000	0	0	(140,000)	0
Defense Nuclear Facilities Safety Board	18,500	17,000	18,500	0	18,500
Total Atomic Energy Defense Activities (053)	13,169,081	12,888,381	12,857,981	(118,711)	13,050,370

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
National Nuclear Security Administration					
Weapons Activities					
Stewardship Operations & Maintenance					
Directed stockpile work					
Stockpile Research and Development	243,300	243,300	249,300	6,000	249,300
Stockpile Maintenance	257,994	266,994	257,994	9,000	266,994
Stockpile Evaluation	151,710	162,710	151,710	11,000	162,710
Dismatlement/Disposal	29,260	29,260	29,260	0	29,260
Production Support	149,939	149,939	149,939	0	149,939
Field Engineering, Training, and Manuals	4,400	4,400	4,400	0	4,400
Total, Directed stockpile work	836,603	856,603	842,603	26,000	862,603
Campaigns					
Primary Certification	41,400	41,400	41,400	0	41,400
Dynamic Materials Properties	64,408	64,408	64,408	0	64,408
Advanced Radiography (O&M)	43,000	43,000	43,000	0	43,000
97-D-102 Dual-axis radiographic hydrotest facility, LANL, Los Alamos, NM	35,232	35,232	35,232	0	35,232
Total Advanced Radiography	78,232	78,232	78,232	0	78,232
Secondary Certification and Nuclear Systems Margins	52,964	52,964	52,964	0	52,964
Intertial Confinement Fusion (ICF) Ignition and High Yield (O&M)	120,800	275,500	95,800	114,700	235,500
96-D-111 National ignition facility (NIF), LLNL, Livermore, CA	74,100	169,100	214,100	135,000	209,100
Total, Intertial Confinement Fusion (ICF) Ignition and High Yield	194,900	444,600	309,900	249,700	444,600
Certification in Hostile Environments	15,400	15,400	15,400	0	15,400
Defense Computing and Modeling (O&M)	249,100	706,175	686,175	457,075	706,175

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA	2,300	2,300	2,300	0	2,300
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	5,000	5,000	5,000	0	5,000
00-D-105, Strategic computing complex, LANL, Los Alamos, NM	56,000	56,000	56,000	0	56,000
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM	6,700	6,700	6,700	0	6,700
Total, Defense Computing and Modeling	319,100	776,175	756,175	457,075	776,175
Weapons System Engineering Cerification	16,300	16,300	16,300	0	16,300
Enhanced Surety	40,600	40,600	40,600	0	40,600
Enhanced Surveillance	89,651	89,651	89,651	0	89,651
Advanced Design and Production Technologies	75,735	81,735	75,735	3,000	78,735
Pit Manufacturing Readiness	108,038	123,038	118,038	15,000	123,038
Secondary Readiness	15,000	15,000	15,000	0	15,000
Materials Readiness	40,511	40,511	40,511	0	40,511
Tritium Readiness (O&M)	77,000	102,000	77,000	0	77,000
98-D-125 Tritium extraction fac, Savannah River plant, Aiken, SC	75,000	75,000	75,000	0	75,000
98-D-126 Accelerator production of tritium (APT), various locations	0	0	34,000	25,000	25,000
Total, Tritium Readiness	152,000	177,000	186,000	25,000	177,000
Total, Campaigns	1,304,239	2,057,014	1,900,314	749,775	2,054,014
Readiness in technical base and facilities					
Program readiness	75,800	75,800	75,800	0	75,800
Special Projects	48,297	31,297	48,297	0	48,297
Materials Recycle and Recovery	22,018	22,018	22,018	0	22,018
Containers	7,876	7,876	7,876	0	7,876

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Storage	9,075	9,075	9,075	0	9,075
Advanced Simulation and Computing	477,075	0	0	(477,075)	0
Operations of Facilities	1,313,432	1,220,732	1,344,732	(47,411)	1,266,021
Construction:					
01-D-103 Preliminary Project Design and Engineering, various locations	14,500	14,500	14,500	0	14,500
01-D-124 HEU materials storage facility, Y-12 plant, Oak Ridge, TN	17,800	17,800	17,800	0	17,800
01-D-126 Weapons Evaluation Test Laboratory, Pantex Plant, Amarillo, TX	3,000	3,000	3,000	0	3,000
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA	5,000	5,000	5,000	0	5,000
99-D-104 Protection of real property (Phase II), LLNL, Livermore, CA	2,800	2,800	2,800	0	2,800
99-D-106 Model validation & system certification test center, SNL Albuquerque, NM	5,200	5,200	5,200	0	5,200
99-D-108 Renovate existing roadways, Nevada Test Site, NV	2,000	2,000	2,000	0	2,000
99-D-125 Replace boilers & controls, Kansas City plant, Kansas City, MO	13,000	13,000	13,000	0	13,000
99-D-127 Stockpile mgmt restructuring initiative, Kansas City plant, Kansas City, MO	23,765	23,765	23,765	0	23,765
99-D-128 Stockpile management restructuring initiative, Pantex plant, Amarillo, TX	4,998	4,998	4,998	0	4,998
99-D-132 Stockpile management restructuring initiative, nuclear materials safeguards & security upgrades project, LANL, Los Alamos, NM	18,043	18,043	18,043	0	18,043
98-D-123 Stockpile management restructuring initiative, Tritium facility modernization and consolidation, Savannah River plant, Aiken, SC	30,767	30,767	30,767	0	30,767
97-D-123 Structural upgrades, Kansas City plant, Kansas City, MO	2,918	2,918	2,918	0	2,918
95-D-102 Chemistry and metallurgy research (CMR) building upgrades project, LANL, Los Alamos, NM	13,337	13,337	13,337	0	13,337

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
88-D-123 Security enhancements, Pantex plant, Amarillo, TX	2,713	2,713	2,713	0	2,713
Total, Construction	159,841	159,841	159,841	0	159,841
Total, Readiness in technical base and facilities	2,113,414	1,526,639	1,667,639	(524,486)	1,588,928
Total, Stewardship	4,254,256	4,440,256	4,410,556	251,289	4,505,545
Secure transportation asset					
Operation and maintenance	79,357	79,357	79,357	0	79,357
Program direction	36,316	36,316	36,316	0	36,316
Total, Secure transportation asset	115,673	115,673	115,673	0	115,673
Program direction	224,071	216,871	221,571	(5,000)	219,071
Subtotal, Weapons activities	4,594,000	4,772,800	4,747,800	246,289	4,840,289
Use of prior year balances	0	0	0	0	0
General Reduction	0	(95,000)	0	0	0
Less proposed supplemental	0	0	0	0	0
Total, Weapons Activities	4,594,000	4,677,800	4,747,800	246,289	4,840,289
Other Nuclear Security Activities					
Defense nuclear nonproliferation					
Nonproliferation and verification R&D					
Operation and maintenance	225,990	225,990	255,990	20,000	245,990
Construction:					
00-D-192 Nonproliferation and international security center (NISC), LANL, Los Alamos, NM	7,000	7,000	7,000	0	7,000
Total, Nonproliferation and verification R&D	232,990	232,990	262,990	20,000	252,990
Arms control					
Arms control operations	272,870	272,870	285,370	12,500	285,370

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Long-term nonproliferation program for Russia	100,000	100,000	0	(100,000)	0
HEU transparency implementation	15,190	15,190	15,190	0	15,190
International nuclear safety	20,000	20,000	20,000	0	20,000
Total, Arms control	408,060	408,060	320,560	(87,500)	320,560
Program direction	41,550	0	0	(41,550)	0
Total, Arms Control and verification R&D	682,600	641,050	583,550	(109,050)	573,550
Fissile materials disposition					
Operation and maintenance	175,517	175,517	175,517	0	175,517
Construction					
00-D-142, Immobilization & associated processing facility, title I & II SRS, Aiken, SC	3,000	3,000	3,000	0	3,000
99-D-141 Pit disassembly and conversion facility, title I & II design, Aiken, SC	20,000	20,000	20,000	0	20,000
99-D-143 Mixed oxide fuel fabrication facility, title I & II design, Aiken, SC	15,000	23,000	26,000	11,000	26,000
01-D-407 Highly Enriched Uranium (HEU) Blend-down, Savannah River, SC	0	0	0	27,932	27,932
Total, Construction	38,000	46,000	49,000	38,932	76,932
Program direction	9,918	0	0	(9,918)	0
Total, Fissile materials control and disposition	223,435	221,517	224,517	29,014	252,449
Program direction	0	51,468	51,468	51,468	51,468
Total, Defense Nuclear Nonproliferation	906,035	914,035	859,535	(28,568)	877,467
Naval reactors					
Naval reactors development					
Operation and maintenance	627,500	0	644,900	(627,500)	0

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
GPN-101 General plant projects, various locations	11,400	0	11,400	(11,400)	0
Construction:					
01-D-200 Major office replacement building Schenectady, NY	1,300	0	1,300	(1,300)	0
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	16,000	0	16,000	(16,000)	0
Total, Construction	17,300	0	17,300	(17,300)	0
Total, Naval reactors development	656,200	0	673,600	(656,200)	0
Program direction	21,400	0	21,400	(21,400)	0
Total, Naval reactors	677,600	0	695,000	(677,600)	0
Subtotal, Other nuclear security activities	1,583,635	914,035	1,554,535	(706,168)	877,467
Total, Other Nuclear Security Activities	1,583,635	914,035	1,554,535	(706,168)	877,467
Naval reactors					
Naval reactors development					
Operation and maintenance		627,500	0	644,500	644,500
GPN-101 General plant projects, various locations		11,400	0	11,400	11,400
Construction:					
01-D-200 Major office replacement building Schenectady, NY		1,300	0	1,300	1,300
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID		16,000	0	16,000	16,000
Total, Construction		17,300	0	17,300	17,300
Total, Naval reactors development		656,200	0	673,200	673,200
Program direction		21,400		21,400	21,400
Total, Naval reactors		677,600	0	694,600	694,600

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Office of the Adminstrator	0	0	0	10,000	10,000
Total, National Nuclear Security Administration	6,177,635	6,269,435	6,302,335	244,721	6,422,356
Environmental and Other Defense Activities					
Defense Environmental Restoration & Waste Management					
Defense Facilities Closure Projects					
Site closure	0	0	1,082,297	1,082,297	1,082,297
Site/project completion					
Operation and maintenance	901,475	941,475	861,475	(1,300)	900,175
Construction:					
01-D-402 Intec cathodic protection system expansion, Idaho National Engineering Lab (INEEL) Idaho Falls, Idaho	500	500	500	0	500
01-D-407 Highly Enriched Uranium (HEU) Blend-down, Savannah River, SC	27,932	27,932	27,932	(27,932)	0
99-D-402 Tank farm support services, F&H area, Savannah River Site, Aiken, SC	7,714	7,714	7,714	0	7,714
99-D-404 Health physics instrumentation laboratory, INEEL, ID	4,300	4,300	4,300	0	4,300
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA	1,690	1,690	1,690	0	1,690
97-D-470 Regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, SC	3,949	3,949	3,949	0	3,949
96-D-471 CFC HVAC/chiller retrofit, Savannah River Site, Aiken, SC	12,512	12,512	12,512	0	12,512

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
92-D-140 F&H canyon exhaust upgrades, Aiken, SC	8,879	8,879	8,879	0	8,879
86-D-103 Decontamination and waste treatment facility, LLNL, Livermore, CA	2,000	2,000	2,000	0	2,000
Total, Construction	69,476	69,476	69,476	(27,932)	41,544
Total, Site/project completion	970,951	1,010,951	930,951	(29,232)	941,719
Post 2006 completion					
Operation and maintenance	2,588,725	2,588,725	2,683,725	(317,619)	2,271,106
Uranium enrichment D&D fund contribution	420,000	420,000	395,000	0	420,000
Construction:					
01-D-403 Immobilized high level waste interim storage facility, Richland, WA	1,300	1,300	1,300	(1,300)	0
99-D-403 Privatization phase I infrastructure support, Richland, WA	7,812	7,812	7,812	(7,812)	0
97-D-402 Tank farm restoration and safe operations, Richland, WA	46,023	46,023	46,023	(46,023)	0
94-D-407 Initial tank retrieval systems, Richland, WA	17,385	17,385	17,385	(17,385)	0
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC	27,212	27,212	27,212	0	27,212
Total, Construction	99,732	99,732	99,732	(72,520)	27,212
Office of River Protection					
Operation and maintenance	0	0	0	309,619	309,619
Construction:					
01-D-416 Tank Waste Remediation System Privatization Phase I, Richland, WA	0	0	0	332,000	332,000

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
01-D-403 Immobilized high level waste interim storage facility, Richland, WA	0	0	0	1,300	1,300
99-D-403 Privatization phase I infrastructure support, Richland, WA	0	0	0	7,812	7,812
97-D-402 Tank farm restoration and safe operations, Richland, WA	0	0	0	46,023	46,023
94-D-407 Initial tank retrieval systems, Richland, WA	0	0	0	17,385	17,385
Total, Construction	0	0	0	404,520	404,520
Total, Post 2006 completion	3,108,457	3,108,457	3,178,457	324,000	3,432,457
Science and technology	196,548	196,548	246,548	50,000	246,548
Program direction	359,888	359,888	354,888	(4,900)	354,988
Subtotal, Defense environmental restoration & waste management	4,635,844	4,675,844	5,793,141	1,422,165	6,058,009
Use of prior year balances	(34,317)	(34,317)	(166,317)	0	(34,317)
Pension refund	(50,000)	(50,000)	(50,000)	0	(50,000)
Total, Defense Environmental Restoration & Waste Management	4,551,527	4,591,527	5,576,824	1,422,165	5,973,692
Defense Facilities Closure Projects					
Site closure	1,082,297	1,082,297	0	(1,082,297)	0
Defense Environmental Management Privatization					
Privatization initiatives, various locations	540,092	284,092	390,092	(450,000)	90,092
Use of prior year balances	(25,092)	(25,092)	(25,092)	(65,000)	(90;092)
Total, Defense Environmental Management Privatization.	515,000	259,000	365,000	(515,000)	0
Other Defense Activities					

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Intelligence					
Operation and maintenance	36,059	36,059	36,059	0	36,059
Construction:					
01-D-800 Sensitive compartmented information fac, LLNL, Livermore, CA	2,000	2,000	2,000	0	2,000
Total, Intelligence	38,059	38,059	38,059	0	38,059
Counterintelligence	45,200	45,200	75,200	0	45,200
Advanced accelerator applications					
Security and emergency operations					
Nuclear safeguards and security	124,409	124,409	124,409	0	124,409
Security investigations	33,000	33,000	33,000	0	33,000
Emergency management	93,600	93,600	37,300	(56,300)	37,300
Program direction	89,367	89,367	86,867	0	89,367
Total, Security and emergency operations	340,376	340,376	281,576	(56,300)	284,076
Independent oversight and performance assurance					
Program direction	14,937	14,937	14,937	0	14,937
Total, Independent oversight and performance assurance	14,937	14,937	14,937	0	14,937
Environment, safety & health					
Environment, safety and health (defense)	86,446	88,446	76,446	0	86,446
Energy employees occupational illness compensation initiative				25,000	25,000
Program direction	22,604	22,604	22,604	0	22,604
Total, Environment, safety and health	109,050	111,050	99,050	25,000	134,050
Worker and community transition					
Worker and community transition	21,500	21,500	21,500	0	21,500

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Program direction	3,000	3,000	3,000	0	3,000
Total, Worker and community transition	24,500	24,500	24,500	0	24,500
Office of hearings and appeals	3,000	3,000	3,000	0	3,000
Subtotal, Other defense activities	575,122	577,122	536,322	(31,300)	543,822
Adjustments:					
Use of prior year balances	0	0	(50,000)	0	0
Offset to user organizations	(20,000)	(20,000)	(20,000)	0	(20,000)
Total, Adjustments	(20,000)	(20,000)	(70,000)	0	(20,000)
Total, Other Defense Activities	555,122	557,122	466,322	(31,300)	523,822
Defense Nuclear Waste Disposal					
Defense nuclear waste disposal	112,000	112,000	112,000	0	112,000
Energy Employees Compensation Initiative					
Energy employees beryllium compensation fund	12,800	0	12,800	(12,800)	0
Energy employees pilot project	2,000	0	2,000	(2,000)	0
Paducah employees exposure compensation fund	2,200	0	2,200	(2,200)	0
Total, Energy Employees Compensation Initiative	17,000	0	17,000	(17,000)	0
TOTAL, DEFENSE NUCLEAR ACTIVITIES	13,010,581	12,871,381	12,839,481	21,289	13,031,870
Formerly Utilized Site Remediation	140,000	0	0	(140,000)	0
Defense Nuclear Facilities Safety Board	18,500	17,000	18,500	0	18,500

ITEMS OF SPECIAL INTEREST

Report on authorities and limitations in general recurring provisions

The conferees direct the Secretary of Energy, in consultation with the Administrator for Nuclear Security and the Assistant Secretary for Environmental Management, to submit to the Committees on Armed Services of the Senate and House of Representatives, not later than January 15, 2001, a report on the effect, advantages, and disadvantages of the authorities granted and limitations imposed in sections 3121 through 3129 of this Act.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—National Security Programs Authorizations

National Nuclear Security Administration (sec. 3101)

The budget request included $6.2 billion for activities of the Department of Energy (DOE) National Nuclear Security Administration (NNSA).

The House bill contained a provision (sec. 3101) that would authorize $6.3 billion for activities of the NNSA, an increase of $91.8 million.

The Senate amendment contained a similar provision (sec. 3101) that would authorize $6.3 billion for activities of the NNSA, an increase of $124.7 million.

The conferees agree to authorize $6.4 billion for activities of the NNSA, an increase of $244.7 million.

Weapons activities

The budget request included $4.6 billion for weapons activities, including: $836.6 million for directed stockpile work; $1.0 billion for campaigns; $2.0 billion for readiness in technical base and facilities; $115.7 million for secure transportation asset; $414.2 million for construction; and $224.1 million for program direction.

The House bill would authorize $4.7 billion for weapons activities, an increase of $83.8 million. The amount authorized is for the following activities: $856.6 million for directed stockpile work; $2.1 billion for campaigns; $1.4 billion for readiness in technical base and facilities; $115.7 million for secure transportation asset; $159.8 million for construction; and $216.9 million for program direction.

The Senate amendment would authorize $4.7 billion for weapons activities, an increase of $153.8 million. The amount authorized is for the following activities: $842.6 million for directed stockpile work; $1.5 billion for campaigns; $1.5 billion for readiness in technical base and facilities; $115.7 million for secure transportation asset; $588.2 million for construction; and $221.6 million for program direction.

The conferees agree to authorize $4.8 billion for weapons activities, an increase of $246.3 million. The amount authorized is for the following activities: $862.6 million for directed stockpile work, an increase of $26.0 million; $2.1 billion for campaigns, an increase of $749.8 million; $1.6 billion for readiness in technical base and facilities, a decrease of $524.5 million; $115.7 million for secure transportation asset, the amount of the budget request; and $219.1 million for program direction, a decrease of $5.0 million.

Directed stockpile work

In the directed stockpile work account, the conferees agree to authorize: an increase of $6.0 million for a cooperative research effort with the Department of Defense regarding defeating hard and deeply buried targets; an increase of $5.0 million for life extension and repairs for the B–61 warhead and other directed stockpile work at the Kansas City Plant; an increase of $4.0 million for life extension and repairs for the B–61 and W–76 warheads and other directed stockpile work at the Y–12 Plant; an increase of $5.0 million for radiographic inspection of nuclear weapons components and assemblies, vacuum chamber inspection activities, testing in the accelerated aging unit, and other stockpile evaluation activities at the Pantex plant; and an increase of $6.0 million for quality evaluation and certification activities and joint test assemblies at the Y–12 plant.

Campaigns

In the campaigns account, the conferees agree to authorize: an increase of $15.0 million for the pit manufacturing readiness campaign to begin conceptual design activities for a pit production facility adequate to meet future national security needs; an increase of $477.1 million for the defense computing and modeling campaign to reflect the consolidation of all defense computing and modeling activities into a single program line item; an increase of $144.7 million to reflect the consolidation of all inertial confinement fusion activities into a single program line item; an increase of $10.0 million for joint Department of Defense-NNSA high energy laser research; an increase of $135.0 million for the National Ignition Facility construction, which includes a transfer of $40.0 million from the inertial confinement fusion ignition and high yield campaign operations and maintenance account; an increase of $3.0 million to complete the American Textiles Partnership (AMTEX) project; an increase of $25.0 million for continued preliminary design and engineering development activities in the accelerator production of tritium project (98–D–126); a decrease of $20.0 million to the defense computing and modeling campaign to reflect delays in acquisition of the 100-trillion-operations-per-second computer platform and to slow the rate of growth in the Visual Interactive Environment Weapon Simulation (VIEWS) and university partnership programs; and the budget request of $32.1 million for the University of Rochester's Laboratory for Laser Energetics.

Readiness in technical base and facilities

In the readiness in technical base and facilities account, the conferees agree to authorize: an increase of $56.3 million to reflect the movement of the nuclear emergency search team and accident response group from the other defense activities emergency management account to the weapons activities account; an increase of $20.0 million for the Kansas City Plant to continue advanced manufacturing, modernization, infrastructure enhancement, and skills retention efforts; an increase of $13.0 million for the Pantex Plant for infrastructure improvements; an increase of $8.0 million for the Y–12 Plant for infrastructure improvements; a decrease of $144.7 million to reflect the transfer of inertial confinement fusion activities to the inertial confinement fusion ignition and high yield campaign account; and a decrease of $477.1 million to reflect the transfer of computing and modeling activities to the defense computing and modeling campaign account.

Of the funds available for directed stockpile work, the conferees agree to authorize $5.0 million for a cooperative program with the Defense Threat Reduction Agency to reestablish a vigorous nuclear weapon effects test capability. The program shall emphasize the need to invest in all elements of nuclear weapon effects technologies, including basic phenomenology, analysis and modeling, radiation effects simulation, and hardening technologies.

The conferees recommend that the fiscal year 2002 budget request include a separate program element for the operation of each NNSA facility, rather than one consolidated facility operations program element.

Construction

In the construction account, the conferees agree to authorize no funding. The conferees transferred all construction projects to the campaigns and readiness in technical base and facilities accounts. The conferees direct the Administrator to submit an NNSA budget request in fiscal year 2002 that reflects the alignment of construction projects with associated program elements.

Program direction

In the program direction account, the conferees agree to authorize a decrease of $5.0 million.

The conferees direct that the proposed decrease be achieved through the reorganization and realignment of headquarters and field office roles and responsibilities. The conferees believe that the performance of the Office of Defense Programs will be improved by eliminating duplicative efforts and by streamlining management control of DOE weapons activities.

The conferees continue to believe that the Office of Defense Programs is overstaffed. The conferees note that several independent assessments of the organizational structure of the Office of Defense Programs, dating back as far as calendar year 1997, have also concluded that the Office of Defense Programs would benefit from a realignment of headquarters and field organization personnel. The conferees expect the Department to utilize the authority to make the voluntary separation incentive payments authorized in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to fully implement the realignment recommendations described in the calendar year 1997 report by the Institute for Defense Analysis. The conferees encourage the Administrator to make effective use of this authority to establish up to 300 excepted service positions in the Administration provided in section 3241 of the National Defense Authorization Act for Fiscal Year 2000 (P.L. 106–65). The conferees believe that this authority will be a valuable tool to provide NNSA with personnel competent to manage technically complex projects.

Budget structure for Office of the Deputy Administrator for Defense Programs

The conferees commend the Office of Defense Programs for establishing a more detailed and transparent budget structure. The conferees continue to believe that this new budget structure will greatly enhance the effectiveness of these programs and instill a higher degree of budgetary discipline in the Office of Defense Programs. The conferees further believe that the new budget structure will also assist Congress in assessing the degree of integration among varied experiments, simulation, research, and weapons assessments activities carried out at DOE weapons laboratories and production plants. The conferees direct that future budget requests for weapons activities clearly identify the funding required for each campaign and each program under the directed stockpile work and the readiness in technical base and facilities accounts.

National Ignition Facility

The conferees remain disappointed at the management, schedule, and budget difficulties experienced by the NIF program, but are convinced of the significance of the project in sustaining the U.S. nuclear stockpile. The conferees believe that recent improvements in program management justify the increase for NIF construction.

Nuclear Emergency Search Team

The conferees note that the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106) requires that the Nuclear Emergency Search Team (NEST) remain a program function within the Office of

Military Applications under the Office of Defense Programs. The conferees have transferred NEST funding from the Department of Energy Other Defense Activities account to the NNSA to reflect this requirement.

Accelerated Strategic Computing Initiative

The conferees note that the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) expressed concern about the rate of growth in the Advanced Strategic Computing Initiative (ASCI) and Strategic Computing accounts. The conferees believe that the rate of growth for the NNSA defense computing and modeling campaign remains very high and that such funding increases have not been adequately justified. The conferees encourage the Administrator for Nuclear Security to properly align resources for ASCI and other computing and modeling activities with other experimental tools required to sustain the U.S. nuclear stockpile.

Plutonium pit production

The conferees are aware that the November 8, 1999, report of the Panel to Assess the Reliability, Safety, and Security of the U.S. Nuclear Stockpile stated that its ''paramount concern'' with the DOE stockpile stewardship program ''. . . is the need to begin work now on an adequate plutonium pit production manufacturing capability.'' The conferees endorse this finding and direct the Secretary of Energy to begin conceptual design activities for a pit production facility with a capacity adequate to meet future national security needs immediately.

Accelerator Production of Tritium

The conferees are concerned about proposals to fund continued APT design activities in the Office of Nuclear Energy, Science and Technology. In order to maintain clear lines of authority, the conferees believe that programs with direct relevance to the core missions of NNSA should be managed and funded by NNSA.

Defense Nuclear Nonproliferation

The budget request included $906.0 million for defense nuclear nonproliferation and fissile materials disposition, including: $233.0 million for nonproliferation verification research and development; $408.1 million for arms control; $213.5 million for fissile materials disposition; and $51.5 million for program direction.

The House bill would authorize $914.0 million for defense nuclear nonproliferation, an increase of $8.0 million. The amount authorized is for the following activities: $233.0 million for nonproliferation verification research and development; $408.1 million for arms control; $221.5 million for fissile materials disposition; and $51.5 million for program direction.

The Senate amendment would authorize $859.5 million for defense nuclear nonproliferation, a decrease of $46.5 million. The amount authorized is for the following activities: $263.0 million for nonproliferation verification research and development; $320.6 million for arms control; $224.5 million for fissile materials disposition; and $51.5 million for program direction.

The conferees agree to authorize $877.5 million for defense nuclear nonproliferation, a decrease of $28.6 million. The amount authorized is for the following activities: $253.0 million for nonproliferation verification research and development, an increase of $20.0 million; $320.6 million for arms control, a decrease of $87.5 million; $252.4 million for fissile materials disposition, an increase of $29.0 million; and $51.5 million for program direction, the amount of the budget request.

The conferees note that the Department of Energy Defense Nuclear Nonproliferation Program was formerly known as the nonproliferation and national security account during fiscal year 2000. Because DOE did not request these funds under separate budget accounts, as required by section 3251 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), the conferees have renamed and consolidated these activities into a single account. The conferees further note that the request included separate program direction accounts for the Office of Nonproliferation and Office of Fissile Materials Disposition. The conferees established a single defense nuclear nonproliferation account.

Nonproliferation verification research and development

In the nonproliferation verification research and development account the conferees agree to authorize an increase of $20.0 million for detecting and deterring weapons of mass destruction proliferation, monitoring nuclear explosions, detecting and responding to chemical and biological weapons attacks, and conducting evaluations of the technical capabilities of other geographic areas that pose a threat to U.S. National Security because of the potential for development and delivery of weapons of mass destruction.

Arms control

In the arms control account the conferees agree to authorize an increase of $12.5 million for the Nuclear Cities Initiative. The conferees would authorize no funding for the long-term nonproliferation program for Russia.

Fissile materials control and disposition

In the fissile materials control and disposition account, the conferees agree to authorize an increase of $11.0 million to accelerate design activities for the mixed oxide fuel fabrication facility.

Naval Reactors

The budget request included $677.6 million for naval reactors.

The House bill would authorize $677.6 million for naval reactors, the amount of the request.

The Senate amendment would authorize $695.0 million for naval reactors, an increase of $17.4 million.

The conferees agree to authorize $694.6 million for naval reactors, an increase of $17.0 million for expedited decommissioning and decontamination activities at surplus facilities.

Office of the Administrator

The conferees agree to authorize $10.0 million for the Office of the Administrator, an increase of $10.0 million. The conferees note that the budget request did not include funding for the Office of the Administrator. The conferees direct that future budget requests include a separate budget line for the administrative activities of the Office of the Administrator.

Safeguards and security activities

The conferees note that DOE has proposed a budget amendment that would consolidate all safeguards and security funds into a single program to be managed by the Office of Security and Emergency Operations. The conferees do not support this proposal. The conferees direct that all funds authorized for safeguards and security activities pursuant to this section be managed exclusively by NNSA employees or NNSA contractor employees. Consistent with the National Nuclear Security Administration Act (Title 32 of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2402) the Administrator for Nuclear Security is not authorized to transfer or delegate responsibility for any safeguards and security activities of the NNSA to any employee or office outside the NNSA.

Defense environmental restoration and waste management (sec. 3102)

The budget request included $4.6 billion for environmental management activities of the Department of Energy (DOE).

The House bill contained a provision (sec. 3102) that would authorize $4.6 billion for environmental management activities, an increase of $40.0 million. The amount authorized would be for the following activities: $1.0 billion for site and project completion, an increase of $40.0 million; $3.1 billion for post 2006 completion, the amount of the budget request; $196.5 million for science and technology development, the amount of the budget request; and $359.9 million for program direction, the amount of the budget request.

The Senate amendment contained a similar provision (sec. 3102) that would authorize $5.6 billion for environmental management activities, including closure activities, a decrease of $56.9 million. The amount authorized would be for the following activities: $1.1 billion for closure projects, the amount of the budget request; $930.9 million for site and project completion, a decrease of $40.0 million; $3.2 billion for post 2006 completion, an increase of $70.0 million; $246.5 million for technology development, an increase of $50.0 million; and $354.9 million for program direction, a decrease of $5.0 million. The Senate provision would also authorize a decrease of $132.0 million to account for available uncosted, unobligated prior year funds and funds to be deobligated from completed, prior year construction projects.

The conferees agree to authorize $6.0 billion for environmental management activities, an increase of $1.4 billion. The amount authorized is for the following activities: $1.1 billion for closure projects, the amount of the budget request; $941.7 million for site and project completion, a decrease of $29.2 million; $3.4 billion for post 2006 completion, an increase of $324.0 million; $246.5 million for technology development, an increase of $50.0 million; and $355.0 million for program direction, a decrease of $4.9 million.

Post 2006 completion

For post 2006 completion activities, the conferees agree to authorize: an increase of $332.0 million to establish a new construction line item for the Tank Waste Remediation System Project; an increase of $10.0 million for the Columbia River Corridor Initiative at the Hanford Site to continue reactor decontamination and decommissioning activities; and a decrease of $18.0 million to reflect the movement of the Environmental Systems Research and Analysis Program into the Science and Technology Development Account. The conferees recommend full funding for the F-canyon and H-canyon materials processing facilities.

The conferees agreed to establish a separate sub-account within the post 2006 completion account for the activities of Office of River Protection. The conferees have consolidated all post 2006 completion construction projects that support operation of the Hanford site tank farm into this sub-account, including a new construction line item for the Tank Waste Remediation System Project.

Site and project completion

For site and project completion activities, the conferees agree to authorize: an increase of $11.0 million to accelerate compliance with 94–1 requirements at the Savannah River Site, including pre-operational activities to support planned stabilization campaigns, acceleration of the Americium/Curium stabilization project, and continued operation of the HB-Line Phase I to process plutonium residues; a decrease of $27.9 million to reflect the transfer of the highly enriched (HEU) uranium blend-down project

(01–D–407) to the National Nuclear Security Administration Office of Fissile Materials Disposition; a decrease of $10.0 million in operation and maintenance funds to reflect transfer of the HEU blend-down project; and a decrease of $2.3 million to reflect the movement of the Environmental Systems Research and Analysis Program into the Science and Technology Development account.

Science and technology development

For science and technology development activities, the conferees agree to authorize: an increase of $50.0 million for applied research and development activities. The amount authorized reflects the consolidation of the Environmental Systems Research and Analysis Program into the Science and Technology Development Account.

The conferees note that the cleanup and waste management efforts of the Department will continue well into the 21st Century with costs anticipated to exceed $150.0 billion and much of the cleanup work scheduled to continue beyond fiscal year 2030. DOE must make meaningful investments in innovative science and technology in order to reduce costs, reduce safety and health risks, and develop solutions to problems for which there are currently no available or effective technologies.

Columbia River Corridor Initiative

The conferees support the Columbia River Corridor Initiative to accelerate cleanup along the Hanford Reach of the Columbia River. The National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) directed the Assistant Secretary of Energy for Environmental Management to establish a schedule by which the 100 square miles of the Hanford site that adjoin the Columbia River could be cleaned up on an accelerated schedule and proposed for removal from the National Priorities List. The conferees note that this schedule has not been submitted to Congress. The conferees expect that this report will be provided not later than November 1, 2000.

Report on pilot program to use prior year unobligated balances to accelerate cleanup of the Rocky Flats Environmental Technology Site

The conferees encourage the Secretary of Energy to use the authority provided by section 3176 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to accelerate closure of the Rocky Flats Environmental Technology Site.

Safeguards and Security Activities

The conferees direct that all funds authorized for safeguards and security activities pursuant to this section be managed exclusively by Office of Environmental Management (EM) employees or EM contractor employees, and that such activities not be transferred or delegated to any office outside EM.

Other defense activities (sec. 3103)

The budget request included $555.1 million for other defense activities.

The House bill contained a provision (sec. 3103) that would authorize $557.1 million for other defense activities, an increase of $2.0 million.

The Senate amendment contained a similar provision (sec. 3103) that would authorize $466.3 million for other defense activities, a decrease of $88.8 million.

The conferees agree to authorize $523.8 million for other defense activities, a decrease of $31.3 million. The amount authorized would be for the following activities: $38.1 million for the Office of Intelligence, the amount of the budget request; $45.2 million for the Office of Counterintelligence, the amount of the budget request; $284.1 million for the Office of Security and Emergency Operations, a decrease of $56.3 million; $14.9 million for independent oversight and performance assurance, the amount of the budget request; $134.1 million for environment, safety and health-defense, an increase of $25.0 million; $24.5 million for the Office of Worker and Community Transition, the amount of the budget request; and $3.0 million for the Office of Hearings and Appeals, the amount of the budget request.

Office of Security and Emergency Operations

The conferees agree to authorize a decrease of $56.3 million to the Office of Security and Emergency Operations emergency management program to reflect movement of the nuclear emergency search team to the weapons activities account authorized in section 3101(a)(1) of this Act.

Environment, safety and health-defense

The conferees agree to authorize an increase of $25.0 million for environment, safety and health-defense to carry out the administrative activities associated with the establishment of an occupational illness compensation program for Department of Energy (DOE) and DOE contractor employees at the Department's defense nuclear facilities.

The conferees note that DOE requested authorization to begin making compensation payments in fiscal year 2001 with Atomic Energy Defense funding. The conferees further note that the Secretary of Energy has not submitted a comprehensive legislative proposal to Congress to establish such an employee compensation program. The conferees agree not to authorize any such payments from Atomic Energy Defense funding.

Office of worker and community transition

Of the funds available for worker and community transition activities, the conferees agree to authorize $5.0 million to support cleanup and infrastructure development at the Allied General Nuclear Site immediately adjacent to the DOE Savannah River Site.

The conferees endorse DOE's decision to remove the requirement that management and operating contracts at DOE sites include provisions for conducting economic development activities in the communities surrounding such sites. The conferees encourage DOE contractors to continue to be good corporate citizens by supporting community-based initiatives. The conferees believe, however, that economic development activities of DOE contractors should not be used as a measure of performance or as a selection criteria for the award of contracts.

Defense environmental management privatization (sec. 3104)

The budget request included $540.1 million for defense environmental management privatization projects and the use of $25.1 million from prior year, uncosted balances.

The House bill contained a provision (sec. 3105) that would authorize $284.1 million for defense environmental management privatization projects, a decrease of $256.0 million. Of the amount authorized: $194.0 million would be for the Tank Waste Remediation System Project, phase I (Richland); $65.0 million would be for the Advanced Mixed Waste Treatment project (Idaho); and $25.1 million would be for spent nuclear fuel dry storage (Idaho). The provision would authorize a decrease of $25.1 million to reflect the use of prior year, uncosted balances in the defense environmental management privatization account.

The Senate amendment contained a similar provision (sec. 3104) that would authorize $390.1 million for defense environmental management privatization projects and would authorize a decrease of $150.0 million to the Tank Waste Remediation System (TWRS) Project. The provision would also authorize a decrease of $25.1 million to reflect the use of prior year, uncosted balances in the defense environmental management privatization account.

The conferees agree to authorize $90.1 million for defense environmental management privatization projects, including $65.0 million for the Advanced Mixed Waste Treatment project (Idaho) and $25.1 million for spent nuclear fuel dry storage (Idaho). The conferees agree to authorize a decrease of $90.1 million to reflect the use of prior year, uncosted balances in the defense environmental management privatization account.

The conferees are deeply concerned with the status of the TWRS project. The conferees note that the cost estimate for the construction portion of this project increased from $3.2 billion to $6.4 billion, translating into a total estimated project cost increase from $6.9 billion to over $15.2 billion under the privatization approach. The conferees further understand that these cost estimates were based on a project design that is only 13 to 15 percent complete and, therefore, subject to additional change.

The conferees fully support the TWRS project and believe that the technological approach proposed is viable and realistic. The conferees also believe it is vitally important that this project proceed to full scale construction provided the Secretary of Energy has established a high degree of confidence in the overall project cost and other facility requirements. As a result, the conferees have moved the TWRS project to the post 2006 completion account and recommend no privatization funds for the project.

In order to make the funds for termination liability available for other purposes, the conferees have included a separate provision in this Act that would prohibit the use of appropriated funds to establish a reserve for contract termination costs for the TWRS project.

Defense nuclear waste disposal (sec. 3105)

The budget request included $112.0 million for the Department of Energy (DOE) fiscal year 2001 defense contribution to the Defense Nuclear Waste Fund.

The House bill contained a provision (sec. 3106) that would authorize $112.0 million for the DOE fiscal year 2001 defense contribution to the Defense Nuclear Waste Fund.

The Senate amendment contained an identical provision (sec. 3106).

The conference agreement includes this provision.

Subtitle B—Recurring General Provisions

Reprogramming (sec. 3121)

The House bill contained a provision (sec. 3121) that would prohibit the reprogramming of funds in excess of 110 percent of the amount authorized for the program, or in excess of $1.0 million above the amount authorized for the program, until the Secretary of Energy submits a report to the congressional defense committees and a period of 45 days has elapsed after the date on which the report is received.

The Senate bill contained a similar provision (sec. 3121) that would prohibit the reprogramming of funds in excess of 110 percent of the amount authorized for the program, or in excess of $1.0 million above the amount authorized for the program, until the Secretary of Energy submits a report to the congressional defense committees and a period of 30 days has elapsed after the date on which the report is received.

The House recedes.

Limits on general plant projects (sec. 3122)

The House bill contained a provision (sec. 3122) that would authorize the Secretary of

Energy to carry out any construction project authorized under general plant projects if the total estimated cost does not exceed $5.0 million. The provision would require the Secretary to submit a report to the congressional defense committees detailing the reasons for the cost variation if the cost of the project is revised to exceed $5.0 million.

The Senate amendment contained an identical provision (sec. 3122).

The conference agreement includes this provision.

Limits on construction projects (sec. 3123)

The House bill contained a provision (sec. 3123) that would permit any construction project to be initiated and continued only if the estimated cost for the project does not exceed 125 percent of the higher of the amount authorized for the project or the most recent total estimated cost presented to the Congress as justification for such project. The provision would prohibit the Secretary of Energy from exceeding such limits until 30 legislative days after the Secretary submits to the congressional defense committees a detailed report setting forth the reasons for the increase. This provision would also specify that the 125 percent limitation would not apply to projects estimated to cost under $5.0 million.

The Senate amendment contained an identical provision (sec. 3123).

The conference agreement includes this provision.

Fund transfer authority (sec. 3124)

The House bill contained a provision (sec. 3124) that would permit funds authorized by this Act to be transferred to other agencies of the government for performance of work for which the funds were authorized and appropriated. The provision would permit the merger of such transferred funds with the authorized funds of the agency to which they are transferred. The provision would also limit, to not more than five percent of the account, the amount of funds authorized by this Act that may be transferred between authorization accounts within the Department of Energy.

The Senate amendment contained an identical provision (sec. 3124).

The conference agreement includes this provision.

Authority for conceptual and construction design (sec. 3125)

The House bill contained a provision (sec. 3125) that would limit the authority of the Secretary of Energy to request construction funding until the Secretary has completed a conceptual design. This limitation would apply to construction projects with a total estimated cost greater than $5.0 million. If the estimated cost to prepare the construction design exceeds $600,000, the provision would require the Secretary to obtain a specific authorization to obligate such funds. If the estimated cost to prepare the conceptual design exceeds $3.0 million, the provision would require the Secretary to request funds for the conceptual design before requesting funds for construction. The provision would also provide an exception to these requirements in the case of an emergency.

The Senate amendment contained an identical provision (sec. 3125).

The conference agreement includes this provision.

Authority for emergency planning, design, and construction activities (sec. 3126)

The House bill contained a provision (sec. 3126) that would permit the Secretary of Energy to perform planning and design with any funds available to the Department of Energy pursuant to this title, including those funds authorized for advance planning and construction design, whenever the Secretary determines that the design must proceed expeditiously to protect the public health and safety, to meet the needs of national defense, or to protect property.

The Senate amendment contained an identical provision (sec. 3126).

The conference agreement includes this provision.

Funds available for all national security programs of the Department of Energy (sec. 3127)

The Senate amendment contained a provision (sec. 3127) that would authorize amounts for management and support activities and for general plant projects to be made available for use in connection with all national security programs of the Department of Energy.

The House bill contained no similar provision.

The House recedes.

Availability of funds (sec. 3128)

The House bill contained a provision (sec. 3127) that would authorize funds for operation and maintenance or for plant projects and capital equipment within the Department of Energy (DOE) national security programs until the later of the following dates: October 1, 2003; or the date of enactment of the Act that would authorize funds for such activities in fiscal year 2004. The provision would also authorize funds for program direction within DOE national security programs until the later of the following dates: October 1, 2001; or the date of enactment of the Act that would authorize funds for program direction in fiscal year 2002.

The Senate amendment contained a similar provision (sec. 3128) that would authorize funds for DOE national security programs to remain available until expended, except for program direction funds which would remain available until the end of fiscal year 2003.

The House recedes with an amendment that would authorize funds for program direction until the end of fiscal year 2002.

The conferees note that section 3152 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–301) required that the National Nuclear Security Administration submit a budget request that would include funding authorization for a limited number of years. Additional funding limitations for future budget requests are addressed elsewhere in this conference agreement.

Transfers of defense environmental management funds (sec. 3129)

The House bill contained a provision (sec. 3128) that would provide the manager of each field office of the Department of Energy with limited authority to transfer up to $5.0 million in fiscal year 2001 defense environmental management funds from one program or project under the jurisdiction of the office to another such program or project, including site project and completion and post fiscal year 2006 completion funds, once in a fiscal year.

The Senate bill contained a similar provision (sec. 3129).

The Senate recedes.

Subtitle C—Program Authorizations, Restrictions, and Limitations

Funding for termination costs of River Protection Project, Richland, Washington (sec. 3131)

The House bill contained a provision (sec. 3131) that would prohibit the Secretary of Energy from using appropriated funds to establish a reserve for the payment of termination costs of contracts relating to the tank waste remediation system at Richland, Washington, and would identify alternatives to pay for these costs should the need arise.

The Senate bill contained no similar provision.

The Senate recedes with a technical amendment.

Enhanced cooperation between National Nuclear Security Administration and Ballistic Missile Defense Organization (sec. 3132)

The House bill contained a provision (sec. 3132) that would establish the basis for expanded cooperation between the Ballistic Missile Defense Organization and the National Nuclear Security Administration.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Reprogramming of funds available for infrastructure upgrades or maintenance in certain accounts of the National Nuclear Security Administration (sec. 3133)

The House bill contained a provision (sec. 3134) that would prohibit the use of funds authorized to be appropriated for the National Nuclear Security Administration for infrastructure upgrades or maintenance in the readiness of the technical base and facilities or construction accounts to be used for any other purpose.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Adjustment of composite theoretical performance levels for post-shipment verification reports on advanced supercomputers sales to certain foreign nations (sec. 3134)

The House bill contained a provision (sec. 3136) that would conform the reporting levels to those established under section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) as they apply to the Department of Energy report on sales by participants in the Accelerated Strategic Computing Initiative.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Modification of counterintelligence polygraph program (sec. 3135)

The Senate amendment contained a provision (sec. 3154) that would amend section 3154 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) by authorizing the Secretary of Energy to waive the requirement that certain Department of Energy (DOE) employees and DOE contractor employees successfully pass a counterintelligence polygraph exam before such employees can be granted access to high-risk programs. The provision would allow the Secretary to waive this requirement for any individual for a period not to exceed 120 days, if the Secretary determines that: (1) such a waiver is in the national security interests of the United States; (2) the covered employee has been granted a security clearance; and (3) the covered employee signs a written acknowledgment that the employment is conditioned upon successfully passing a counterintelligence polygraph exam within 120 days of the date of signing such an acknowledgment. The provision would also allow the Secretary to waive this requirement for any individual who the Secretary determines: (1) has completed successfully a full-scope counterintelligence polygraph exam while employed with another federal agency; or (2) should not be examined because of treatment for a medical or psychological condition.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary to waive polygraph requirements on a one-time basis

for any individual employee and would prohibit the Secretary from using the need to maintain the scientific viability of a DOE laboratory as a criteria for approving any such waivers. The amendment would further require that employees holding a sensitive compartmented information clearance be subject to these requirements.

Employee incentives for employees at closure project facilities (sec. 3136)

The House bill contained a provision (sec. 3137) that would provide incentives for retention and separation of federal employees at closure facilities of the Department of Energy (DOE) established pursuant to section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–106). Such incentives would include the accumulation of annual leave up to 720 hours, lump sum retention allowances of up to 30 percent of an employee's salary, freeze the cost of and continue health benefits for employees who are either voluntarily or involuntarily separated, and provide authority for voluntary reductions in force. The authority would terminate at a DOE site when closure is completed.

The Senate amendment contained a similar provision (sec. 3155) that would provide similar incentives, including lump sum retention allowances of up to 40 percent of an employee's salary, authority to pay voluntary separation incentive payments (also referred to as buyouts), and authority to make temporary assignments of certain DOE employees to private sector organizations, on a non-reimbursable basis. The authority would terminate on September 23, 2001.

The House recedes with an amendment that would provide the following incentives: (1) the accumulation of annual leave up to 720 hours; (2) lump sum retention allowances of up to 30 percent of an employee's salary; (3) freeze the cost of and continue health benefits for employees who are either voluntarily or involuntarily separated; and (4) provide authority for voluntary reductions in force. The authority would terminate on March 31, 2007.

Continuation of processing, treatment, and disposition of legacy nuclear materials (sec. 3137)

The Senate amendment contained a provision (sec. 3151) that would require the Secretary of Energy to maintain a high state of readiness at the F-canyon and H-canyon facilities at the Savannah River site. The provision would further prohibit the use of funds to begin decommissioning activities at the F-canyon facility, including studies and planning, until the Defense Nuclear Facilities Safety Board and the Secretary of Energy submit a report certifying that all materials currently present in the facility are safely stabilized and the requirements for the facility to meet future fissile materials disposition needs can be fully met utilizing the H-canyon facility. The provision would require the Secretary to submit to the Committees on Armed Services of the Senate and the House of Representatives a plan describing how all long-term chemical separations activities would be transferred from the F-canyon facility to the H-canyon facility beginning in fiscal year 2002. The report would be submitted not later than February 15, 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to identify those fissile materials disposition needs that will require an alternative capability, including a description of the alternative capability and a justification of why any such requirements cannot be carried out at the H-canyon facility.

Limitation on use of certain funds pending certifications of compliance with Formerly Utilized Sites Remedial Action Program funding prohibition (sec. 3138)

The Senate amendment contained a provision (sec. 3152) that would prohibit the use of any funds authorized or otherwise made available to the Department of Energy by this or any other Act for travel by the Secretary of Energy or any employees of the Office of Secretary of Energy after March 1, 2001, unless or until the Secretary certifies to the congressional defense committees that no Atomic Energy Defense funds will be obligated or expended for treatment, storage, or disposal activities at sites designated as Formerly Utilized Site Remedial Action Program (FUSRAP) sites.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the use of travel funds by the Secretary of Energy, any employee of the Office of the Secretary, or the Chief of Engineers of the Army Corps of Engineers after November 1, 2001, unless or until the Secretary and Chief each certifies to the congressional defense committees that no Atomic Energy Defense funds will be obligated or expended for treatment, storage, or disposal activities at FUSRAP sites.

The conferees note that the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) prohibits any Atomic Energy Defense funds authorized or otherwise made available to the Department of Energy for any fiscal year after fiscal year 1999 from being obligated or expended to conduct treatment, storage, or disposal activities at sites designated as FUSRAP sites. The conferees continue to support the cleanup of FUSRAP sites in an expeditious, cost-effective manner. The conferees, however, do not support the use of scarce Atomic Energy Defense funds for this purpose.

Conceptual design for Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho (sec. 3139)

The Senate amendment contained a provision (sec. 3156) that would authorize the Secretary of Energy to obligate up to $400,000 to carry out conceptual design activities for a new Subsurface Geoscience Facility Laboratory at the Idaho National Engineering and Environmental Laboratory (INEEL), Idaho Falls, Idaho. The provision would prohibit obligation of the funds until 60 days after the Secretary submits a report to the congressional defense committees identifying: (1) the need to conduct mesoscale experiments to meet long-term Department of Energy (DOE) cleanup requirements; (2) the possibility of utilizing existing structures to house such a new facility; (3) the estimated construction costs of the facility; (4) the estimated annual operating costs of the facility; (5) how the facility would utilize the capabilities of other DOE and non-DOE sites; and (6) an analysis of costs, savings, and benefits that are unique to INEEL.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Report on National Ignition Facility, Lawrence Livermore National Laboratory, Livermore, California (sec. 3140)

The Senate amendment contained a provision (sec. 3158) that would require the Secretary of Energy to submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a revised cost and schedule baseline for completion of the National Ignition Facility (NIF) in Livermore, California. The provision would prohibit the obligation of more than 50 percent of the funds available for NIF until the report is submitted. The provision would further require that the Comptroller General report not later than March 31, 2001, to the Committees on Armed Services of the Senate and House of Representatives on: (1) the relationship of NIF to other elements of the Department of Energy nuclear weapons program; (2) the potential impacts if completion of the NIF were to be delayed; (3) a detailed description and analysis of the funds spent on NIF to date; and (4) an assessment of whether Lawrence Livermore National Laboratory has established a revised baseline for NIF that has achievable goals and milestones.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

River Protection Project, Richland, Washington (sec. 3141)

The House bill contained a provision (sec. 3135) that would rename the tank waste remediation project at the Department of Energy's (DOE) Hanford Site as the River Protection Project.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Assistant Secretary of Energy for Environmental Management to delegate, in writing, responsibility for management of the Office of River Protection (ORP) to the manager of that office. The delegation would include authority for contracting, financial management, safety, and general program management that are equivalent to those vested in other operations office managers. The ORP manager would, to the maximum extent possible, be required to coordinate all ORP activities with the manager of the DOE Richland Operations Office.

The conferees note that section 3139 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) made the manager of the Office of River Protection responsible for managing all aspects of this critical cleanup program. The conferees expect the Assistant Secretary to comply with the requirement for a written delegation of authority as expeditiously as possible. The conferees further expect that the Assistant Secretary will be provided with sufficient personnel and other resources to manage the tank waste program in an efficient and streamlined manner.

Report on tank waste remediation system, Hanford Reservation, Richland, Washington (sec. 3142)

The Senate amendment contained a provision (sec. 3157) that would authorize an increase of $150.0 million to carry out an accelerated cleanup and waste management program at the Hanford Site in Richland, Washington. The provision would also require the Secretary of Energy to submit a report to Congress not later than December 15, 2000, on the Tank Waste Remediation System (TWRS) project, including: (1) a proposed plan for processing and stabilizing all nuclear wastes located in the Hanford Tank Farm; (2) a proposed schedule for carrying out the plan; (3) the total estimated cost of carrying out the plan; and (4) a description of any alternative options to the proposed plan and description of the costs and benefits of each such option.

The House bill contained no similar provision.

The House recedes with an amendment that would require the report to include the following additional items: (1) a description of the volumes and characteristics of those wastes or materials that are not intended to

be treated during Phase 1(B) of the project and (2) a plan for developing, demonstrating, and implementing advanced vitrification system technologies that might be required to safely treat and stabilize any out of specification wastes or materials, such as polychlorinated biphenyls, that cannot be treated and stabilized with the technologies proposed to be utilized during Phase 1(B) of the project.

Subtitle D—Matters Relating to Management of National Nuclear Security Administration

Term of office of person first appointed as Under Secretary for Nuclear Security of the Department of Energy (sec. 3151)

The Senate amendment contained a provision (sec. 3131) that would establish a fixed term of office for the first individual appointed as the Under Secretary for Nuclear Security at the Department of Energy. The individual would be subject to removal by the President only for inefficiency, neglect of duty, or malfeasance in office.

The House bill contained no similar provision.

The House recedes.

Membership of Under Secretary for Nuclear Security on the Joint Nuclear Weapons Council (sec. 3152)

The Senate amendment contained a provision (sec. 3132) that would designate the Under Secretary for Nuclear Security of the Department of Energy (DOE) to serve as the DOE representative on the Joint Nuclear Weapons Council.

The House bill contained no similar provision.

The House recedes.

Organization plan for field offices of the National Nuclear Security Administration (sec. 3153)

The Senate amendment contained a provision (sec. 3135) that would require the Under Secretary for Nuclear Security of the Department of Energy to develop an appropriate staffing and organization plan to carry out the activities of the National Nuclear Security Administration (NNSA). The plan would identify: (1) the roles and responsibilities to be assigned to each NNSA field organizational unit and the NNSA headquarters organization; (2) any modifications, downsizing, eliminations, or consolidations of NNSA headquarters and field organization units; (3) any modifications to headquarters and field office staffing levels that the Under Secretary determines are necessary to implement the plan; and (4) a schedule by which the plan could be implemented. The plan would be submitted to the congressional defense committees not later than March 1, 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Under Secretary to submit the plan not later than May 1, 2001.

Required contents of future-years nuclear security program (sec. 3154)

The House bill contained a provision (sec. 3133) that would make certain findings that the budget submission for fiscal year 2001 to Congress does not comply with requirements imposed by sections 3251 and 3253 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65); would establish requirements for the content of the future years nuclear security program to be submitted annually by the Administrator of the National Nuclear Security Administration (NNSA) pursuant to section 3253; and would prohibit the obligation of more than 50 percent of funds authorized for appropriation for program direction within NNSA until 30 days after the Administrator provides Congress with the required future years nuclear security program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the restriction on use of program direction funds.

Future-years nuclear security program for fiscal year 2001 (sec. 3155)

The Senate amendment contained a provision (sec. 3136) that would require the Under Secretary for Nuclear Security to submit a future-years nuclear security program plan that would contain the estimated expenditures necessary to support the programs, projects, and activities of the National Nuclear Security Administration (NNSA). The report would be submitted to Congress not later than November 1, 2000.

The House contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that the Secretary of Energy was required by section 3135 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201) and section 3253 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to provide a five-year budget plan, and that the Secretary failed to comply with such requirements. The conferees further note that the Secretary of Defense provides such future year budget data to Congress concurrent with the submission of the budget request. The conferees believe that such a plan will provide an important planning tool for the Secretary, the Administrator, and the Congress, and would serve as a baseline upon which the congressional defense committees can better evaluate succeeding budget submissions.

The conferees are aware that DOE submitted a future years nuclear security program plan to the Office of Management and Budget as part of its fiscal year 2001 budget request. The conferees believe that this plan will meet the requirements of this provision.

Engineering and manufacturing research, development, and demonstration by plant managers of certain nuclear weapons production plants (sec. 3156)

The Senate amendment contained a provision (sec. 3175) that would authorize the Secretary of Energy to establish a Plant Manager Research, Development, and Demonstration (PMRDD) program to support innovative engineering and systems activities at the nuclear weapons production plants. The program would be limited to the Y–12 plant in Oak Ridge, Tennessee, the Kansas City plant in Kansas City, Missouri, and the Pantex plant in Amarillo, Texas. The program would be authorized at a level not to exceed two percent of the funds available for weapons activities at such plants.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Administrator of the National Nuclear Security Administration to authorize the head of each nuclear weapons production plant to establish a PMRDD program and would allow the Administrator to authorize the head of each production plant to obligate up to $3.0 million per year from those funds available in the Advanced Design and Production Technologies Campaign in fiscal year 2001 to carry out the program.

The conferees anticipate that this program would be used to explore viable tools and techniques for understanding and replacing sunset technologies and for developing more agile manufacturing techniques. The conferees believe the creation of this program will support recommendations for addressing workforce problems at the production plants identified by the Commission on Retaining Nuclear Weapons Expertise (also known as the Chiles Commission) by assisting with recruiting and retention of outstanding engineers and craftsmen.

Prohibition on individuals engaging in concurrent service or duties within National Nuclear Security Administration and outside that Administration but within Department of Energy (sec. 3157)

The Senate amendment contained a provision (sec. 3134) that would prohibit the use of any funds authorized to be appropriated or otherwise made available to the Department of Energy (DOE) after fiscal year 2000 to pay the basic pay of an officer or employee of DOE who: (1) serves concurrently in a position in the National Nuclear Security Administration (NNSA) and a position outside the NNSA; or (2) performs concurrently the duties of a position in the NNSA and the duties of a position outside the NNSA.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit the practice of dual office holding.

The conferees recognize that NNSA may benefit from the unique skills of personnel in other federal agencies, other DOE entities not within NNSA, and private entities. The conferees believe that the assignment of detailees with such expertise to the NNSA on an occasional and temporary basis is acceptable, provided that the specific arrangements for detailee assignment to NNSA are consistent with the terms of this provision.

Annual plan for obligation of funds of the National Nuclear Security Administration (sec. 3158)

The conference agreement includes a provision that would require the Administrator of the National Nuclear Security Administration (NNSA) to submit a plan for obligation of amounts requested for each program element and construction line item expressed as percentage of the requested amounts in the annual budget and the two succeeding fiscal years; and an assessment as to whether the NNSA had met the goals of prior year obligation plans and any plan for corrective actions that might be needed. The amendment would also require an assessment by the Comptroller General concerning the adequacy of the NNSA planning, programming, and budgeting process.

The conferees are disappointed that the Department of Energy failed to comply with section 3152 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), which required the NNSA to forward a budget with funding available for a limited number of years.

Authority to reorganize National Nuclear Security Administration (sec. 3159)

The Senate amendment contained a provision (sec. 3133) that would limit the authority of the Secretary of Energy to reorganize, abolish, alter, consolidate, or discontinue any organizational unit or component of the National Nuclear Security Administration (NNSA).

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Administrator to reorganize, abolish, alter, consolidate, or discontinue any organizational unit or component of the NNSA.

Subtitle E—National Laboratories Partnership Improvement

Technology Infrastructure Pilot Program (sec. 3161)

The Senate amendment contained a provision (section 3163) that would authorize the

Secretary of Energy to obligate up to $10.0 million per year for a three-year period to establish the Technology Infrastructure Pilot Program. The pilot program would promote establishment of technology partnership clusters in the vicinity of certain DOE laboratories and plants. The provision would authorize each such DOE site to expend available funds to carry out cooperative activities with local businesses, universities, research organizations, or state, local, and tribal governments.

The House had no similar provision.

The House recedes with an amendment that would authorize the Administrator of the National Nuclear Security Administration (NNSA) to obligate up to $5.0 million during fiscal years 2001 and 2002 to carry out the pilot program.

The conferees are concerned that technology partnerships within the Office of Defense Programs have not been well managed in the past nor have they resulted in significant return on investment. Nevertheless, the conferees recognize that public-private collaborations may, if properly focused and managed, result in the development of commercially viable technologies that support the core nuclear weapons and nuclear nonproliferation missions of the NNSA. The Technology Infrastructure Pilot Program will allow the NNSA laboratories and facilities to explore new ways to collaborate with private entities in research, training, and shared facilities to enhance these core NNSA missions. The conferees note that technology networks of this kind have proven successful in the private sector. The conferees further note that the provision would not preclude the possibility of subsequent authorizations in appropriate circumstances.

Report on small business participation in National Nuclear Security Administration activities (sec. 3162)

The Senate amendment contained a provision (sec. 3164) that would require each laboratory to establish a small business advocacy and assistance program to increase the participation of small businesses in all contracting aspects of the laboratory. The provision would also require each laboratory to establish a small business assistance program to help local small businesses obtain more subcontracts at the laboratory and improve the commercial value of their products and services.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Administrator of the National Nuclear Security Administration (NNSA) to report to the congressional defense committees not later than February 15, 2001, regarding the effectiveness of NNSA small business programs, recommendations on how to improve them, and any legislative changes required to implement such improvements.

Study and report related to improving mission effectiveness, partnerships, and technology transfer at national security laboratories and nuclear weapons production facilities (sec. 3163)

The Senate amendment contained a provision (sec. 3166) that would require the Secretary to direct the Laboratory Operations Board to study and to report on the possible benefits of and need for policies and procedures to facilitate the transfer of scientific, technical, and professional personnel among national security laboratories and facilities. The Board would be required to report on the possible benefits of and need for changes in the following: (1) the indemnification requirements for patents or other intellectual property licensed from a laboratory or facility; (2) the royalty and fee schedules and types of compensation that may be used for patents or other intellectual property licensed to a small business concern from a National Laboratory or facility; (3) the licensing procedures and requirements for patents and other intellectual property, including preferences for small businesses started by former laboratory or facility employees who invented the patented technology or other intellectual property; (4) the infringement and protections available to small businesses that have received patents or other intellectual property from a laboratory or facility; (5) the advance funding requirements for a small business that funds a project at a laboratory or facility through a Funds-In-Agreement; (6) the intellectual property rights allocated to a business that funds a project at a laboratory or facility through a Funds-In-Agreement; and (7) the policies on royalty payments to inventors employed by a contractor-operated laboratory or facility, including those for inventions made under a Funds-In-Agreement.

The Board would be required to report to the Secretary not later than one year after the date of enactment of this Act. The Secretary would be required to transmit the report to Congress not later than one month after receiving the report of the board concurrent with the submission of the report of the Secretary shall provide recommendations regarding appropriate action and legislative proposals.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Energy Advisory Board to prepare and to submit the report related to the national security laboratories and facilities. The amendment would also require the report to include the advantages and disadvantages of providing the Administrator of the National Nuclear Security Administration with special contracting authority, such as ''other transactions'' authority.

Report on effectiveness of National Nuclear Security Administration technology development partnerships with non-Federal entities (sec. 3164)

The Senate amendment contained a provision (sec. 3137) that would establish funding goals for cooperative research and development agreements (CRADAs) of the National Nuclear Security Administration (NNSA) and require that such CRADAs be consistent with and support the missions of the National Nuclear Security Administration. The provision would establish a goal of obligating 0.5 percent of NNSA funds available during fiscal years 2001 and 2002 for CRADAs, or similar cooperative, cost-shared research partnerships with non-federal organizations. The provision would further require the Administrator of the NNSA to submit a report to the congressional defense committees setting forth a recommendation as to the appropriate future percentage goals. The provision would require that the Administrator report to Congress annually on whether the goals of this provision have been met in the successive fiscal year. The provision would require the Administrator to describe the actions necessary to achieve such goals and provide any legislative changes recommended to achieve them, if the goals have not been met.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Administrator to submit to Congress a report on the efficiency and effectiveness with which the NNSA and its laboratories and facilities carry out cooperative technology development activities with non-federal entities, including appropriate funding levels for such cooperative activities.

Definitions (sec. 3165)

The Senate amendment contained a provision (sec. 3162) that would define the terms referenced in subtitle E of this Act.

The House bill contained no similar provision.

The House recedes with an amendment that would define the terms ''national security laboratory'' and ''nuclear weapons production facility'' as they are defined in section 3281 of the National Nuclear Security Administration Act (Public Law 106–65).

Subtitle F—Matters Relating to Defense Nuclear Nonproliferation

Matters Relating to Defense Nuclear Nonproliferation (secs. 3171–3175)

The Senate amendment contained a provision (sec. 3153) that would: (1) require an annual report and limit funding for the program until an access policy is established and implemented by the Secretary for the Nuclear Materials Protection, Control, and Accounting Program; (2) establish programmatic management criteria and conditions on funds for the Nuclear Cities Initiative (NCI); and (3) require that funds for the International Nuclear Safety Program be used only for reactor safety upgrades and training for reactor operators participating in the program. The Senate amendment also contained provisions (sec. 3191–3195) that would expand the NCI by authorizing $30.0 million for fiscal year 2001, require an agreement that provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work within five years in exchange for participating in the NCI, establish additional programmatic criteria, authorize the Secretary of Energy to encourage careers in nonproliferation, and express the sense of Congress on the need for establishing a national coordinator for nonproliferation.

The House bill contained no similar provision.

The House recedes with a technical amendment regarding the International Nuclear Safety Program. The amendment would also: (1) Authorize $30.0 million for fiscal year 2001 for the NCI; (2) prohibit the obligation or expenditure of funds for more than three nuclear cities in Russia and two serial production facilities until 30 days after the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a copy of a written agreement that provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work; and (3) limit not more than $8.7 million from being expended or obligated until the Secretary establishes and implements project review procedures for projects under the NCI and submits to the Armed Services Committees of the Senate and the House of Representatives a report on the project review procedures established and implemented. The amendment would also prohibit amounts in excess of $17.5 million from being obligated or expended until 30 days after the Secretary submits a report to the Armed Services Committees of the Senate and the House of Representatives that includes: (1) a copy of a written agreement that provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work within five years in exchange for participation in the NCI; (2) a certification by the Secretary that project review procedures have been established and are being implemented and that any scientific, technical, or commercial projects carried out under the NCI will meet specific nonproliferation objectives and be commercially viable in three years; (3) a description of the project review procedures process; (4) a list of the projects that have undergone review; and (5) detailed

descriptions for each NCI project regarding project management costs, budgets, commercial viability, income generation, and the number of Russian jobs created. The amendment would also urge the President to discuss with the Russian Federation the development of a plan for restructuring the Russian nuclear weapons complex, and would authorize $2.0 million for the Secretary to encourage Russian and U.S. students to pursue nonproliferation careers. The funds for nonproliferation careers may only be obligated and expended after conditions are met for fiscal year 2001 funds in excess of $17.5 million, and after the Administrator for Nuclear Security provides prior notification to Congress that these funds will be expended. Finally, the House amendment expresses the sense of Congress on the need for effective and clear coordination of U.S.-Russian nonproliferation programs.

The conferees believe that the Department should support projects that have the greatest potential for commercialization in the near term through the rapid creation of Russian jobs in the closed cities.

In addition, the conferees agree to include a provision that would direct the Secretary to submit to the Armed Services Committees of the Senate and the House of Representatives not later than March 1, 2001, a report on the Department's recent and planned efforts to ensure adequate oversight and accountability of its nonproliferation programs in Russia, and the potential costs and impacts of on-the-ground monitoring. The conferees further direct the Comptroller General to conduct a review of the information contained in the Secretary's report to assess the information and provide the Congress with a report of the Comptroller General's assessment not later than April 15, 2001. The conferees are interested in ensuring that the Department of Energy has adequate assurance that federal funds expended in Russia for nonproliferation programs are being expended for the purposes for which they are intended, as exemplified in the legislative provision on access for the Materials Protection, Control, and Accounting program.

Subtitle G—Other Matters

Extension of authority for appointment of certain scientific, engineering, and technical personnel (sec. 3191)

The Senate amendment contained a provision (sec. 3171) that would extend the authority of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) related to excepted service hiring for up to 200 positions.

The House bill contained no similar provision.

The House recedes.

Biennial report containing update on nuclear test readiness postures (sec. 3192)

The Senate amendment contained a provision (sec. 3172) that would require the Secretary of Energy to update the nuclear test readiness report required by section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106) on a biennial basis. The Secretary would be required to submit the first updated report to the congressional defense committees not later than February 15, 2001. The reports would include a listing and description of those workforce skills and capabilities that are essential to carry out the missions of the site, a listing and description of the required infrastructure and physical plant that are essential to carry out the missions of the site, and an assessment of the readiness status of the workforce and infrastructure. The report would be submitted in unclassified form, but could include a classified annex.

The House bill contained no similar provision.

The House recedes.

Frequency of reports on inadvertent releases of restricted data and formerly restricted data (sec. 3193)

The Senate amendment contained a provision (sec. 3173) that would amend section 3161 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to require the Secretary of Energy to report inadvertent releases of restricted data and formerly restricted data on a quarterly basis rather than 30 days after any such release.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would make the quarterly report mandatory, regardless of whether there is a reportable incident during the period by the report.

Form of certifications regarding the safety or reliability of the nuclear weapons stockpile (sec. 3194)

The Senate amendment contained a provision (sec. 3174) that would require the annual certification to the President regarding the safety and reliability of the U.S. nuclear stockpile be submitted in classified form.

The House bill contained no similar provision.

The House recedes.

Authority to provide certificate of commendation to Department of Energy and contractor employees for exemplary service in stockpile stewardship and security (sec. 3195)

The Senate amendment contained a provision (sec. 3177) that would authorize the Secretary of Energy to award a certificate of commendation for meritorious service to current and former employees of the Department of Energy (DOE), and current and former contractor employees who worked in programs related to stewardship of the Nation's nuclear weapons stockpile.

The House bill contained no similar provision.

The House recedes.

The conferees note that the dedication, intellect, and hard work of the scientists and craftsmen employed at DOE laboratories and manufacturing plants are essential to maintaining a credible U.S. nuclear deterrent. The conferees further note that former scientists and craftsmen at DOE laboratories, plants, and materials production sites were instrumental in ensuring the security of the United States during the Cold War. The conferees included this provision to recognize the contributions of former employees at these facilities and to highlight the Nation's continued reliance on the capabilities of the skilled workers at DOE weapons laboratories and manufacturing plants. The conferees commend these individuals for their continued service to the Nation and for the peace that they have helped to preserve.

Cooperative research and development agreements for government-owned, contractor-operated laboratories (sec. 3196)

The Senate amendment contained a provision (sec. 3176) that would amend the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710) to streamline the approval process for cooperative research and development agreements (CRADA) at government-owned, contractor-operated (GOCO) facilities by authorizing federal agencies to substitute an annual strategic plan for individual joint work statements. The provision would, for a period of five years after the date of enactment of this Act, authorize the waiver of any license retained by the government if the retention of that license would inhibit commercialization of an invention that would otherwise serve an important federal mission. The provision would further streamline the CRADA process for GOCO facilities by authorizing federal agencies to permit routine CRADAs to be negotiated and signed by GOCO employees.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the applicability of the license waiver provision to the activities of the National Nuclear Security Administration laboratories, and would require a report on all license waivers.

Office of Arctic Energy (sec. 3197)

The Senate amendment contained a provision (sec. 3169) that would establish the Office of Arctic Energy Research.

The House bill contained no similar provision.

The House recedes with an amendment that would provide the Secretary of Energy with discretionary authority to establish the Office of Arctic Energy Research.

LEGISLATIVE PROVISIONS NOT ADOPTED

Conformance with National Nuclear Security Administration organizational structure

The Senate amendment contained a provision (sec. 3168) that would require the Secretary of Energy to carry out the requirements of Subtitle E of this Act, consistent with title 32 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

The House bill contained no similar provision.

The Senate recedes.

Construction of National Nuclear Security Administration Operations Office Complex

The Senate amendment contained a provision (sec. 3138) that would authorize the Administrator of the National Nuclear Security Administration (NNSA) to begin design and construction of a new operations office complex at the Department of Energy Albuquerque Operations Office located at Kirtland Air Force Base, New Mexico. The authority would have to be carried out in accordance with a Department of Energy feasibility study that would examine the design and construction of the office complex using one or more energy savings performance contracts, consistent with Title VIII of the National Energy Policy Conservation Act (42 U.S.C. 8287 et seq.). Construction costs would be derived from energy savings and ancillary operation and maintenance savings that result from replacing the current office complex with the proposed complex.

The Administrator could not begin conceptual design and construction until the later of: (1) 30 days after the date on which the Administrator submits to Congress the NNSA field organization plan required by a provision included elsewhere in this conference agreement; or (2) the date on which the Administrator certifies to Congress that the design and construction of the complex is consistent with the NNSA field organization plan and the feasibility study.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Administrator may seek future congressional authorization for design and construction of a new office complex at the Albuquerque Operations Office.

Energy employees compensation initiative

The budget request included $17.0 million for establishment of an energy employees compensation fund.

The Senate amendment contained a provision (sec. 3105) that would authorize $17.0

million for the establishment of an energy employees compensation fund to compensate Department of Energy (DOE) contractor employees that have proven health or other medical problems that are directly related to their employment at a DOE nuclear facility.

The House bill contained no similar provision.

The Senate recedes.

Environmental management closure projects

The House bill contained a provision (sec. 3104) that would authorize $1.0 billion for environmental management closure projects, the amount of the request.

The Senate amendment contained no similar provision.

The House recedes.

Other transactions

The Senate amendment contained a provision (sec. 3167) that would authorize the Secretary of Energy to permit the award contracts on a non-competitive basis, commonly known as ''other transactions'' authority.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that a report on ''other transactions'' authority is required elsewhere in this conference agreement.

Sense of the Congress regarding compensation and health care for personnel of the Department of Energy and its contractors and vendors who have sustained beryllium, silica, and radiation-related injury

The House bill contained a provision (sec. 3138) that would express the sense of the Congress that there is sufficient information available to Congress to warrant enactment of legislation regrading personnel of the Department of Energy and its contractors and vendors who have sustained beryllium, silica, and radiation-related injury.

The Senate amendment contained no similar provision.

The House recedes.

Short title

The Senate amendment contained a provision (sec. 3161) that would cite the subtitle E of the National Defense Authorization Act for Fiscal Year 2001 as the National Laboratories Partnership Improvement Act of 1999.

The House bill contained no similar provision.

The Senate recedes.

Technology partnerships ombudsman

The Senate amendment contained a provision (sec. 3165) that would require each laboratory to establish a technology partnership ombudsman to resolve complaints from outside organizations regarding patents, technology licenses, and other issues.

The House bill contained no similar provision.

The Senate recedes.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

LEGISLATIVE PROVISIONS ADOPTED

Defense Nuclear Facilities Safety Board (sec. 3201)

The budget request included $18.5 million for the Defense Nuclear Facilities Safety Board (DNFSB).

The House bill contained a provision (sec. 3201) that would authorize $17.0 million for the DNFSB, a decrease of $1.5 million.

The Senate amendment contained a similar provision (sec. 3201) that would authorize for the DNFSB the budget request.

The House recedes.

The conferees note that the National Nuclear Security Administration Act (Public Law 106–65), which established the National Nuclear Security Administration (NNSA) within the Department of Energy (DOE), did not repeal or amend the requirements of the Atomic Energy Act of 1954 (42 U.S.C. 2011). The conferees further note that the independent oversight authority of the DNFSB related to health and safety matters at DOE and NNSA defense nuclear facilities was not changed by the National Nuclear Security Administration Act.

The conferees note that the DNFSB is an independent technical body that continually assesses safety issues at DOE facilities and submits formal safety findings and recommendations to the Secretary of Energy, the Assistant Secretary of Energy for Environment, Safety and Health, and Congress. As such, the conferees believe that the DNFSB is a cost-effective means of ensuring continuous improvement of the safety culture at DOE nuclear facilities.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

LEGISLATIVE PROVISIONS ADOPTED

Authorized uses of stockpile funds (sec. 3301)

The Senate amendment contained a provision (sec. 3401) that would authorize the stockpile manager to obligate $75.0 million from the National Defense Stockpile Transfer Fund during fiscal year 2001 for the authorized uses of funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h).

The House amendment contained a similar provision (sec. 3301).

The Senate recedes with an amendment that would authorize $71.0 million.

Increased receipts under prior disposal authority (sec. 3302)

The Senate amendment contained a provision (sec. 3402) that would increase, by $30.0 million, the amount of revenues that could be achieved through the sale of unneeded materials from the national defense stockpile.

The House bill contained no similar provision.

The House recedes with an amendment that would increase, by $130.0 million, the amount of revenues that could be achieved through the sale of unneeded materials from the national defense stockpile.

Disposal of titanium (sec. 3303)

The House bill contained a provision (sec. 3302) that would authorize the Secretary of Defense to make available to the military services the titanium sponge in the National Defense Stockpile for use as government furnished material in the production of military equipment.

The Senate amendment contained a provision (sec. 3403) that would require the sale of all remaining titanium in the National Defense Stockpile within ten years. The initial $6.0 million worth of revenues generated from the sale would be used for the construction, dedication, and related activities of the World War II Memorial, and the remainder used to defray the costs of health care benefit improvements for retired military personnel.

The House recedes with an amendment that would require the sale of $48.0 million of titanium in the National Defense Stockpile within ten years. The initial $6.0 million worth of revenues generated from the sale would be used for the construction, dedication, and related activities of the World War II Memorial, and the remainder to be deposited in the General Fund of the Treasury.

The conferees believe that with over 1,000 World War II veterans dying each year, it is important to finish construction and dedication of the World War II Memorial as soon as possible in order to recognize the men and women who served during that war. The conferees further believe that, although nothing could compensate for the sacrifices that were made by these veterans, this memorial will demonstrate the appreciation of a grateful nation to those who fought to preserve liberty and freedom for all U.S. citizens and millions of others throughout the world.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

LEGISLATIVE PROVISIONS ADOPTED

Minimum price of petroleum sold from certain naval petroleum reserves (sec. 3401)

The Senate amendment contained a provision (sec. 3301) that would repeal the authority for the Secretary of Energy to sell oil from the naval petroleum reserves for less than full market value.

The House bill contained no similar provision.

The House recedes.

Repeal of authority to contract for cooperative or unit plans affecting Naval Petroleum Reserve Numbered 1 (sec. 3402)

The Senate amendment contained a provision (sec. 3302) that would amend section 7426 of title 10, United States Code, to repeal the requirement for the United States to contract for cooperative or unit plans in the administration of the Naval Petroleum Reserve Numbered 1 at Elk Hills.

The House amendment contained no similar provision.

The House recedes with a technical amendment.

Disposal of Oil Shale Reserve Numbered 2 (sec. 3403)

The Senate amendment contained a provision (sec. 3303) that would authorize the conveyance of the Naval Oil Shale Reserve-Numbered 2 (NOSR–2), to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation in Utah with the exception of a small parcel to be transferred to the Department of the Interior. The provision would also require the United States to retain a nine percent share of the revenues from the development of any minerals on the land after it is transferred. The provision would further require the environmental remediation and restoration of the uranium mill tailings site in Moab, Utah. The nine percent share of the revenues generated from the mineral development at the NOSR–2 would be available for the cleanup of the tailings site together with any funds specifically appropriated for this purpose.

The House bill contained no similar provision.

The House recedes with an amendment that would retain nine percent of the revenues from the mineral development of NOSR–2 until such time as the cleanup costs of the government for the tailings site have been recovered. The amendment would further require the Secretary of Energy to enter into an arrangement with the National Academy of Sciences to assist the Secretary of Energy in the preparation of a remediation plan that objectively evaluates the costs, benefits, and risks associated with various remediation alternatives for the cleanup of the tailings site.

The conferees understand that the remedial plan proposed by the Secretary of Energy will be prepared in accordance with title I of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C., 7901). The conferees expect that as part of the remediation plan, the Secretary of Energy will develop a strategy for transferring the legal responsibilities and title to the Moab site, from the present Moab site Trustee to the Department of Energy, and that the Secretary of Energy will consult with the Trustee and with the beneficiaries of the trust, the Nuclear Regulatory Commission and the State of Utah, in developing the plan for the transition of responsibilities.

TITLE XXXV—MARITIME ADMINISTRATION

LEGISLATIVE PROVISIONS ADOPTED

Authorization of appropriations for fiscal year 2001 (sec. 3501)

The budget request included $86.4 million for the Maritime Administration.

The House bill contained a provision (sec. 3401) that would authorize an increase of $61.9 million for the Maritime Administration. Of the funds authorized, $94.2 million would be for operations and training programs, $50.0 million would be for the cost as defined in section 502 of the Federal Credit Reform Act of 1990, of loan guarantees authorized by title XI of the Merchant Marine Act, 1936, as amended (46 App. U.S.C. 1271 et seq.), and $4.2 million would be for administrative expenses related to providing those loan guarantees.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize $94.3 million for operations and training programs, $50.0 million for the cost as defined in section 502 of the Federal Credit Reform Act of 1990, of loan guarantees authorized by title XI of the Merchant Marine Act, 1936, as amended (46 App. U.S.C. 1271 et seq.), and $4.2 million for administrative expenses related to providing those loan guarantees.

Scrapping of National Defense Reserve Fleet vessels (sec. 3502)

The House bill contained a provision (sec. 3402) that would amend section 6(c)(1)(A) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)(A)) to authorize an extension of the period for disposal of obsolete vessels in the National Defense Reserve Fleet (NDRF). The provision would also direct that the obsolete vessels be scrapped outside the United States to the maximum extent possible.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the requirement to maximize financial returns on the sale of its obsolete vessels, as mandated by section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)). Under this provision, the Secretary of Transportation would only proceed with the scrapping of the NDRF vessels listed in the provision, and no others, until the report on the scrapping program has been transmitted to the appropriate congressional committees.

The provision would also direct the Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, to develop a program within six months of the enactment of this Act to scrap obsolete NDRF vessels. The Secretary of Transportation would then have to submit a report to the Congress that describes the program. The conferees direct the Secretary of Transportation, based on concurrence of the Secretary of the Navy, to include in that report a description of how the Maritime Administration proposes to fund the disposal of obsolete NDRF vessels in the future years. An additional report on the progress of scrapping obsolete NDRF vessels would be required one year after the date of the enactment of this Act, and every six months thereafter.

In the selection of qualified foreign or domestic scrapping facilities, the provision would require a best value determination, consistent with the Federal Acquisition Regulations (FAR), including the provisions relevant to past performance, and taking into consideration the ability of facilities to scrap vessels: (1) at least cost to the Federal Government; (2) in a timely manner; (3) giving consideration to worker safety and the environment; and (4) in a manner that minimizes the geographic distance that a vessel must be towed when towing a vessel poses a serious threat to the environment. The provision would also require the President to make a recommendation to the Congress regarding whether it is necessary to amend the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other environmental statute or regulatory requirement relevant to the disposal of vessels described in section 6(c)(2) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(2)) and to recommend any proposed statutory or regulatory changes.

The conferees direct the administration, in the course of preparing the President's recommendation to Congress, to address directly the issues that impede the disposal of aging, obsolete NDRF vessels. The conferees believe that the public interest is not well served by continued inaction in this matter. Close cooperation by the Secretary of Transportation, the Secretary of the Navy, and the Administrator of the Environmental Protection Agency will be critical in developing a successful ship disposal program that prevents these vessels from becoming a serious threat to the environment.

Authority to convey National Defense Reserve Fleet vessel, Glacier (sec. 3503)

The House bill contained a provision (sec. 3403) that would authorize the Secretary of Transportation to convey, at no cost to the government, a surplus National Defense Reserve Fleet vessel, to the Glacier Society for use as a museum.

The Senate amendment contained no similar provision.

The Senate recedes.

Maritime intermodal research (sec. 3504)

The conferees agree to include a provision that would authorize the Secretary of Transportation to make grants to National Maritime Enhancement Institutes, as if they were University Transportation Centers, for maritime and maritime intermodal research.

Maritime research and technology development (sec. 3505)

The conferees agree to include a provision that would authorize $100,000 for the Secretary of Transportation to provide a report on the status of maritime research and development and to include in the report information on prior year funding for research and development on various modes of transportation.

Reporting of administered and oversight funds (sec. 3506)

The conferees agree to include a provision that would require the Maritime Administration to report to Congress the amount, source, and intended use of funds (other than funds appropriated for the Maritime Administration or the Secretary of Transportation for use by the Maritime Administration) administered by the Maritime Administration.

The conferees note that it is not the practice of the defense authorization conference to adopt provisions relating to the Maritime Administration that have not passed either the House of Representatives or the Senate. The conferees understand that provisions relating to the authorization of the Maritime Administration and national security aspects of the Merchant Marine, including financial assistance for the construction and operation of vessels, maintenance of the U.S. shipbuilding and ship repair industrial base, cabotage, and cargo preference, will normally be considered by committees of conference for inclusion in future conference reports if these provisions have first been passed in either the House of Representatives or the Senate.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to convey offshore drill rig Ocean Star

The House bill contained a provision (sec. 3404) that would authorize the Secretary of Transportation to convey the offshore drill, Ocean Star, to the Offshore Rig Museum, Inc., a non-profit corporation.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XXXVI—ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

The Senate amendment contained provisions (secs. 3501–3544) that would enact the Energy Employees Occupational Illness Compensation Act of 2000. The provision would establish a compensation program for Department of Energy (DOE) employees and DOE contractor employees who were injured due to exposure to radiation, beryllium, or silica while working at a DOE defense nuclear facility or nuclear weapons testing site.

The House bill contained no similar title.

The House recedes with an amendment that would establish the Energy Employees Occupational Illness Compensation Program.

LEGISLATIVE PROVISIONS ADOPTED

Short title (sec. 3601)

The conferees agree to include a provision that would designate the short title of the title as the Energy Employees Occupational Illness Compensation Act of 2000.

Findings; sense of Congress (sec. 3602)

The conferees agree to include a provision that would establish several findings and express the sense of Congress regarding personnel of the Department of Energy and its contractors and vendors who have sustained illnesses due to exposure to radiation, beryllium, and silica as a result of their employment with DOE.

Subtitle A—Establishment of Compensation Program and Compensation Fund

Establishment of Energy Employees Occupational Illness Compensation Program (sec. 3611)

The conferees agree to include a provision that would establish the Energy Employees Occupational Illness Compensation Program. The program would provide timely, uniform, and adequate compensation to certain DOE, DOE contractor, and DOE vendor employees who were injured from exposure to radiation, beryllium, or silica while working in DOE nuclear weapons-related programs and, where applicable, their survivors.

Establishment of Energy Employees Occupational Illness Compensation Fund (sec. 3612)

The conferees agree to include a provision that would establish the Energy Employees Occupational Illness Compensation Fund. The provision would also require the Secretary of the Treasury to transfer to the Fund from the general fund of the Treasury the amounts necessary to pay compensation under this title once amounts appropriated for the Fund have been exhausted. Such payments would be considered as mandatory funding without requiring any additional authorization or appropriation. The provision would further require that no administrative costs for carrying out the program be paid out of the Fund.

Legislative proposal (sec. 3613)

The conferees agree to include a provision that would require the President to submit, not later than March 15, 2001, a legislative proposal to implement the compensation program under this title. The proposal would include, at a minimum, the following elements: (1) the types of compensation to be provided to covered employees; (2) any adjustments or modifications necessary to administer the program; (3) whether to expand

the program to include other illnesses associated with exposure to toxic substances; and (4) whether to expand the special exposure cohort to include new classes of employees.

Authorization of appropriations (sec. 3614)

The conferees agree to include a provision that would authorize $25.0 million for the purposes of carrying out the administrative requirements of this title and $250.0 million for the Energy Employees Occupational Illness Compensation Fund.

Subtitle B—Program Administration

Definitions for program administration (sec. 3621)

The conferees agree to include a provision that would define the terms and criteria used in this title.

Expansion of list of beryllium vendors (sec. 3622)

The conferees agree to include a provision that would authorize the President, in consultation with the Secretary of Energy, to designate additional beryllium vendors. Such designations would be required to be made not later than December 31, 2002.

Exposure in the performance of duty (sec. 3623)

The conferees agree to include a provision that would specify the criteria for determining whether a covered beryllium employee or a covered employee with cancer was exposed in the performance of duty.

The conferees prohibit the designation of the Department of Energy as the lead agency for establishing regulations for dose reconstruction under this provision. The conferees expect the Secretary to provide information in the possession of DOE and its contractors related to radiation exposures, but direct the President to select another agency to establish regulations required by this provision.

Advisory Board on Radiation and Worker Health (sec. 3624)

The conferees agree to include a provision that would establish the Advisory Board on Radiation and Worker Health. The President would appoint members of the Board in consultation with organizations with expertise on worker health issues. The Board would advise the President on matters relating to this title, including dose reconstruction and eligibility guidelines for radiation compensation.

Responsibilities of Secretary of Health and Human Services (sec. 3625)

The conferees agree to include a provision that would require the Secretary of Health and Human Services to carry out the Secretary's responsibilities under this title with the assistance of the National Institute of Occupational Safety and Health.

Designation of additional members of Special Exposure Cohort (sec. 3626)

The conferees agree to include a provision that would establish a process by which the President, upon recommendation of the Advisory Board on Radiation and Worker Health, could designate additional classes of employees at DOE facilities as members of the special exposure cohort 180 days after the President submits a report to Congress that would identify the class and criteria that have been used to justify their inclusion in the cohort. A class of employees would be permitted to be added if the President determines that: (1) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and (2) there is a reasonable likelihood that the radiation dose may have endangered the health of members of the class.

Separate treatment of chronic silicosis (sec. 3627)

The conferees agree to include a provision that would express the sense of Congress that further determination by the President is appropriate before employees who were exposed to silica are included in a comprehensive compensation program. The provision would include DOE employees who are diagnosed with silicosis in the program unless the President submits a certification to Congress within 180 days after the enactment of this Act that there is an insufficient basis to include such employees in the program. An employee would be included in the program only if the employee worked at a covered DOE facility for an aggregate of 250 work days.

Compensation and benefits to be provided (sec. 3628)

The conferees agree to include a provision that would establish an entitlement for compensation for covered employees, or the survivor of a covered employee if the employee is deceased, consisting of a $150,000 lump sum payment. In addition, the provision would establish, for a covered employee, an entitlement for reimbursement of prospective medical expenses related to a covered illness. Employees with beryllium sensitivity would receive medical monitoring only. All such compensation would be paid from the Energy Employees Occupational Illness Compensation Fund. The effective date of this provision would be July 31, 2001, unless the Congress provides otherwise in an Act enacted before that date.

Medical benefits (sec. 3629)

The conferees agree to include a provision that would define those medical services, appliances, supplies, and other related benefits to be provided.

Separate treatment of certain uranium employees (sec. 3630)

The conferees agree to include a provision that would establish an additional entitlement for certain uranium miners, millers, and transporters, or the survivor of any such employee if the employee is deceased, who receives, or has received, payment of a claim under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note). The additional payment would consist of: (1) a $50,000 lump sum payment; and (2) reimbursement of prospective medical expenses related to the covered illness. All such compensation would be paid from the Energy Employees Occupational Illness Compensation Fund. The effective date of this provision would be July 31, 2001, unless the Congress provides otherwise in an Act enacted before that date. The provision would further require the President to establish procedures to identify and notify each eligible individual under this section.

Assistance for claimants and potential claimants (sec. 3631)

The conferees agree to include a provision that would require the President to provide to all claimants under this title the following: (1) assistance in securing medical testing and diagnostic services for covered illnesses; and (2) assistance in preparing claims. The President would also be required to take appropriate action to inform potential claimants of the availability of compensation under this title.

Subtitle C—Treatment, Coordination, and Forfeiture of Compensation and Benefits

Offset for certain payments (sec. 3641)

The conferees agree to include a provision that would require any payment of compensation under this title to be offset by the amount of any other award or settlement of a claim, other than workers' compensation, that is based on the same injury.

Subrogation of the United States (sec. 3642)

The conferees agree to include a provision that would subrogate any payment of compensation under this title to a right or claim of the covered employee against any other party for the same injury.

Payment in full settlement of claims (sec. 3643)

The conferees agree to include a provision that would specify that acceptance of payment under this title would be in full settlement of all claims against the United States, a DOE contractor or subcontractor, beryllium vendor, or atomic weapons employer for the covered illness.

Exclusivity of remedy against the United States and against contractors and subcontractors (sec. 3644)

The conferees agree to include a provision that would specify the liabilities of the United States for future claims related to covered illnesses.

Election of remedy for beryllium employees and atomic weapons employees (sec. 3645)

The conferees agree to include a provision that would allow covered beryllium and atomic weapons employees to elect a remedy for a covered illness. A covered employee could elect to file suit or to file a claim under this provision, if the election is made not later than the later of: (1) the date that is 30 months after the date of enactment of this Act; or (2) 30 months after the date the employee first becomes aware of an illness that may have been sustained in the performance of duty. The provision would provide that any currently filed tort case must be dismissed by December 31, 2003, in order for an individual to be eligible for compensation under this title.

Certification of treatment of payments under other laws (sec. 3646)

The conferees agree to include a provision that would specify that compensation or benefits provided to an individual under the compensation program would be tax exempt and would not affect the eligibility of that individual for federal assistance programs.

Claims not assignable or transferrable; choice of remedies (sec. 3647)

The conferees agree to include a provision that would specify that claims under the compensation program are not assignable or transferable. The provision would also specify that no individual may receive more than one payment of compensation under the program. This would not preclude payment of both lump sum and medical benefits to a covered individual.

Attorney fees (sec. 3648)

The conferees agree to include a provision that would limit the payment of fees to an attorney of a claimant to two percent for filing of an initial claim.

Certain claims not affected by awards of damages (sec. 3649)

The conferees agree to include a provision that would ensure that a payment under the compensation program shall not be considered as any form of compensation or reimbursement for a loss for purposes of imposing liability on any individual receiving such payment, on the basis of such receipt, to repay any insurance carrier for insurance payments, or to repay any person on account of workers' compensation payments. A payment under the compensation program shall not affect any claim against an insurance carrier with respect to insurance or against any person with respect to worker's compensation.

Forfeiture of benefits by convicted felons (sec. 3650)

The conferees agree to include a provision that would require forfeiture of entitlement to any compensation or benefit under the compensation program by any individual convicted of a violation of section 1920 of title 18, United States Code, or any other

federal or state criminal statute relating to fraud in the application for or receipt of any benefit under this program or any federal or state workers' compensation law.

Coordination with other Federal radiation compensation laws (sec. 3651)

The conferees agree to include a provision that would prevent an individual from receiving compensation or benefits under the compensation program for cancer and also receive compensation under the Radiation Exposure Compensation Act (section 2210 of title 42, United States Code) or section 1112(c) of title 38, United States Code, except as provided in this title.

Subtitle D—Assistance in State Workers' Compensation Proceedings

Agreements with States (sec. 3661)

The conferees agree to include a provision that would authorize the Secretary of Energy to enter into agreements with states to assist DOE contractor employees in filing a claim under the appropriate state workers' compensation system for illnesses related to exposure to other toxic chemicals. The provision would also establish procedures for such DOE assistance.

The Secretary of Energy would review and submit applications to an independent physician panel appointed by the Secretary of Health and Human Services. The panel would determine whether the illness or death that is the subject of the application arose as a result of exposure to a toxic substance at a DOE facility. The Secretary would be required to accept the panel's determination in the absence of significant evidence to the contrary. If the Secretary makes a positive determination, the Secretary would be required to assist the applicant in filing a claim under the appropriate state workers' compensation system. The Secretary would not contest the claim and would direct any relevant contractor not to contest the claim. The contractor's cost of fighting the claim would not be an allowable cost under a DOE contract.

Not later than February 1, 2002, the Comptroller General would be required to submit a report to Congress that would evaluate the Department's implementation of this provision and effectiveness in achieving compensation for employees with occupational illnesses.

JOEL HEFLEY,
JIM SAXTON,
STEVE BUYER,
TILLIE K. FOWLER,
JOHN M. MCHUGH,
JAMES M. TALENT,
TERRY EVERETT,
ROSCOE G. BARTLETT,

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

FLOYD SPENCE,
BOB STUMP,
DUNCAN HUNTER,
JOHN R. KASICH,
JAMES V. HANSEN,
CURT WELDON,
HOWARD ''BUCK'' MCKEON,
J.C. WATTS, Jr.,
MAC THORNBERRY,
JOHN N. HOSTETTLER,
SAXBY CHAMBLISS,
IKE SKELTON,
NORMAN SISISKY,
JOHN SPRATT,
SOLOMON P. ORTIZ,
OWEN B. PICKETT,
LANE EVANS,
GENE TAYLOR,
NEIL ABERCROMBIE,
MARTIN T. MEEHAN,
ROBERT A. UNDERWOOD,
THOMAS ALLEN,
VIC SNYDER,
JAMES H. MALONEY,
MIKE MCINTYRE,
ELLEN O. TAUSCHER,
MIKE THOMPSON,

Provided that Mr. Kuykendall is appointed in lieu of Mr. Kasich for consideration of section 2863 of the House bill, and section 2862 of the Senate amendment, and modifications committed to conference:

STEVEN T. KUYKENDALL,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PORTER J. GOSS,
JERRY LEWIS,
JULIAN C. DIXON,

From the Committee on Commerce, for consideration of sections 601, 725, and 1501 of the House bill, and sections 342, 601, 618, 701, 1073, 1402, 2812, 3131, 3133, 3134, 3138, 3152, 3154, 3155, 3167–3169, 3171, 3201, and 3301–3303 of the Senate amendment, and modifications committed to conference:

TOM BLILEY,
JOE BARTON,
JOHN D. DINGELL,

Provided that Mr. Bilirakis is appointed in lieu of Mr. Barton of Texas for consideration of sections 601 and 725 of the House bill, and sections 601, 618, 701, and 1073 of the Senate amendment, and modifications committed to conference:

MIKE BILIRAKIS,

Provided that Mr. Oxley is appointed in lieu of Mr. Barton of Texas for consideration of section 1501 of the House bill, and sections 342 and 2812 of the Senate amendment, and modifications committed to conference:

MICHAEL G. OXLEY,

From the Committee on Education and the Workforce, for consideration of sections 341, 342, 504, and 1106 of the House bill, and sections 311, 379, 553, 669, 1053, and title XXXV of the Senate amendment, and modifications committed to conference:

BILL GOODLING,
VAN HILLEARY,
PATSY T. MINK,

From the Committee on Government Reform, for consideration of sections 518, 651, 801, 906, 1101–1104, 1106, 1107, and 3137 of the House bill, and sections 643, 651, 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, 1069, 1073, 1101, 1102, 1104, and 1106–1118, title XIV, and sections 2871, 2881, 3155, and 3171 of the Senate amendment, and modifications committed to conference:

DAN BURTON,
JOE SCARBOROUGH,
HENRY A. WAXMAN,

Provided that Mr. Horn is appointed in lieu of Mr. Scarborough for consideration of section 801 of the House bill, and sections 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, and 1101, title XIV, and sections 2871 and 2881 of the Senate amendment, and modifications committed to conference:

STEPHEN HORN,

Provided that Mr. McHugh is appointed in lieu of Mr. Scarborough for consideration of section 1073 of the Senate amendment, and modifications committed to conference:

JOHN M. MCHUGH,

From the Committee on House Administration, for consideration of sections 561–563 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,
JOHN BOEHNER,
STENY H. HOYER,

From the Committee on International Relations, for consideration of sections 1201, 1205, 1209, and 1210, title XIII, and section 3136 of the House bill, and sections, 1011, 1201–1203, 1206, 1208, 1209, 1212, 1214, 3178, and 3198 of the Senate amendment, and modifications committed to conference:

BILL GOODLING,

From the Committee on the Judiciary, for consideration of sections 543 and 906 of the House bill, and sections 506, 645, 663, 668, 909, 1068, and 1106, title XV, and title XXXV of the Senate amendment, and modifications committed to conference:

HENRY HYDE,
CHARLES T. CANADY,

From the Committee on Resources, for consideration of sections 312, 601, 1501, 2853, 2883, and 3402 of the House bill, and sections 601 and 1059, title XIII, and sections 2871, 2893, and 3303 of the Senate amendment, and modifications committed to conference:

DAN YOUNG,
BILLY TAUZIN,

From the Committee on Transportation and Infrastructure, for consideration of sections 601, 2839, and 2881 of the House bill, and sections 502, 601, and 1072 of the Senate amendment, and modifications committed to conference:

BUD SHUSTER,
WAYNE T. GILCHREST,
BRIAN BAIRD,

Provided that Mr. Pascrell is appointed in lieu of Mr. Baird for consideration of section 1072 of the Senate amendment, and modifications committed to conference:

BILL PASCRELL, Jr.,

From the Committee on Veterans' Affairs, for consideration of sections 535, 738, and 2831 of the House bill, and sections 561–563, 648, 664–666, 671, 672, 682–684, 721, 722, and 1067 of the Senate amendment, and modifications committed to conference:

MICHAEL BILIRAKIS,
JACK QUINN,
CORRINE BROWN,

From the Committee on Ways and Means, for consideration of section 725 of the House bill, and section 701 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,

Managers on the Part of the House.

JOHN W. WARNER,
STROM THURMOND,
JOHN MCCAIN,
BOB SMITH,
JAMES INHOFE,
RICK SANTORUM,
OLYMPIA J. SNOWE,
PAT ROBERTS,
WAYNE ALLARD,
TIM HUTCHINSON,
JEFF SESSIONS,
CARL LEVIN,
EDWARD KENNEDY,
JEFF BINGAMAN,
ROBERT C. BYRD,
CHUCK ROBB,
JOE LIEBERMAN,
MAX CLELAND,
MARY L. LANDRIEU,
JACK REED,

Managers on the Part of the Senate.

□

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HOBSON). The Chair will entertain one-minute requests.

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PAYING DOWN THE DEBT IS THE RIGHT AND RESPONSIBLE THING TO DO

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. GIBBONS. Mr. Speaker, we have an historic opportunity to do what is right for America. We have an opportunity to make a real commitment to paying down our $5.6 trillion public debt by committing 90 percent of our budget surplus to debt reduction.

Republicans are committed to paying down the national debt, to protecting the economy, and the economic prosperity of future generations of Americans.

The Clinton-Gore administration, on the other hand, have other priorities. They want to spend the surplus on more big government programs. Mr. Speaker, I learned in Economics 101 that this is irresponsible to spend money when we are in debt, especially when we have a $5.6 trillion debt.

So I rise today to urge the administration to put their partisan and irresponsible agenda aside and join with this Republican Congress in committing 90 percent of the surplus to paying down our national debt.

Join with us to do the right thing for all Americans today and for generations to come.

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AMERICA SHOULD SUPPORT THE FREE ELECTIONS IN SERBIA

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, the people of Serbia have spoken. I hope as the hours proceed, and maybe as we have been on the floor, I have not heard the latest update, that democracy will take hold and they will be free.

I met Mr. Milosevic, and actually went and sat in his office and asked him to promote peace. It was 1995, and he said to me, ''I will do so.'' Some few short years later, I find myself in refugee camps in Albania looking at the threatened, intimidated, and frightened refugees that Mr. Milosevic had sent fleeing out of Serbia.

It is time now for him to lay down his leadership of despotism, and he should at least recognize that the people have spoken. It is time now for his nation to be free, to become part of the world community.

I would ask that they will be able to proceed as free citizens under the duly-elected new president. Mr. Milosevic has served his time, and unfortunately, it has not been a leadership of sharing.

I would hope that we would stand up and support the new and free elections of the people of Serbia, and include in that support the request that Mr. Milosevic, who hopefully will be found and, as well, be able to address the grievances against him, now knows that he no longer serves as president of that Nation.

THE WORK OF THE SUBCOMMITTEE ON BASIC RESEARCH OF THE COMMITTEE ON SCIENCE

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, I would like to take this opportunity to talk a little bit about the work of the Subcommittee on Basic Research, a subcommittee I am honored to chair.

This subcommittee has had a busy and productive 2 years. In the 106th Congress, we have held a total of 25 oversight hearings, field briefings, markups, on a range of important and timely issues.

In addition, we have passed through the House two bills authorizing fire and earthquake programs under this subcommittee's jurisdiction, and oversight for the National Science Foundation, NSF, whose funding we authorize.

I believe the work we do in the subcommittee is truly unique. In our hearings on information technology, than on technology, education research, plant genomics, and biotechnology, for example, we have been able to glimpse the future, and through our oversight and authorization bills I hope we are able to shape that future, as well.

I am proud of our record and the colleguiality and bipartisanship on the subcommittee. I look forward to continuing that effort in the next session.

I would like to take this opportunity to thank the staff of the subcommittee who work behind the scenes to get things done. Stephen Eule, Peter Harsha, Mark Harrington, Sharon Hayes, and Steve Howell have made my job easier. I thank them for their good ideas and hard work.

I also compliment and congratulate our subcommittee ranking member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and her chief of staff, Jim Wilson.

□

THE IMPORTANCE OF RESEARCH IN SCIENCE AND TECHOLOGY

(Mr. EHLERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EHLERS. Mr. Speaker, I just wanted to follow up on the comments made by the gentleman from Michigan, Mr. SMITH, and also related to comments I made a few moments ago about the importance of improving math and science education in this country.

As I mentioned in my previous comments, we are enjoying an immense economic boom at this time, much of which is due to the results of science and technology. In particular, it is due to the research which has been done over the past 50 years.

That is why the work of the gentleman from Michigan (Mr. SMITH) is so important, because if we wish to maintain a good economy, if we wish to have our children have a good economy, we must make the same investment in scientific research today that our parents and grandparents made 20, 30, 40, 50 years ago, and which we are enjoying the fruits of today.

It is extremely important that we continue that research effort to improve the health, the lives, and the freedoms not only in our Nation, but of peoples throughout the entire planet.

I commend the gentleman from Michigan for his work. I hope this Congress will continue to show a willingness to fund scientific research and maintain our leadership among the nations of this planet.

□

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

□

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. GEJDENSON) is recognized for 5 minutes.

(Mr. GEJDENSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□

WHAT IS BEHIND OPPOSITION TO THE DEMOCRATS' MEDICARE PRESCRIPTION DRUG PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, earlier this year a confidential document prepared for House Republicans somehow found its way into the public realm.

It was not big news at the time, just some talking points prepared by Republican polling firms on the Democrats' Medicare prescription drug plan.

According to their analysis, one way to create opposition to the Democratic plan is to call it a one-size-fits-all plan or a big government plan.

□ 1445

One cannot blame the public for bristling at those phrases. I do not know

anyone who likes big government for big government's sake. However, one can blame politicians for exploiting those terms instead of confronting the fundamental differences between the Democratic and Republican prescription drug plans. One can blame the drug companies and the chamber of commerce for spending $40 million already and promises of another $40 million on phony groups on television such as Citizens for Better Medicare.

The Democrats plan would add an optional drug benefit to Medicare. The Republican plan, the drug company plan, would bypass Medicare and subsidize private, stand-alone insurance plans.

So is the Democrats' Medicare prescription drug coverage a one-size-fits-all program as the Republicans and the prescription drug companies tell us? I do not think so.

It is difficult to conceive of a program offering more choice than Medicare. The Medicare program covers medically necessary care and services. Beneficiaries can see the health care professional and go to the facility of their choice.

Similarly, under the proposed drug benefit, enrollees can go to the pharmacy of their choice. FDA-approved medications prescribed by a physician would be covered under the Democrats' Medicare prescription drug plan.

Given this level of flexibility, how would a legion of new private health plans enhance the beneficiary's choice in any way that matters? It is more likely that the Republican plan, the prescription drug company plan, like any other managed care product, would restrict choice and add to the insurance and drug company's bottom lines.

Medicare is a single plan that treats all beneficiaries equally, provides maximum choice and maximum access for patients and doctors.

The Democrats' prescription drug coverage proposal embraces the same principle. Is that a one-size-fits-all program?

Under the Republican prescription drug proposal, under the drug companies' plan, Medicare beneficiaries would have to choose among private stand-alone insurance company prescription drug plans. They say that enables seniors to tailor their prescription drug coverage to their particular needs.

None of these private plans, however, will provide more choice to the Democrats' plan than the Medicare plan in terms of which medications are covered since the Democrats' plan covers all Medicare doctor-prescribed medications. None of these private plans could provide a broader choice of pharmacy since the Democrats' plan does not restrict access to pharmacies.

Under the Republican plan, under the prescription drug company plan, it appears that choice is actually code for ''wealth.'' Higher-income seniors could, in fact, afford a decent prescription drug plan, one with the same level of coverage as would be available to all beneficiaries under the Democrats' Medicare plan. Lower-income enrollees, however, would be relegated to restrictive alternatives. Some choice.

Is the Democrats' prescription drug coverage plan a big government program as the Republicans and the prescription drug companies' executives tell us? Hardly.

Medicare is a Federal Government program with the beneficiary population of 39 million. It is definitely big. But Medicare is also one of the most enduring popular public programs in the Nation's history. Medicare far outranks both employer-sponsored and individually purchased private insurance as a trusted source of health care coverage.

So when opponents of the Democrats' prescription coverage plan berate it for being one size fits all or big government, they, in fact, are berating Medicare itself.

In fact, the Republican prescription drug proposal, the plan from the big drug companies, which ignore Medicare to establish new private insurance policies, is an insult to the Medicare program. Their plan pays homage to those Members of Congress who favor privatizing Medicare. Parenthetically, I have to say I have not yet met anyone outside of Washington who wants to privatize Medicare.

It is no coincidence that the only way a Medicare beneficiary could avoid carrying multiple health insurance policies under the Republican plan, under the prescription drug company plan, is to join a private-managed Medicare-managed care plan.

As Congress and the presidential candidates debate the merits of competing prescription drug coverage proposals, watch for allegations to be thrown around like one size fits all and big government program. Because when applied to insurance coverage offering maximum choice in matters that matter, choice of provider access to medically-necessary care, which is what Medicare is all about, those, those threats, those accusations of one size fits all and big government program, those terms simply fall flat.

Bear in mind that more than the structure of prescription drug benefit is at stake. The future of Medicare hangs in the balance.

□

VICE PRESIDENT GORE'S SOCIAL SECURITY PROPOSAL WILL INCREASE FUTURE PAYROLL TAXES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I am very concerned about what it looks like might happen to the FICA taxes, the payroll taxes, if we move ahead with Vice-President GORE's proposal for Social Security.

This first chart reflects what the FICA taxes are now, 15.3 percent of what a worker makes. Then what is going to happen in terms of when we start running out of money? There is not enough money in the Medicare surplus as early as 2006. Then if we continue with the same program without doing anything else, without getting a better return on some of this money that is coming into the system in Social Security Trust Fund and the Medicare Trust Fund, then to keep the same benefits that we have promised continuing we are going to, the taxes would have to go up. Either taxes would have to go up or benefits drastically reduced. We are not going to reduce those benefits.

But, also, let us make some changes now so that we do not have to let the taxes go up, as we see on this chart, to 22.41 percent versus 27.96 percent.

If Vice President GORE's Medicare prescription drug program goes into effect, then those taxes will have to go up to 47 percent of what one makes. Look, it is some time ahead, so one can say somebody else could worry about it. But these are our kids; these are our grandkids that are going to have to pay that kind of tax. Let us make these kinds of changes now.

Let me just reemphasize how serious this tax is today on the payroll deduction tax. Seventy-eight percent, 78 percent of American workers now pay more in the FICA tax for Social Security and Medicare than they do their income tax. We cannot allow these taxes to go up. We cannot simply say, look, we have got to put Social Security first or Medicare first and say, look, we are going to add these benefits. That is what the Vice President does.

Somehow the American people have got to look seriously at the consequences of simply the attractiveness of saying we are going to increase benefits without making some changes in the program to get a better return on the money.

The better return, as suggested by Governor Bush, is to start investing some of that money. Right now, the average return for one's Social Security money that is paid in in taxes is a real return of 2 percent. That is 7 percent less than the average return on equities. Let us balance it. Let us not do all equities. It is going to be limited stock investments. There is going to be safe investments that a person can invest. But it is going to be in their name, their account. If they die, instead of losing everything, their heirs get it.

Let me show my colleagues this third chart. It simply says, no new taxes. Let us not force ourselves into a situation where the payroll deduction has to go up and we have to increase taxes. We have got to have a strong resolution that we are simply not going to cavalierly do what is politically attractive today to get votes today and leave the problem and an increased obligation of higher taxes to our kids and our grandkids.

Again, if we do nothing, if we go with a Gore plan, the 15.3 percent that we

are paying in payroll deductions go up to the high of 27.96 percent. If we go with their prescription drug program that says, look, here is prescription drugs that taxpayers are somehow, some way, some time are going to have to pay for, then we end up with a payroll tax that goes as high as 47 percent.

Let us look at a program where one gets better investment from some of that money going in, where government cannot mess around with those benefits by letting at least part of that payroll tax equivalent go into personal investments. Let us not mess around with the trust fund. Let us keep the trust fund growing.

But let us take some of this surplus on-budget money and use it to make this kind of transition that is going to keep probably America's most successful, maybe America's most important, program continuing and keep it solvent.

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The SPEAKER pro tempore (Mr. HOBSON). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□

WE NEED ''POWER'' TO CONTROL UNSCRUPULOUS ENERGY PRODUCERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, as our colleagues are going off to their home districts for the weekend, I want to remind them all of the crisis that is going on in my district in San Diego, California. They are the first city in California and, perhaps, the first in the Nation that has experienced full deregulation of its electricity prices. The cost of electricity to the average consumer, small business person, big business person has doubled, tripled in 3 or 4 months alone.

I want to remind my colleagues about what is going on in San Diego because San Diego is the harbinger of things to come for the rest of California and possibly the Nation. We are the poster children for what happens when deregulation of a basic commodity like electricity takes place in a monopoly situation.

Those who control the commodity can charge whatever price they can get. In fact, deregulation and the restructuring of the electricity industry is so flawed in California that electricity producers are allowed to charge wholesale prices four to five times higher than they were just a year ago. This is criminal, Mr. Speaker, and I use the word advisably.

Energy producers are making obscene profits on the back of our senior citizens, our schools, our hospitals, our libraries, our businesses. Our whole economy in California is threatened.

The electricity generators and marketeers have just in the last 4 months alone sucked almost $5 billion, that is billion with a ''B,'' from our State economy, more than $450 million from San Diego alone.

Now these generators claim that the high rates are simply the result of supply and demand forces in a marketplace. That is nonsense, Mr. Speaker. The facts are that Southern California has been using less energy than last year, but wholesale prices have gone up from highs of $50 per megawatt in 1999 to $300 and $500 and even higher at the sharpest spikes in the year 2000.

The energy producers have figured out how to manipulate the market and set artificially high wholesale prices. They withhold power until the last minute. They launder power throughout out-of-state companies, they overload transmission lines, all to cause prices to rise to unprecedented levels and to raise their obscene profits. They already have killed off many small businesses in San Diego, caused unbearable suffering among those on fixed income, and robbed our whole community possibly of our future.

I have introduced a bill, H.R. 5131, the HELP San Diego Act, which means Halt Electrical Price gouging in San Diego, with bipartisan support of the gentlemen from California (Mr. HUNTER and Mr. BILBRAY), my San Diego colleagues. Because although the State legislature has removed the gun from our head in capping retail prices, those prices are merely deferred for the next couple of years. Those bills will become due, and those debts will have to be paid. 5131 says that the wholesale generators and marketeers of electricity should pay that bill. They should refund the overcharges that they have made over the last 4 or 5 months.

Now, as I said, this bill has bipartisan support. Yet the Republican leadership of this House will not schedule on the agenda a bill that is necessary to save the economy of San Diego.

I call on the Republican leadership of this House to help San Diego, to put that bill on the agenda with bipartisan support, so we can, in fact, make sure that the future of San Diego's economy is secure.

I have also introduced a bill today that we call the POWER Act. Quite simply, the POWER Act protects our communities by imposing 100 percent excise tax on windfall profits that are the rule of market manipulation and price fixing.

If we cannot pass H.R. 5131, which directs the Federal Energy Regulatory Commission to roll back the wholesale price and refund the overcharge to consumers, the POWER Act says that 100 percent tax on windfall profits shall be assessed.

This does not affect legitimate profits. It does not jeopardize any electrical producer. But it protects our senior citizens, our children, our small businesses, and our economy from the predatory actions of some unscrupulous companies that are taking advantage of their monopoly on the production of this vital and indispensable resource.

I ask my colleagues, as they return to their districts, to keep a close eye on San Diego.

□ 1500

We need your help in this last week of Congress. We need to pass H.R. 5131, a bipartisan bill to roll back wholesale prices in the western electric market, and to refund the consumers the obscene overcharging and profiteering they have been subject to.

I hope this Congress can act and act quickly. We must help San Diego.

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THE FOUR CORNERSTONES OF MY SEASON IN THE CONGRESS

The SPEAKER pro tempore (Mr. SMITH of Michigan). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is recognized for 60 minutes as the designee of the majority leader.

Mrs. CHENOWETH-HAGE. Mr. Speaker, I rise on this occasion to give a very special sort of address. I am not here today to talk about a specific piece of legislation or to discuss any one thing in particular that the administration is doing or failing to do, but my message here today is both personal in nature and something that I hope that my colleagues and future Members of this great body will find useful in times to come.

Mr. Speaker, I am here to talk about the experience that one very average American citizen has had over the course of the past 6 years in being a part of what has been termed the greatest deliberative body on earth: The United States Congress. And although people call me Congressman, or sometimes Congresswoman, I am very much simply an average American citizen, an American citizen who took leave from her ordinary, average American life to serve for a time as an advocate for over half a million people in a State 2,000 miles away. And that can only happen in America.

Now, after serving here for 3 terms, I am fulfilling a pledge that I made in 1994, and I am leaving this body of my own will, returning to a life of an average American citizen to live under the laws that I hope that we have made a little bit better here.

I want to share with my colleagues and for the record some of my observations about this great government of

ours, the daunting responsibilities we hold here, and my hope for the future. So I want to talk about several things.

I want to discuss the purpose of this mighty Congress and what its proper role is in the lives of ordinary Americans. I want to discuss how certain matters become very real and very practical matters in our everyday life, matters that may have at one time been theory but have become reality. And I want to raise some real questions and concerns about the future.

First, however, I would like to say a few words about some of the people who have worked for me and assisted me over the years. I feel that I have an extraordinary staff. I have been blessed, not through my own skill but I think it was just a blessing, that I was able to pull together a staff that I think are unusually brilliant and unusually fine Americans and who, within themselves individually, the flame for liberty and freedom beat within their hearts and, therefore, we were able to accomplish much together, this Chenoweth team.

My staff consisted of: Lois Anderson, Judy Boyle, Chris Caron, Doug Crandall, Georgia Golling, Ann Heissenbuttel, Chad Hyslop, Dave Kroeger, Dean Lester, Lisa Lovell, Matt Miller, Linda Mullin, Nathan Olsen, Karen Roetter, Keith Rupp, Valerie Schatz, Elizabeth Schwarzer, Tereasa Sinigiani, and Rhonda Tilden. And to all of them I just want to say thanks so much for the wonderful job.

There is a great deal of personal affection and admiration that I hold for my office staff, and there is among all of us the thing that has always bound us together and given purpose to our days here on Capitol Hill, which has been our shared commitment to a vision, a vision of our Nation and our government here in America. Let me tell my colleagues a little bit about that vision.

My vision as a Congressman for the first district of Idaho has been that America would continue to be a land where people live in peace with one another; that they respect each other's individual rights and property; and that people are free to advance as far as their individual talents and commitments to work hard will take them.

I believe that the rights of the people are not derived from government but, rather, the inalienable rights of the people to life, liberty, property and the pursuit of happiness are God-given rights that existed prior to the formation of any government. It is because these rights exist that governments are created by the people to help protect these rights that are God given. My vision is for a government that is keenly aware of this relationship between the governed and the governors, and which views its primary role as a protector of people's rights as opposed to a protector of people's persons or what they may think, and which views itself as the servant of the people and never the people's master.

I envisioned a congressional office staff which recognized the primacy of the citizens over the government, and I insisted that my staff recognize that they work for the constituents in Idaho's first district and across America, not the government; and that advancing the vision of freedom and individual liberty and providing service to constituents is the first priority in our office.

Most people who serve in this institution, I daresay, have a vision for the country and for their constituents. Those visions must be larger than our own personal ambitions and they must spring from a sense of purpose not necessarily for ourselves at all but for our fellow Americans and future generations. But what is the source of that purpose? To ponder that question is to ponder the purpose of government itself.

Since the beginning of time, man has wondered how to live together in harmony. Volumes have been written about it. It certainly has never been easy to figure out. There has always been a tendency for people to equate might with right. The philosopher Thomas Hobbes famously argued that man tends to be self-serving and to have a natural tendency to strive against and to plunder his fellow man. This is the basis of why we have government. People exist, people are born with certain natural rights. They have a right to continue to exist, and no one has a right to harm or kill another.

Mr. SMITH of Michigan. Mr. Speaker, if the gentlewoman would yield for just a moment, I just wanted to say, on behalf of many of us in the United States House of Representatives, I would like to thank the gentlewoman for her very diligent and hard work not only in representing the gentlewoman's district but in helping the United States of America. It is not easy. The gentlewoman has sacrificed, like many of us, a great deal.

So I thank the gentlewoman very, very much for her tremendous contribution that she has made in the last 6 years.

Mrs. CHENOWETH-HAGE. Mr. Speaker, I thank the gentleman from Michigan, and I will always have very fond memories of landing in the gentleman's office and asking him to help me go over an appropriations bill and help untangle the mystery of the appropriating process here. The gentleman has been a great teacher.

I want to remind my colleagues, Mr. Speaker, that liberty is something that people have a right to their own freedom and they may not be held in bondage to one another. That is what liberty means. It is so important that we remember people's property rights. People simply do have a right to own things, and we have a responsibility to make sure that we respect the ownership rights of others.

The philosopher John Locke expounded on this notion when he said labor, in and of itself, is the origin and justification of property, according to Locke. And whatever a man ''mixes his labor with'' is his to use. It is his property. So in the state of nature, men have a right to protect their natural rights and to punish transgressors. So civil society arises when men agree to delegate this job of protecting their rights to an unbiased entity: A government. So because men establish this entity, government, they have the right to set limits on its authority, to modify it, or even to dismantle it should the need arise.

Now, a century later, this served as the rational foundation for our own Declaration of Independence. It is that very doctrine that gave us Americans the very moral authority to rebel against the tyranny of the British Crown. Why, my colleagues might ask, am I going over all this ancient history? Well, it is very simple, Mr. Speaker. It is because people forget. People forget across this Nation, but people forget in this body as well.

Mr. Speaker, if during one of my colleagues' town hall meetings that we all hold in our respective districts, they were to ask their constituents why we have a government, people would be likely to stare at them like a tree full of owls and they would probably experience an uncomfortable silence. Then, suddenly, some wiseacre might pipe up and say that he has been trying to figure that out all of his life. But then, usually, someone will say, well, we have government because we need to provide for the national defense. Well, they are on the right track, but that is not all there is to it.

Seldom will we hear one of our constituents recite those vitally important words of Thomas Jefferson, those words that he wrote in the Declaration of Independence, which states: ''We hold these truths to be self-evident: That all men are created equal, and that they are endowed by their creator with certain inalienable rights, rights that among us are life, liberty and the pursuit of happiness. And that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.''

Oh, I hope that that will become emblazoned indelibly on our souls and our spirits and our minds; that government receives its just power from those who are governed. But to secure the rights of government, governments are instituted among men, and the reason our government exists is to secure the inalienable rights of the American people. No more, no less.

That has been my message over the past 6 years. It is very simple, it is very old, but it works for freedom and liberty. And while I am certain that a poll of our colleagues would find universal agreement and sentiment for that very sentiment that I just expressed, we have differing opinions on how we turn those eloquent words into action. It has been my experience that turning those values into real action

seems to be one of the hardest things for some people to really, truly understand.

Sometimes my colleagues seem to think that little things are unimportant. But, Mr. Speaker, the little things are so vitally important. I think every schoolchild has heard the poem about the importance of little things by George Herbert when he wrote that: ''For the want of a nail, the shoe was lost; For the want of a shoe, the horse was lost; For the want of a horse, the rider was lost; For the want of a rider, the battle was lost; For the want of a battle, the kingdom was lost!''

Yes, Mr. Speaker, little things matter. Little nails in horses hooves matter. They matter to all of us. And these little things are very important in the fight and the maintenance of our freedoms.

Some of my colleagues have certainly scratched their heads in wonder over some of the positions that I have taken over these years, and they wonder why I make such a big deal about language affecting private property rights or over some language that some might consider obscure issues, like the primacy of State water rights. My insistence that these rights be protected has certainly inconvenienced some Members of this House and served to annoy some Members and their staffs. And though it is sometimes an inconvenience, I hope that all who love freedom can understand how much more inconvenient it would be if we carelessly neglected the little nails and just began to give away our freedoms and liberty.

□ 1515

If the first job of government is to protect the rights of the freedoms of its citizens, then that is the standard by which we must first measure every single act we undertake.

I would like to discuss how I have attempted to apply these ideals to certain legislation in the hope that it might help some understand the importance of these issues, and perhaps some of my colleagues might take up this banner and continue to carry it forward as I leave this fine institution.

There are four areas in which I have seen the struggle most closely and I felt it most deeply. These have been the four cornerstones of my work here in Congress; and that is protecting the Constitution and protecting the rights of citizens, protecting our property and the wealth of our people, and protecting our national sovereignty.

Mr. Speaker, each of us swears an oath to uphold the Constitution of the United States of America and to protect it. But, Mr. Speaker, there are so many Americans, and I daresay a few of our colleagues here in this House, who seem to think that this is a matter of evolving and galloping interpretation.

But I remember when I first came to Congress in 1995, during those heady days of the Contract with America, one of the first matters that was considered in the Contract with America was granting the President line item veto authority. The power, in effect, would grant to the President the power to rewrite our legislation by eliminating certain specific provisions in the bills that we sent to him and then immediately signing that legislation into law.

I felt that that was unconstitutional. But this was an issue that had been championed by the people, especially Republicans, and it was a proposal favored by my favorite President, Ronald Reagan.

But I broke ranks with the leadership of my own party to oppose the line item veto. I did oppose it. I did vote against it because I believed that it constituted an unconstitutional shift away from legislative power to the administration.

So, Mr. Speaker, I can remember that it was difficult to go home after that vote, and I can remember a lot of my fellow Republicans criticizing me for that position. Who was I but a freshman Member, just an ordinary woman from Idaho, from a small western State, to oppose this kind of gigantic reform.

But I must confess that it gave me some small degree of satisfaction when the United States Supreme Court ruled that it was, indeed, unconstitutional for the President to have the power to rewrite legislation by vetoing part of it and struck down the line item veto.

Likewise, I have always thought that one aspect of the Endangered Species Act was especially silly, and I have fought against the ramifications of the Endangered Species Act since I first came to Congress.

But it was a legal tradition that held under the Endangered Species Act in and of itself that people did not have legal standing under the Endangered Species Act.

In fact, the Ninth Circuit Court of Appeals ruled that humans are not within the realm of jurisdiction under the Endangered Species Act. So if your private property was taken under the Endangered Species Act, you had absolutely no recourse for the damages. The only way a person could be an advocate in court under the Endangered Species Act, according to the Ninth Circuit Court of Appeals, was if they went in there and sued on behalf of an endangered species. They had to represent the species, not the human.

So, Mr. Speaker, I offered legislation to correct this obvious flaw in the law. And my colleagues should have heard some of the hoots offered up when I did that. Some people assumed that I was being facetious when I argued that people should have at least the same legal rights as the bugs and the snails and the animals and the plants.

But while my bill was working its way through the system, the United States Supreme Court beat me to the punch and ruled that, yes indeed, people do have legal standing under the Endangered Species Act. So, once again, I felt vindicated by the United States Supreme Court.

Mr. Speaker, I want to remind my colleagues that the genesis of the Constitution has been proven by the test of time as well as the genius of that great document. It has succeeded when others have failed. The United States is now the longest running democracy in the history of the world, but it will only continue to be so if we jealously guard and protect the Constitution and if we do not give in to the political expediency of the day and begin to weaken it.

I think about the political correctness that is now beginning to drive public policy in this Nation, and I have to remember what Charlton Heston just recently said, and this was that ''political correctness is simply tyranny with manners. Oh that we would have the courage to do that which is unpopular but that which we feel is right and constitutional.''

Heston went on to say that ''political correctness is today's pocket change, but that courage is the currency of history.''

So if we give in to political expediency, we will be crying out in this Nation for the want of another nail, the little things that can bring down a nation. Which brings me to the second issue, protecting the rights of our citizens.

The Constitution is the document free men wrote with the central purpose in mind of protecting God-given rights. And let us never weaken in that defense. Because the most important of these rights to be protected by government is the right to life.

And this is why have I been such a staunch defender of the rights of the unborn children. That child, that weakest citizen among us, is the most important and most needy when it comes to having a fair and impartial government to protect his or her life.

Simply put, that is why I speak out in defense of the unborn. And if you believe that life begins before birth, then government has a responsibility to protect that life. It is the first rule of law.

Mr. Speaker, I am also a very outspoken defender of the second amendment. I am a defender of all of the Bill of Rights, but it seems to me that the second amendment is the one that is actually under political attack most often. It is under political attack through political correctness, through massive marches, and just through the shear emotionalism that is reigning today.

No American takes lightly the threat of violence, and no American can ignore the issue of crime and personal safety. No American can dismiss the violence that has erupted in our schools. But to say the problem with crime and violence is the availability of guns is to cop out with an easy answer.

The problem is not the inanimate or the things or the guns or the knives or

whatever else, it is a person who will casually use these objects to plunder or hurt or kill other persons.

To diminish our right to keep and bear arms by entangling us in more gun control is to want to loose yet another nail that may ultimately destroy our Nation.

It was precisely that danger that George Mason in 1788 wrote about and addressed this Nation when he addressed the Congress then and he said, ''When the resolution of enslaving America was formed in Great Britain, the British parliament was advised by an artful man, who was governor of Pennsylvania, to disarm the people, that it was the best and most effectual way to enslave them, but that they should not do it openly but just weaken them and let them sink gradually.''

Well, is that not the picture of gun control? But addressing the human factor is much more difficult than taking things away.

I find it amazing, for instance, that some of these same people who make the most noise about limiting their fellow American's second amendment rights are those same entertainment industry leaders who produce music, movies, and video games that glorify violence and debase our values. They, in essence, pit one basic right, one freedom of expression against another.

I find it amazing, Mr. Speaker, and I find it amazingly cynical. And yet where is the outrage over this? Rather than simply control themselves, the Hollywood moguls and the product they produce, they want to take the constitutionally guaranteed rights away from all their fellow men. It is cynical. It is selfish. It is short sighted, Mr. Speaker.

Let us seek solutions to our problems, but let us do it in a way that respects the rights of all of our citizens. Those rights are so essential.

Another early debate in which I became involved is centered around the efforts to reform the writ of habeas corpus and the rights under habeas corpus, that great writ.

It pained me, Mr. Speaker, to take a position in opposition of some of those great committee chairmen, some of my colleagues for whom I have enormous respect. But I fought against a proposal that sought to punish terrorists but which would cause ordinary citizens to lose their constitutionally guaranteed rights against search and seizure.

So the rights to speak and assemble freely, to be ensured of due process of law, and to be protected against false imprisonment belong to all Americans. We cannot allow ourselves to be frightened by one issue into giving up all of these freedoms or taking them away from our citizens.

So what Thomas Paine said in 1795 is as true today as it ever was before. Thomas Paine said, ''He that would make his own liberty secure must guard even his enemy from oppression.''

I remembered that expression by Thomas Paine when I joined my colleagues on the other side of the aisle to protect this profoundly important right of Americans.

To protect our rights, we give the government very powerful law enforcement powers. These powers are what enables society to move away from the concept of making might right.

A fair and responsible authority is supposed to act to protect our rights and to punish transgressors. But what happens when these law enforcement agencies themselves abuse the law or act in ways that cause distrust in the minds the very people they are supposed to be serving and protecting?

And this is what happened in a remote part of my district shortly before I was elected. It happened in a place called Ruby Ridge. Men who were supposed to protect people's rights and their lives instead perverted their mission into a bizarre siege of a man and his family.

Admittedly, the man held some unpopular opinions. But in a land where a person's right to his own opinion constitutes the first amendment, that is no justification for the killings of Randy Weaver's young son and the killing of his wife, Vicky, who held nothing more threatening in her arms than her infant 10-month-old daughter.

Mr. Speaker, this was a sad day in America; and this is an outrageous abuse of law enforcement power. And it did much more damage to us than the personal tragedies of the killings in this incident. It began to kill the trust and the respect that many Americans had for their government, and we reaped the whirlwind in the years that followed.

I think of Waco and I think of the seizure of Elian Gonzales, and it all amounts to the fact that we are beginning to numb America's senses to the outrage against the intrusion of Federal law enforcement in our homes and the security of our properties.

In the years ahead, Mr. Speaker, it is one of my most fervent hopes that my colleagues will continue to be ever vigilant against the possibility of anything like that ever happening again.

□ 1530

Mr. Speaker, as important as it is to protect the rights of our people, it is also important to protect their property. The right to own property, to keep that for which you labor, is perhaps the essence of a really truly free society. And it is one of the most essential roles of government, to protect private property. In fact, John Adams said that property is as sovereign as the laws of God, and that there must be a force of law and justice to protect property. Without property, Adams said, liberty cannot exist. And now with this Nation owning or controlling in the 40 percentile of this entire land base, we have to ask in this generation what has happened to our property rights? To own our property has been something that has allowed America to grow, to become a Nation that has been able to produce for its people the greatest standard of living in the history of civilization.

Over the centuries, many students of human nature have commented on the tendency of man to ignore other people's property rights if it suits his own individual interests. One of the philosophers whom I most admire was a Frenchman named Frederick Bastiat. If one of the signs of genius is to be able to distill complex ideas into a short, easily understandable form, then Bastiat was, by definition, a genius because in 1850 he published a little book, it is only 75 pages long, called ''The Law.'' It is such an influential and important work that I actually require anyone who wants to work in my congressional office to read this book and to write an essay or a book report on their reactions to it so I can read their essay before I interview them. Bastiat was able to distill what the relationship between the governed and the governors really should be.

With regards to property, Bastiat wrote this:

''Man can live and satisfy his wants only by ceaseless labor; by the ceaseless application of his faculties to natural resources. This process is the origin of property.

''But it is also true that a man may live and satisfy his wants by seizing and consuming the products of the labor of others. This process is the origin of plunder.

''Now, since man is naturally inclined to avoid pain —and since labor in and of itself is pain—it follows that men will resort to plunder whenever plunder is easier than work. History shows this quite clearly. Under these conditions, neither religion or morality can stop it.''

Bastiat continues:

''When, then, does plunder stop? It stops when it becomes more painful and more dangerous than labor.

''It is evident, then, that the proper purpose of law is to use the power of its collective force to stop this fatal tendency to plunder instead of work. All the measures of the law should protect property and punish plunder.

''But, generally, the law is made by one man or one class of men. And since law cannot operate without the sanction and support of a dominating force, this force must be entrusted to those who make the laws.

''This fact, combined with the fatal tendency that exists in the heart of man to satisfy his wants with the least possible effort, explains the almost universal perversion of the law. Thus it is easy to understand how law, instead of checking injustice, becomes the invincible weapon of injustice. It is easy to understand why the law is used by the legislator to destroy, in varying degrees among the rest of the people, to destroy their personal independence by slavery, to destroy their liberty by oppression, and to destroy their property by plunder.

''This is done by the person who makes the law, and in proportion to the power that he holds.''

Well, those were very interesting words by Bastiat, words that really go deep in my soul. And so you see in a representative democracy such as ours, we are more insulated from the whims of a single person or a single class of people than were the citizens of France in the mid-19th century. Yet I think it is foolish if we ignore human nature, and I think it is even more foolish if we ignore the nature of government to by nature grow more powerful and bigger and more oppressive. There are certain classes of citizens who, still today, seek to gain political power in order to take advantage of the labor of others, and they use the power of big government to do just exactly that.

Bastiat goes on to argue that men naturally rebel against the injustice of which they are victims. ''Thus,'' he says, ''when plunder is organized by law for the profit of those who make the law, all the plundered classes try somehow to enter, by peaceful or revolutionary means, into the making of laws. According to their degree of enlightenment, these plundered classes may propose one of two entirely different purposes when they attempt to obtain political power: One, either they must wish to stop lawful plunder; or, two, they may wish to share in it.

''Woe to the Nation when this latter purpose prevails.''

Mr. Speaker, we see today American citizens being plundered by other American citizens for a wide variety of purposes. We see Americans paying higher cumulative taxes than ever before to sustain programs that channel wealth from one class to another, or from one person to another. We see some of the leaders of this Nation proclaiming that some Americans are just too wealthy and that they do not deserve to be treated fairly and equitably under the law. We see class warfare motivated by personal envy. We see some citizens who live in populous parts of the country decide they want to take land from some people in the less populous western States and they argue that they want this land not for personal wealth but for aesthetic purposes or aboriginal purposes. But the end result is still the same: They are actually taking something from someone else and they are locking other Americans out of their beloved land.

We see a concerted, shortsighted effort on the part of some to seemingly attack the sources of original wealth in this Nation. And we know that it is a combination of land, labor and capital, only land, labor and capital, that creates original wealth. Yet that is being exploded apart with the seizure of our land.

In a time in which the new economy provides fabulous wealth overnight based on the trading of information, we are forgetting that all original wealth originates in the land. Wealth is created by the proper combination of land, property, and labor and capital, no more, no less. Wealth comes first from the things that we mine or mill or harvest, and without those things there can be no stock markets and no information superhighways and no bridges to the future.

But, Mr. Speaker, we are today turning our backs on this original wealth. To hear the way some would talk, you would think that mining minerals from the Earth or harvesting crops, including timber and raising livestock, are somehow morally reprehensible and wrong. Instead, our natural resources are the sources of our economic strength which built this country, which in turn became magnified and powerful through the strength of our economy.

President Theodore Roosevelt, commonly referred to as the father of today's environmental movement, said in a speech to the American Society of Foresters way back in 1903:

''First and foremost,'' Roosevelt said, ''you can never afford to forget for one moment what is the object of our forest policy. That object is not to preserve the forests because they are beautiful, though that is good in and of itself, nor because they are refuges for the wild creatures of the wilderness, though that, too, is good in itself; but the primary object of our forest policy, as of the land policy of the United States of America, is the making of prosperous homes. It is part of the traditional policy of home-making of our country. Every other consideration comes as secondary. The whole effort of the government in dealing with the forests must be directed to this end, keeping in view the fact that it is not only necessary to start the homes as prosperous but to keep them so.''

He went on to say, ''Your attention must be directed to the preservation of the forests not, as an end in and of itself, but as a means of preserving and increasing the prosperity of this Nation. Forestry is the preservation of forests by wise use of the forests.''

But those who call themselves environmentalists today would have turned their backs on Roosevelt's vision. What has happened when we impose an extreme and narrow political policy on our natural resources? We have this year experienced catastrophic wildfires, burning more board feet this year of timber than we have ever logged off our national forests. That is sheer waste. That is sheer destruction.

We must not cut off our noses to spite our face, Mr. Speaker. We must responsibly use and promote these industries. We must be wise stewards of our Earth and our resources. But those resources are there for us to use.

Just as there are some citizens who would plunder other citizens, there are other nations in this world who would seek unfair advantages from us, this great Nation. We must protect our Nation's interests and our national sovereignty. Sovereignty forms the fourth cornerstone of the policies that I have advocated. Just as with any community, there is a global community, and we should and do try to be a good and responsible neighbor in that community. Yet there are those who would argue that we are such a part of this global community that we can lose our identity and that people in other nations should have a voice in such matters as our own land policies or consumer protection laws or our judicial systems. That goes beyond being a good neighbor into becoming the neighborhood's doormat. Let America never become the global doormat.

That is why I and some of my colleagues put up such a fight over such seemingly small issues as World Heritage Site designations and the Man in the Biosphere programs of the United Nations. These are the neighborhood's busybodies, offering their opinions on the state of our yards and gardens. Everyone welcomes praise, but when the praise starts to turn into a sanctioning of what we may and may not do, a bright line has been crossed, a bright line has been crossed and an invasion into our sovereignty.

In the recent film about the American Revolution entitled ''The Patriot,'' I saw that and I think everyone, Mr. Speaker, in this body should view the movie ''The Patriot.'' It would remind everyone here in this body why we are here. The main character in that film rose and asked a body of his compatriots, ''Would you be ruled by one tyrant 3,000 miles away or by 3,000 tyrants one mile away?''

Mr. Speaker, we now seem to face the prospect of thousands of would-be tyrants trying to rule us from all around the world. Nowhere is the fight to preserve our national sovereignty more important than in preserving our national security. I have often said that in my heart of hearts I really am a dove. But I want America to be the best armed dove on the planet. George Washington said it more eloquently when he said, ''To be prepared for war is one of the most effectual means of preserving the peace.'' And Ronald Reagan carried that out effectively.

□ 1545

Sadly, we have allowed the readiness of our military to deteriorate badly. Training missions are compromised by tight budgets, we have military families eligible for food stamps, and retention levels are becoming difficult to maintain. And we often fail to meet our duty to our past warriors, our veterans, those great Americans. We provide them with inadequate health services. We dishonor them with neglect. In my home State of Idaho, we have not even provided them with a specific field of honor in which to lie when they pass on to the next world.

I am very pleased to report, Mr. Speaker, that as one of my proudest accomplishments, it does look like we will have that field of honor for our brave military veterans soon under construction at a place in Idaho just outside of Boise.

But we must be very careful that we do not trade away our national sovereignty in some ill-considered effort

to become popular with the rest of the world. Our military exists to protect American land and vital American interests. We cannot bully the rest of the world into behaving like we do. But I just cringe when I think of American soldiers serving under foreign command, and I think that should never, never happen.

And when it comes to protecting our sovereignty, we must not compromise our internal laws to suit foreign interests, nor must we allow our thirst for trade with other nations to allow us to ignore the aggressive and threatening natures of some of our other neighbors in this global community. And we certainly must not casually give away any more of our important strategic assets, whether they be the secrets to our most powerful weapons, or important avenues for commercial and military traffic, such as the Panama Canal, which is now being run by the Red Chinese in violation of the Panama Canal Treaty. The Red Chinese are now piloting our ships through the Panama Canal.

Mr. Speaker, it is my belief and has been my work for the past years and will continue after I leave Congress, to defend these four cornerstones of freedom. This is the most important job that we have as legislators, to preserve the lives, the liberty and the property of our fellow citizens, and to protect our national sovereignty.

There has, however, been an almost inexorable trend against those unalienable rights. There is no mistake in my mind that those rights have weakened as our Federal Government has grown bigger and stronger. The efforts that work against those rights often come clothed in garments of good intentions.

When we seek to remedy some problem through the expansion or consolidation of power into a smaller set of hands, remember the words of Lord Acton, that power corrupts, and absolute power corrupts absolutely.

That corruption will twist and bend the law away from what our Founding Fathers intended and into something future generations will regret and future generations would suffer under.

So, Mr. Speaker and my fellow Members of Congress, it has been a great privilege to serve in this body, this great body representing this great land, this powerful government of the people, by the people and for the people. I hope that you will remember my words, and I hope that you will remember the lofty, yet very simple reason that we are here. And years hence, when some colleague takes the floor of this magnificent Chamber and speaks out for the cause of freedom and liberty, I hope that you will take those words to heart.

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RECESS

The SPEAKER pro tempore (Mr. HOBSON). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 49 minutes p.m.), the House stood in recess subject to the call of the Chair.

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□ 2159

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 9 O'clock and 59 minutes p.m.

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CONFERENCE REPORT ON H.R. 4461, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. YOUNG of Florida submitted the following conference report and statement on the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 106–948)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4461) ''making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

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

SECTION 1. (a) The provisions of H.R. 5426 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

And the Senate agree to the same.

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
JO ANN EMERSON,
C.W. BILL YOUNG,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
HERB KOHL,
TOM HARKIN
(Except for Cuba and drug reimportation),
BYRON L. DORGAN,
DIANNE FEINSTEIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement would enact the provisions of H.R. 5426 as introduced on October 6, 2000. The text of that bill follows:

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Programs for the fiscal year ending September 30, 2001, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Programs for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $2,914,000: Provided, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104–127: Provided further, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104–127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $7,462,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $12,421,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $6,765,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $10,051,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service and Rural Development mission areas for information technology, systems, and services, $40,000,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: Provided, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $5,171,000: Provided, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, $629,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, improvement, and repair of Agriculture buildings, $182,747,000, to remain available until expended: Provided, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq., and the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., $15,700,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $36,010,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $3,000,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,568,000: Provided, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,623,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, $68,867,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed $50,000 for employment under 5 U.S.C. 3109; and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $31,080,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $556,000.

ECONOMIC RESEARCH SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $67,038,000: Provided, That $1,000,000 shall be transferred to and merged with the appropriation for ''Food and Nutrition Service, Food Program Administration'' for studies and evaluations: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627, Public Law 105–113, and other laws, $100,772,000, of which up to $15,000,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $898,812,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 2001, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $74,200,000, to remain available until expended (7 U.S.C. 2209b): Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $506,193,000, as follows: to carry out the provisions of the Hatch Act (7 U.S.C. 361a–i), $180,545,000; for grants for cooperative forestry research (16 U.S.C. 582a–a7), $21,932,000; for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), $32,676,000, of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; for special grants for agricultural research (7 U.S.C. 450i(c)), $85,669,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $13,721,000; for competitive research grants (7 U.S.C. 450i(b)), $106,000,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,109,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $800,000; for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), $640,000, to remain available until expended; for the 1994 research program (7 U.S.C. 301 note), $1,000,000, to remain available until expended; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $3,000,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $4,350,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $1,000,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $3,500,000; for a program of noncompetitive grants, to be awarded on an equal basis, to Alaska Native-serving and Native Hawaiian-serving Institutions to carry out higher education programs (7 U.S.C. 3242), $3,000,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(h)), $800,000; for aquaculture grants (7 U.S.C. 3322), $4,000,000; for sustainable agriculture research and education (7 U.S.C. 5811), $9,250,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University, $9,500,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $1,552,000; and for necessary expenses of Research and Education Activities, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109, $18,149,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products: Provided, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $7,100,000: Provided, That hereafter, any distribution of the adjusted income from the Native American Institutions Endowment Fund is authorized to be used for facility renovation, repair, construction, and maintenance, in addition to other authorized purposes.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $433,429,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,280,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,695,000; payments for the pest management program under section 3(d) of the Act, $10,783,000; payments for the farm safety program under section 3(d) of the Act, $4,000,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $12,200,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $908,000; payments for youth-at-risk programs under section 3(d) of the Act, $8,500,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $500,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,192,000; payments for Indian reservation agents under section 3(d) of the Act, $2,000,000; payments for sustainable agriculture programs under section 3(d) of the Act, $3,800,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $28,243,000, of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341–349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $18,152,000: Provided, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $41,941,000, as follows: payments for the water quality program, $13,000,000; payments for the food safety program, $15,000,000; payments for the national agriculture pesticide impact assessment program, $4,541,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, $4,900,000; payments for the crops affected by Food Quality Protection Act implementation, $1,500,000; payments for the methyl bromide transition program, $2,500,000; and payments for the organic transition program, $500,000.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $635,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b–c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Acts of March 2, 1931 (46 Stat. 1468) and December 22, 1987 (101 Stat. 1329–1331) (7 U.S.C. 426–426c); and to protect the environment, as authorized by law, $530,564,000, of which $4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $59,400,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That not to exceed $1,000,000 of the funds available under this heading for wildlife services methods development may be used by the Secretary of Agriculture to conduct pilot projects in up to four States representative of wildlife predation of livestock in connection with farming operations for direct assistance in the application of non-lethal predation control

methods: Provided further, That the General Accounting Office shall report to the Committees on Appropriations by November 30, 2001, on the Department's compliance with this provision and on the effectiveness of the non-lethal measures.

In fiscal year 2001, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 2001, $85,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $9,870,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $90,000 for employment under 5 U.S.C. 3109, $65,335,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That, only after promulgation of a final rule on a National Organic Standards Program, $639,000 of this amount shall be available for the Expenses and Refunds, Inspection and Grading of Farm Products fund account for the cost of the National Organic Standards Program and such funds shall remain available until expended.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $13,438,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,350,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 for employment under 5 U.S.C. 3109, $31,420,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $460,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $696,704,000, of which no less than $591,258,000 shall be available for Federal food inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: Provided, That not more than $2,500,000 of this appropriation may be used to implement section 752 of title VII of this Act: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That from amounts appropriated under this heading not needed for federal food inspection, up to $6,000,000 may be used to liquidate obligations incurred in previous years, to the extent approved by the Director of the Office of Management and Budget based on documentation provided by the Secretary of Agriculture.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $589,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $828,385,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), $3,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $450,000, to remain available until expended (7 U.S.C. 2209b): Provided, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: Provided further, That this amount shall be transferred to the Commodity Credit Corporation: Provided further, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $998,000,000, of which $870,000,000 shall be for guaranteed loans; operating loans, $1,972,741,000, of which $1,077,839,000 shall be for unsubsidized guaranteed loans and $369,902,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $2,006,000; for emergency insured loans, $25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined

in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $18,223,000, of which $4,437,000 shall be for guaranteed loans; operating loans, $92,310,000, of which $14,770,000 shall be for unsubsidized guaranteed loans and $30,185,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $323,000; and for emergency insured loans, $6,133,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $269,454,000, of which $265,315,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs with the prior approval of the Committees on Appropriations of both Houses of Congress.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), $65,597,000: Provided, That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2001, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $711,000: Provided, That none of the funds appropriated or otherwise made available by this Act or any other Act shall be available to the Office of the Under Secretary for Natural Resources and Environment for the supervision, management or direction of the Forest Service or the Natural Resources Conservation Service until January 20, 2001: Provided further, That the Chiefs of the Forest Service and the Natural Resources Conservation Service shall report directly to the Secretary of Agriculture until January 20, 2001.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $714,116,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $5,990,000 is for snow survey and water forecasting and not less than $9,125,000 is for operation and establishment of the plant materials centers: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That not to exceed $2,000,000 of this amount shall be available for the Urban Resources Partnership program, of which $1,000,000 shall be available only after promulgation of a final rule on this program: Provided further, That not to exceed $204,000 of this amount shall be available for American Heritage Rivers: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), $10,868,000: Provided, That not to exceed $136,000 shall be available for American Heritage Rivers: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to $15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): Provided, That not to exceed $44,423,000 of this appropriation shall be available for technical assistance: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: Provided further, That of the funds available for Emergency Watershed Protection activities, $8,000,000 shall be available for Ohio, New Mexico, Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act of 1954, Public Law 83–566 (16 U.S.C. 1001 et seq.); Section 13 of the Flood Control Act of 1944, Public Law 78–534 (33 U.S.C. 701 b–1); the pilot watershed program authorized under the heading ''FLOOD PREVENTION'' of the Department of Agriculture Appropriations Act, 1954, Public Law 83–156 (67 Stat. 214); and Subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451 et seq.): Provided further, That the amount of Federal funds that may be made available to an eligible local organization for construction of a particular rehabilitation project shall be equal to 65 percent of the total rehabilitation costs, but not to exceed 100 percent of actual construction costs incurred in the rehabilitation: Provided further, That consistent with existing statute, rehabilitation assistance provided may not be used to perform operation and maintenance activities specified in the agreement for the covered water resource projects entered into between the Secretary and the eligible local organization responsible for the works of improvement.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $42,015,000, to remain available until expended (7 U.S.C. 2209b): Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $6,325,000, to remain available until expended, as authorized by that Act.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service,

and the Rural Utilities Service of the Department of Agriculture, $605,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H, 381N, and 381O of the Consolidated Farm and Rural Development Act, $762,542,000, to remain available until expended, of which $53,225,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $644,360,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $64,957,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided, That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking and waste disposal systems pursuant to section 306C of such Act, of which $250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural community programs, $6,000,000 shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations serving low-income rural communities, including Federally Recognized Indian tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit intermediary organizations (including tribal) proposing to carry out a program of financial and technical assistance to other public entities with a record of achievement in providing technical and financial assistance to housing and community development organizations in rural areas: Provided further, That such intermediary organizations shall provide matching funds from other sources, including federal funds for related activities, in an amount not less than funds provided: Provided further, That of the amount appropriated for rural community programs, not to exceed $5,000,000 shall be for hazardous weather early warning systems: Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; $5,000,000 shall be for rural partnership technical assistance grants; and $2,000,000 shall be for grants to Mississippi Delta Region counties: Provided further, That of the amount appropriated for rural utilities programs, not to exceed $20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico borders, including grants pursuant to section 306C of such Act; not to exceed $20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to one percent available to administer the program and up to one percent available to improve interagency coordination; not to exceed $16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed $9,500,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed $42,574,650 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $34,704,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which $8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of administering Rural Development programs as authorized by the Rural Electrification Act of 1936; the Consolidated Farm and Rural Development Act; title V of the Housing Act of 1949; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926 for activities related to marketing aspects of cooperatives, including economic research findings, authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $130,371,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 may be used for employment under 5 U.S.C. 3109: Provided further, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this account.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,800,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $3,700,000,000 shall be for unsubsidized guaranteed loans; $32,396,000 for section 504 housing repair loans; $100,000,000 for section 538 guaranteed multi-family housing loans; $114,321,000 for section 515 rental housing; $5,152,000 for section 524 site loans; $11,780,000 for credit sales of acquired property, of which up to $1,780,000 may be for multi-family credit sales; and $5,000,000 for section 523 self-help housing land development loans: Provided, That of the total amount made available for loans to section 502 borrowers, up to $5,400,000 shall be available until expended for use under a demonstration program to be carried out by the Secretary of Agriculture in North Carolina to determine the timeliness, quality, suitability, efficiency, and cost of utilizing modular housing to house low-income and very low-income elderly families who: (1) have lost their housing because of a major disaster (as so declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act); and (2)(A) do not have homeowner's insurance; or (B) can not repay a direct loan that is provided under section 502 of the Housing Act of 1949 with the maximum subsidy allowed for such loans: Provided further, That of the amounts made available for such demonstration program, $5,000,000 shall be for grants and $400,000 shall be for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of loans, for such families to acquire modular housing.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $184,160,000 of which $7,400,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $11,481,000; section 538 multi-family housing guaranteed loans, $1,520,000; section 515 rental housing, $56,326,000; multi-family credit sales of acquired property, $874,000; and section 523 self-help housing land development loans, $279,000: Provided, That of the total amount appropriated in this paragraph, $13,832,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $409,233,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $680,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 2001 shall be funded for a 5-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $34,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $44,000,000, to remain available until expended: Provided, That of the total amount appropriated, $5,000,000 shall be for a housing demonstration program for agriculture, aquaculture, and seafood processor workers: Provided further, That of the total amount appropriated, $1,200,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $30,000,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $19,476,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $2,036,000 shall be for Federally Recognized Native American

Tribes and of which $4,072,000 shall be for Mississippi Delta Region counties (as defined by Public Law 100–460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans of $38,256,000: Provided further, That of the total amount appropriated, $3,216,000 shall be available through June 30, 2001, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $3,640,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,911,000, which shall be administered in accordance with the regulations utilized in fiscal year 2000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2001, as authorized by section 313 of the Rural Electrification Act of 1936, $3,911,000 shall not be obligated and $3,911,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $6,500,000, of which $2,000,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $1,500,000 of the total amount appropriated shall be made available to cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $121,500,000; 5 percent rural telecommunications loans, $75,000,000; cost of money rural telecommunications loans, $300,000,000; municipal rate rural electric loans, $295,000,000; and loans made pursuant to section 306 of that Act, rural electric, $1,700,000,000 and rural telecommunications, $120,000,000; and $500,000,000 for Treasury rate direct electric loans.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, $19,871,000; and cost of municipal rate loans, $20,503,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,716,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2001 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $2,590,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, $3,000,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $27,000,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas, and of which $2,000,000 may be available for a pilot program to finance broadband transmission and local dial-up Internet service in areas that meet the definition of ''rural area'' used for the Distance Learning and Telemedicine Program authorized by 7 U.S.C. 950aaa: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $570,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $9,541,539,000, to remain available through September 30, 2002, of which $4,413,960,000 is hereby appropriated and $5,127,579,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That except as specifically provided under this heading, none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading, up to $6,000,000 shall be for school breakfast pilot projects, including the evaluation required under section 18(e) of the National School Lunch Act: Provided further, That of the funds made available under this heading, $500,000 shall be for a School Breakfast Program startup grant pilot program for the State of Wisconsin: Provided further, That school food authorities in Ohio participating in a domestic food assistance program administered by the Secretary and preparing meals for use by other schools and institutions also participating in a domestic food assistance program, shall, with regard to such meals, not be subject to additional requirements under section 301(c) of the Federal Meat Inspection Act or section 5(c) of the Poultry Products Inspection Act: Provided further, That up to $4,511,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $4,052,000,000, to remain available through September 30, 2002: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the total amount available, the Secretary shall obligate $10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional $10,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: Provided further, That notwithstanding section 17(h)(10)(A) of such Act, up to $14,000,000 shall be available for the purposes specified in section 17(h)(10)(B), no less than $6,000,000 of which shall be used for the development of electronic benefit transfer systems: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: Provided further, That funds made available under this heading shall be made available for sites participating in the special supplemental nutrition program for women, infants, and children to determine whether a child eligible to participate in the program has received a blood lead screening test, using a test that is appropriate for age and risk factors, upon the enrollment of the child in the program.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $20,114,293,000, of which $100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That of the funds made available under this heading and not already appropriated to the Food Distribution Program on Indian Reservations (FDPIR) established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed $3,000,000 shall be used to purchase bison for the FDPIR: Provided further, That the Secretary shall purchase such bison from Native American producers and cooperative organizations without competition: Provided further, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That not more than $194,000,000 may be reserved by the Secretary, notwithstanding section 16(h)(1)(A)(vi) of the Food Stamp Act of 1977 (7 U.S.C. 2025(h)(1)(A)(vi)), for allocation to State agencies under section 16(h)(1) of such Act to carry out Employment and Training programs: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, $140,300,000, to remain available through September 30, 2002: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding section 5(a)(2) of the Agriculture and Consumer Protection Act of 1973

(Public Law 93–86; 7 U.S.C. 612c note), $20,781,000 of this amount shall be available for administrative expenses of the commodity supplemental food program.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965, $151,081,000, to remain available through September 30, 2002.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $116,807,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than $4,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $115,424,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, $114,186,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83–480 are utilized, $1,850,000, of which $1,035,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $815,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, $20,322,000, to remain available until expended, for ocean freight differential costs for the shipment of agricultural commodities under title I of said Act: Provided, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, $837,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,231,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $589,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $1,217,797,000, of which not to exceed $149,273,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: Provided, That fees derived from applications received during fiscal year 2001 shall be subject to the fiscal year 2001 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $285,269,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $317,547,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than $12,534,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) $140,489,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $64,069,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $165,207,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $35,568,000 shall be for the National Center for Toxicological Research; (7) $25,855,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (8) $104,954,000 shall be for payments to the General Services Administration for rent and related costs; and (9) $78,839,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of the Senior Associate Commissioner; the Office of International and Constituent Relations; the Office of Policy, Legislation, and Planning; and central services for these offices: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $31,350,000, to remain available until expended (7 U.S.C. 2209b).

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109, $68,000,000, including not to exceed $1,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $36,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2001 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 389 passenger motor vehicles, of which 385 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by sections 1 and 10 of the Act of June 29, 1935 (7 U.S.C. 427, 427i; commonly known as the Bankhead-Jones Act), subtitle A of title II and section 302 of the Act of August 14, 1946 (7 U.S.C. 1621 et seq.), and chapter 63 of title 31, United States Code, shall be available for contracting in accordance with such Acts and chapter.

SEC. 704. The Secretary of Agriculture may transfer unobligated balances of funds appropriated by this Act or other available unobligated balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the

prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, boll weevil program, up to 25 percent of the screwworm program, and up to $2,000,000 for costs associated with colocating regional offices; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education and Economics Information System (REEIS), and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b; commonly known as the Agricultural Act of 1954).

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 2001 shall remain available until expended to cover obligations made in fiscal year 2001 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; the Rural Housing Insurance Fund Program Account; and the rural economic development loans program account.

SEC. 713. Notwithstanding chapter 63 of title 31, United States Code, marketing services of the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; or the Food Safety and Inspection Service and a state or cooperator to carry out agricultural marketing programs, to carry out programs to protect the nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the nation's food supply.

SEC. 714. Notwithstanding any other provision of law (including provisions of law requiring competition), the Secretary of Agriculture may hereafter enter into cooperative agreements (which may provide for the acquisition of goods or services, including personal services) with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Natural Resources Conservation Service; and (2) all parties will contribute resources to the accomplishment of these objectives: Provided, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

SEC. 715. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 716. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 717. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 718. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 720. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 721. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture shall notify the Committees on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 722. (a) Of the funds made available to the Secretary of Agriculture pursuant to section 793(b)(1) of Public Law 104–127 (7 U.S.C. 2204f) for the 2000 fiscal year—

(1) $30,000,000 shall be available to be obligated for any purpose authorized under section 793 of that Act during the 2001 fiscal year; and

(2) $30,000,000 shall be available to be obligated for any purpose authorized under section 793 of that Act during the 2002 fiscal year.

(b) None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under section 793 of Public Law 104–127 (7 U.S.C. 2204f).

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality

incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $174,000,000.

SEC. 724. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621): Provided, That notwithstanding section 401(d) of Public Law 105–185, any appropriation or funds available to the Secretary of Agriculture to make grants under section 401 of Public Law 105–185 shall be used only to make grants to Hispanic-serving institutions (as defined in 20 U.S.C. 1101a(5)); West Virginia State College in Institute; and the 1862 institutions, 1890 institutions, and 1994 institutions, as defined in section 2 of Public Law 105–185 (7 U.S.C. 7601), or research foundations maintained by such institutions.

SEC. 725. Hereafter, none of the funds made available to the Department of Agriculture shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb).

SEC. 727. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis (recently renamed the Division of Pharmaceutical Analysis) in St. Louis, Missouri, except that funds could be used to plan a possible relocation of this Division within the city limits of St. Louis, Missouri.

SEC. 728. None of the funds made available to the Food and Drug Administration by this Act shall be used to reduce the Detroit, Michigan, Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office: Provided, That this section shall not apply to Food and Drug Administration field laboratory facilities or operations currently located in Detroit, Michigan, except that field laboratory personnel shall be assigned to locations in the general vicinity of Detroit, Michigan, pursuant to cooperative agreements between the Food and Drug Administration and other laboratory facilities associated with the State of Michigan.

SEC. 729. Hereafter, none of the funds appropriated by this Act or any other Act may be used to:

(1) carry out the proviso under 7 U.S.C. 1622(f); or

(2) carry out 7 U.S.C. 1622(h) unless the Secretary of Agriculture inspects and certifies agricultural processing equipment, and imposes a fee for the inspection and certification, in a manner that is similar to the inspection and certification of agricultural products under that section, as determined by the Secretary: Provided, That this provision shall not affect the authority of the Secretary to carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

SEC. 730. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2002 appropriations Act.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within the United States Department of Agriculture without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 732. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out provision of section 612 of Public Law 105–185.

SEC. 733. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan.

SEC. 734. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the Federal Government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities prior to July 1, 2001, without the specific authorization of Congress.

SEC. 735. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used for the implementation of a Support Services Bureau or similar organization.

SEC. 736. Notwithstanding any other provision of law, for any fiscal year, in the case of a high cost, isolated rural area of the State of Alaska that is not connected to a road system—

(1) in the case of assistance provided by the Rural Housing Service for single family housing under title V of the Housing Act of 1949 (7 U.S.C. 1471 et seq.), the maximum income level for the assistance shall be 150 percent of the average income level in metropolitan areas of the State;

(2) in the case of community facility loans and grants provided under paragraphs (1) and (19), respectively, of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) and assistance provided under programs carried out by the Rural Utilities Service, the maximum income level for the loans, grants, and assistance shall be 150 percent of the average income level in nonmetropolitan areas of the State;

(3) in the case of a business and industry guaranteed loan made under section 310B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(1)), to the extent permitted under that Act, the Secretary of Agriculture shall—

(A) guarantee the repayment of 90 percent of the principal and interest due on the loan; and

(B) charge a loan origination and servicing fee in an amount not to exceed 1 percent of the amount of the loan; and

(4) in the case of assistance provided under the Rural Community Development Initiative for fiscal year 2001 carried out under the rural community advancement program established under subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009 et seq.), the median household income level, and the not employed rate, with respect to applicants for assistance under the Initiative shall be scored on a community-by-community basis.

SEC. 737. Notwithstanding any other provision of law, the Town of Lloyd, New York, and the Town of Thompson, New York, shall be eligible for loans and grants provided through the Rural Community Advancement Program.

SEC. 738. Hereafter, notwithstanding any other provision of law, no housing or residence in a foreign country purchased by an agent or instrumentality of the United States, for the purpose of housing the agricultural attache, shall be sold or disposed of without the approval of the Foreign Agricultural Service of the United States Department of Agriculture, including property purchased using foreign currencies generated under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) and used or occupied by agricultural attaches of the Foreign Agricultural Service: Provided, That the Department of State/Office of Foreign Buildings may sell such properties with the concurrence of the Foreign Agricultural Service if the proceeds are used to acquire suitable properties of appropriate size for Foreign Agricultural Service agricultural attaches: Provided further, That the Foreign Agricultural Service shall have the right to occupy such residences in perpetuity with costs limited to appropriate maintenance expenses.

SEC. 739. Hereafter, notwithstanding section 502(h)(7) of the Housing Act of 1949 (42 U.S.C. 1472(h)(7)), the fee collected by the Secretary of Agriculture with respect to a guaranteed loan under such section 502(h) at the time of the issuance of such guarantee may be in an amount equal to not more than 2 percent of the principal obligation of the loan.

SEC. 740. Hereafter, funds appropriated to the Department of Agriculture may be used to employ individuals by contract for services outside the United States as determined by the agencies to be necessary or appropriate for carrying out programs and activities abroad; and such contracts are authorized to be negotiated, the terms of the contract to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making and performance of contracts and performance of work in the United States. Individuals employed by contract to perform such services outside the United States shall not by virtue of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. Such individuals may be considered employees within the meaning of the Federal Employee Compensation Act, 5 U.S.C. 8101 et seq. Further, that Government service credit shall be accrued for the time employed under a Personal Service Agreement (PSA) should the individual later be hired into a permanent United States Government position within FAS or another United States Government agency if the authorities of the hiring agency so permit.

SEC. 741. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 742. (a) IN GENERAL.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(1) in subsection (b)(4), by striking ''and 2000''; and inserting ''through 2001''; and

(2) in subsection (h), by striking ''2000'' each place it appears and inserting ''2001''.

(b) CONFORMING AMENDMENT.—Section 142(e) of the Agricultural Market Transition Act (7 U.S.C. 7252(e)) is amended by striking ''2001'' and inserting ''2002''.

SEC. 743. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities, and

(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

SEC. 744. In addition to amounts otherwise appropriated or made available by this Act, $2,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships through the Congressional Hunger Center.

SEC. 745. (a) SHORT TITLE.—This section may be cited as the ''Medicine Equity and Drug Safety Act of 2000''.

(b) FINDINGS.—The Congress makes the following findings:

(1) The cost of prescription drugs for Americans continues to rise at an alarming rate.

(2) Millions of Americans, including medicare beneficiaries on fixed incomes, face a daily choice between purchasing life-sustaining prescription drugs, or paying for other necessities, such as food and housing.

(3) Many life-saving prescription drugs are available in countries other than the United States at substantially lower prices, even though such drugs were developed and are approved for use by patients in the United States.

(4) Many Americans travel to other countries to purchase prescription drugs because the medicines that they need are unaffordable in the United States.

(5) Americans should be able to purchase medicines at prices that are comparable to prices for such medicines in other countries, but efforts to enable such purchases should not endanger the gold standard for safety and effectiveness that has been established and maintained in the United States.

(c) AMENDMENT.—Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended—

(1) in section 801(d)(1), by inserting ''and section 804'' after ''paragraph (2)''; and

(2) by adding at the end the following:

''IMPORTATION OF COVERED PRODUCTS

''SEC. 804. (a) REGULATIONS.—The Secretary, after consultation with the United States Trade Representative and the Commissioner of Customs, shall promulgate regulations permitting pharmacists and wholesalers to import into the United States covered products.

''(b) LIMITATION.—Regulations under subsection (a) shall—

''(1) require that safeguards be in place to ensure that each covered product imported pursuant to such subsection complies with section 505 (including with respect to being safe and effective for its intended use), with sections 501 and 502, and with other applicable requirements of this Act;

''(2) require that an importer of a covered product pursuant to subsection (a) comply with the applicable provisions of this section, including subsection (d); and

''(3) contain any additional provisions determined by the Secretary to be appropriate as a safeguard to protect the public health or as a means to facilitate the importation of such products.

''(c) RECORDS.—Regulations under subsection (a) shall require that records regarding the importation of covered products pursuant to such subsection be provided to and maintained by the Secretary for a period of time determined to be necessary by the Secretary.

''(d) IMPORTATION.—Regulations under subsection (a) shall require an importer of a covered product pursuant to such subsection to provide to the Secretary the following information and records:

''(1) The name and amount of the active ingredient of such product and description of the dosage form.

''(2) The date that the product is shipped and the quantity of the product that is shipped, points of origin and destination for the product, the price paid for the product by the importer, and (once the product is distributed) the price for which such product is sold by the importer.

''(3) Documentation from the foreign seller specifying the original source of the product and the amount of each lot of the product originally received.

''(4) The manufacturer's lot or control number of the product imported.

''(5) The name, address, and telephone number of the importer, including the professional license number of the importer, if any.

''(6) For a product that is coming directly from the first foreign recipient of the product from the manufacturer:

''(A) Documentation demonstrating that such product came from such recipient and was received by the recipient from such manufacturer.

''(B) Documentation of the amount of each lot of the product received by such recipient to demonstrate that the amount being imported into the United States is not more than the amount that was received by the recipient.

''(C) In the case of the initial imported shipment, documentation demonstrating that each batch of such shipment was statistically sampled and tested for authenticity and degradation.

''(D) In the case of all subsequent shipments from such recipient, documentation demonstrating that a statistically valid sample of such shipments was tested for authenticity and degradation.

''(E) Certification from the importer or manufacturer of such product that the product is approved for marketing in the United States and meets all labeling requirements under this Act.

''(7) For a product that is not coming directly from the first foreign recipient of the product from the manufacturer:

''(A) Documentation demonstrating that each batch in all shipments offered for importation into the United States was statistically sampled and tested for authenticity and degradation.

''(B) Certification from the importer or manufacturer of such product that the product is approved for marketing in the United States and meets all labeling requirements under this Act.

''(8) Laboratory records, including complete data derived from all tests necessary to assure that the product is in compliance with established specifications and standards.

''(9) Documentation demonstrating that the testing required by paragraphs (6) through (8) was performed at a qualifying laboratory (as defined in subsection (k)).

''(10) Any other information that the Secretary determines is necessary to ensure the protection of the public health.

''(e) TESTING.—Regulations under subsection (a)—

''(1) shall require that testing referred to in paragraphs (6) through (8) of subsection (d) be conducted by the importer of the covered product pursuant to subsection (a), or the manufacturer of the product;

''(2) shall require that if such tests are conducted by the importer, information needed to authenticate the product being tested, and to confirm that the labeling of such product complies with labeling requirements under this Act, be supplied by the manufacturer of such product to the pharmacist or wholesaler, and shall require that such information be kept in strict confidence and used only for purposes of testing under this Act; and

''(3) may include such additional provisions as the Secretary determines to be appropriate to provide for the protection of trade secrets and commercial or financial information that is privileged or confidential.

''(f) COUNTRY LIMITATION.—Regulations under subsection (a) shall provide that covered products may be imported pursuant to such subsection only from a country, union, or economic area that is listed in subparagraph (A) of section 802(b)(1) or designated by the Secretary, subject to such limitations as the Secretary determines to be appropriate to protect the public health.

''(g) SUSPENSION OF IMPORTATIONS.—The Secretary shall require that importations of specific covered products or importations by specific importers pursuant to subsection (a) be immediately suspended upon discovery of a pattern of importation of such products or by such importers that is counterfeit or in violation of any requirement pursuant to this section, until an investigation is completed and the Secretary determines that the public is adequately protected from counterfeit and violative covered products being imported pursuant to subsection (a).

''(h) PROHIBITED AGREEMENTS.—No manufacturer of a covered product may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products imported pursuant to subsection (a).

''(i) STUDIES; REPORTS.—

''(1) STUDY BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall conduct, or contract with an entity to conduct, a study on the imports permitted pursuant to subsection (a), including consideration of the information received under subsection (d). In conducting such study, the Secretary or entity shall—

''(i) evaluate the compliance of importers with regulations under subsection (a), and the number of shipments pursuant to such subsection, if any, that have been determined to be counterfeit, misbranded, or adulterated, and determine how such compliance contrasts with the number of shipments of prescription drugs transported within the United States that have been determined to be counterfeit, misbranded, or adulterated; and

''(ii) consult with the United States Trade Representative and the Commissioner of Patents and Trademarks to evaluate the effect of importations pursuant to subsection (a) on trade and patent rights under Federal law.

''(B) REPORT.—Not later than two years after the effective date of final regulations under subsection (a), the Secretary shall prepare and submit to the Congress a report describing the findings of the study under subparagraph (A).

''(2) STUDY BY GENERAL ACCOUNTING OFFICE.—The Comptroller General of the United States shall conduct a study to determine the effect of this section on the price of covered products sold to consumers at retail. Not later than 18 months after the effective date of final regulations under subsection (a), the Comptroller General shall prepare and submit to the Congress a report describing the findings of such study.

''(j) CONSTRUCTION.—Nothing in this section shall be construed to limit the statutory, regulatory, or enforcement authority of the Secretary relating to the importation of covered products, other than with respect to section 801(d)(1) as provided in this section.

''(k) DEFINITIONS.—

''(1) COVERED PRODUCT.—

''(A) IN GENERAL.—For purposes of this section, the term 'covered product' means a prescription drug, except that such term does not include a controlled substance in schedule I, II, or III under section 202(c) of the Controlled Substances Act or a biological product as defined in section 351 of the Public Health Service Act.

''(B) CHARITABLE CONTRIBUTIONS; PARENTERAL DRUGS.—Notwithstanding any other provision of this section, section 801(d)(1)—

''(i) continues to apply to a covered product donated or otherwise supplied for free by the manufacturer of the drug to a charitable or humanitarian organization, including the United Nations and affiliates, or to a government of a foreign country; and

''(ii) continues to apply to a covered product that is a parenteral drug the importation of which pursuant to subsection (a) is determined by the Secretary to pose a threat to the public health.

''(2) OTHER TERMS.—For purposes of this section:

''(A) The term 'importer' means a pharmacist or wholesaler.

''(B) The term 'pharmacist' means a person licensed by a State to practice pharmacy, including the dispensing and selling of prescription drugs.

''(C) The term 'prescription drug' means a drug subject to section 503(b).

''(D) The term 'qualifying laboratory' means a laboratory in the United States that has been approved by the Secretary for purposes of this section.

''(E) The term 'wholesaler' means a person licensed as a wholesaler or distributor of prescription drugs in the United States pursuant to section 503(e)(2)(A). Such term does not include a person authorized to import drugs under section 801(d)(1).

''(l) CONDITIONS.—This section shall become effective only if the Secretary demonstrates to the Congress that the implementation of this section will—

''(1) pose no additional risk to the public's health and safety; and

''(2) result in a significant reduction in the cost of covered products to the American consumer.

''(m) SUNSET.—Effective upon the expiration of the five-year period beginning on the effective date of final regulations under subsection (a), this section ceases to have any legal effect.''.

(d) PROHIBITED ACT.—

(1) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

''(aa) The importation of a covered product in violation of section 804, the falsification of any record required to be maintained or provided to the Secretary under such section, or any other violation of regulations under such section.''.

(2) ENHANCED PENALTIES.—Section 303(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(b)) is amended by adding at the end the following:

''(6) Notwithstanding subsection (a), any person who is a manufacturer or importer of a covered product pursuant to section 804(a) and knowingly fails to comply with a requirement of section 804(e) that is applicable to such manufacturer or importer, respectively, shall be imprisoned for not more than 10 years or fined not more than $250,000, or both.''.

(e) For an additional amount for ''Salaries and expenses'', Food and Drug Administration, $23,000,000, solely to carry out the ''Medicine Equity and Drug Safety Act of 2000'', to be available only upon submission of an official budget request and justification for such amount by the President to the Congress.

SEC. 746. (a) SHORT TITLE.—This section may be cited as the ''Prescription Drug Import Fairness Act of 2000''.

(b) FINDINGS.—The Congress finds as follows:

(1) Patients and their families sometimes have reason to import into the United States drugs that have been approved by the Food and Drug Administration (''FDA'').

(2) There have been circumstances in which—

(A) an individual seeking to import such a drug has received a notice from FDA that importing the drug violates or may violate the Federal Food, Drug, and Cosmetic Act; and

(B) the notice failed to inform the individual of the reasons underlying the decision to send the notice.

(3) FDA should not send a warning notice regarding the importation of a drug without providing to the individual involved a statement of the underlying reasons for the notice.

(c) CLARIFICATION OF CERTAIN RESPONSIBILITIES OF FOOD AND DRUG ADMINISTRATION WITH RESPECT TO IMPORTATION OF PRESCRIPTION DRUGS INTO UNITED STATES.—Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381) is amended by adding at the end the following subsection:

''(g)(1) With respect to a prescription drug being imported or offered for import into the United States, the Secretary, in the case of an individual who is not in the business of such importations, may not send a warning notice to the individual unless the following conditions are met:

''(A) The notice specifies, as applicable to the importation of the drug, that the Secretary has made a determination that—

''(i) importation is in violation of section 801(a) because the drug is or appears to be adulterated, misbranded, or in violation of section 505;

''(ii) importation is in violation of section 801(a) because the drug is or appears to be forbidden or restricted in sale in the country in which it was produced or from which it was exported;

''(iii) importation is or appears to be in violation of section 801(d)(1); or

''(iv) importation otherwise is or appears to be in violation of Federal law.

''(B) The notice does not specify any provision described in subparagraph (A) that is not applicable to the importation of the drug.

''(C) The notice states the reasons underlying such determination by the Secretary, including a brief application to the principal facts involved of the provision of law described in subparagraph (A) that is the basis of the determination by the Secretary.

''(2) For purposes of this section, the term 'warning notice', with respect to the importation of a drug, means a communication from the Secretary (written or otherwise) notifying a person, or clearly suggesting to the person, that importing the drug for personal use is, or appears to be, a violation of this Act.''.

SEC. 747. Notwithstanding any other provision of law, the Secretary of Agriculture may not deny a loan application made pursuant to the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in Arkansas solely on the basis that—

(a) the proceeds of the loan will be used to conduct activities in a flood plain; or

(b) the loan is secured by land that is in a flood plain.

SEC. 748. Section 2111(a)(3) of the Organic Foods Production Act of 1990 (7 U.S.C. 651(a)(3)) is amended by adding after ''sulfites,'' ''except in the production of wine,''.

SEC. 749. Notwithstanding any other provision of law or regulation, hereafter, Friends of the National Arboretum, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code incorporated in the District of Columbia, shall not be considered a prohibited source with respect to gifts to the United States National Arboretum so long as Friends of the National Arboretum remains an organization described under section 501(c)(3) of such Code and continues to conduct its operations exclusively for the benefit of the United States National Arboretum. The Secretary of Agriculture shall, within 90 days of enactment of this Act, provide the Appropriations Committees of both Houses of Congress with either a copy of a Memorandum of Understanding detailing the nature of its partnership with the Friends of the National Arboretum, or with a written explanation of why such a Memorandum of Understanding could not be achieved.

SEC. 750. None of the funds made available by this Act may be used to require an office of the Farm Service Agency that is using FINPACK on May 17, 1999, for financial planning and credit analysis, to discontinue use of FINPACK for six months from the date of enactment of this Act.

SEC. 751. Hereafter, the Secretary of Agriculture shall consider any borrower whose income does not exceed 115 percent of the median family income of the United States as meeting the eligibility requirements for a borrower contained in section 502(h)(2) of the Housing Act of 1949 (42 U.S.C. 1472(h)(2)).

SEC. 752. Effective 180 days after the date of the enactment of this Act and continuing for the remainder of fiscal year 2001 and each subsequent fiscal year, establishments in the United States that slaughter or process birds of the order Ratitae, such as ostriches, emus and rheas, and squab, for distribution in commerce as human food shall be subject to the ante mortem and post mortem inspection, reinspection, and sanitation requirements of the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) rather than the voluntary poultry inspection program of the Department of Agriculture under section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622).

SEC. 753. In developing a rule concerning on-farm standards for prevention of Salmonella Enteritidis in shell eggs pursuant to any plan to eliminate Salmonella Enteritidis illnesses due to eggs, the Food and Drug Administration shall—

(a) consider one environmental test per laying cycle for each layer house for verification of the producer's Salmonella Enteritidis reduction plan;

(b) consider when it is appropriate to require diversion of shell eggs to treatment, such as pasteurization, and base any requirement for testing that would necessitate diversion, which may include the receipt of a positive egg test result, on sound science;

(c) conduct or support research to develop cost-effective and improved tests for determination of Salmonella Enteritidis; and

(d) solicit comments on appropriate options for implementing a Salmonella Enteritidis reduction plan in shell eggs, including comments on conducting and funding testing, through state and federal programs.

SEC. 754. Public Law 105–277, division A, title XI, section 1121 (112 Stat. 2681–44, 2681–45) is amended by—

(1) striking ''not later than January 1, 2000'' and inserting ''not later than January 1, 2001''; and

(2) adding the following new subsection at the end thereof—

''(d) ADDITIONAL DISBURSEMENT.—

''(1) COTTON STORED IN GEORGIA.—The State of Georgia may use funds remaining in the indemnity fund established in accordance with this section to compensate cotton producers in other States who stored cotton in the State of Georgia and incurred losses in 1998 or 1999 as the result of the events described in subsection (a).

''(2) GINNERS AND OTHERS.—The State of Georgia may also use funds remaining in the indemnity fund established in accordance with this section to compensate cotton ginners and others in the business of producing, ginning, warehousing, buying, or selling cotton for losses they incurred in 1998 or 1999 as the result of the events described in subsection (a), if—

''(A) as of March 1, 2000, the indemnity fund has not been exhausted,

''(B) the State of Georgia provides cotton producers an additional time period prior to May 1, 2000, in which to establish eligibility for compensation under this section;

''(C) the State of Georgia determines during calendar year 2000 that all cotton producers in that State and cotton producers in other States as described in paragraph (d)(1) have been appropriately compensated for losses incurred in 1998 or 1999 as described in subsection (a); and

''(D) such additional compensation is not made available until May 1, 2000.''.

SEC. 755. The Food Security Act of 1985 is amended by inserting after section 1230 (16 U.S.C. 3830) the following:

''SEC. 1230A. GOOD FAITH RELIANCE.

''(a) IN GENERAL.—Except as provided in subsection (d) and notwithstanding any other provision of this chapter, the Secretary shall provide equitable relief to an owner or operator

that has entered into a contract under this chapter, and that is subsequently determined to be in violation of the contract, if the owner or operator in attempting to comply with the terms of the contract and enrollment requirements took actions in good faith reliance on the action or advice of an authorized representative of the Secretary.

''(b) TYPES OF RELIEF.—The Secretary shall—

''(1) to the extent the Secretary determines that an owner or operator has been injured by good faith reliance described in subsection (a), allow the owner or operator to do any one or more of the following—

''(A) to retain payments received under the contract;

''(B) to continue to receive payments under the contract;

''(C) to keep all or part of the land covered by the contract enrolled in the applicable program under this chapter;

''(D) to reenroll all or part of the land covered by the contract in the applicable program under this chapter; or

''(E) or any other equitable relief the Secretary deems appropriate; and

''(2) require the owner or operator to take such actions as are necessary to remedy any failure to comply with the contract.

''(c) RELATION TO OTHER LAW.—The authority to provide relief under this section shall be in addition to any other authority provided in this or any other Act.

''(d) EXCEPTION.—This section shall not apply to a pattern of conduct in which an authorized representative of the Secretary takes actions or provides advice with respect to an owner or operator that the representative and the owner or operator know are inconsistent with applicable law (including regulations).

''(e) APPLICABILITY OF RELIEF.—Relief under this section shall be available for contracts in effect on January 1, 2000 and for all subsequent contracts.''.

SEC. 756. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) is amended by striking ''$20,000,000'' and inserting ''$25,000,000''.

SEC. 757. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of Agriculture's charge card programs may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 7 U.S.C. 2235 and used to fund management initiatives of general benefit to the Department of Agriculture bureaus and offices as determined by the Secretary of Agriculture or the Secretary's designee.

SEC. 758. The Act of August 19, 1958 (7 U.S.C. 1431 note) is amended—

(1) by striking ''clause (3) or (4) of'' the first place it appears and inserting ''the Food for Progress Act of 1985,'';

(2) by striking ''clause (3) or (4) of such'' and inserting ''the Food for Progress Act of 1985, such''; and

(3) by striking ''to the President''.

SEC. 759. Notwithstanding any other provision of law, the Sea Island Health Clinic located on Johns Island, South Carolina, shall remain eligible for assistance and funding from the Rural Development community facilities programs administered by the Department of Agriculture until such time new population data is available from the 2000 Census.

SEC. 760. Notwithstanding any other provision of law, the area bounded by West 197th Avenue, North S.W. 232nd Street, East U.S. Highway 1 and S.W. 360th Street in Dade County, Florida, shall continue to be eligible to receive business and industry guaranteed loans under section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) until such time that population data is available from the 2000 decennial Census.

SEC. 761. Hereafter, the Secretary of Agriculture shall consider the City of Kewanee and the City of Jacksonville, Illinois, as meeting the requirements of a rural area contained in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

SEC. 762. Notwithstanding any other provision of law, the Chief of the Natural Resources Conservation Service shall provide funds, within discretionary amounts available, to pay the balance of the amount due pursuant to the settlement of claims associated with the Chuquatonchee Watershed Project in Mississippi to close out this project.

SEC. 763. Notwithstanding any other provision of law, the Konocti Water District, California, shall be eligible for grants and loans administered by the Rural Utilities Service.

SEC. 764. Notwithstanding any other provision of law, Jefferson County, Kentucky, shall be considered to be a rural area for the purposes of the business and industry direct and guaranteed loan program authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.).

SEC. 765. The Secretary of Agriculture may convey, under such terms and conditions as the Secretary considers appropriate, all right, title, and interest of the United States in and to a parcel of real property consisting of approximately one acre located within the Sunnyside Subdivision in Prince George's County, Maryland, for the purpose of resolving land title claims and encroachments at the Beltsville Agricultural Research Center and for promoting public access on Sunnyside Avenue. Any funds received by the Secretary as a result of the conveyance shall be credited to and merged with the appropriations available to operate the Beltsville Agricultural Research Center and shall be available, without further appropriation, for the same purposes and for the same time period as such appropriations.

SEC. 766. Of the funds provided to carry out section 211(a) of the Agricultural Risk Protection Act of 2000 (16 U.S.C. 2820 note; Public Law 106–224), up to $500,000 shall be used solely for the State of California.

SEC. 767. The first section of the Act of March 2, 1931 (7 U.S.C. 426) is amended to read as follows:

''SECTION 1. PREDATORY AND OTHER WILD ANIMALS.

''The Secretary of Agriculture may conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. The Secretary shall administer the program in a manner consistent with all of the wildlife services authorities in effect on the day before the date of the enactment of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001.''.

SEC. 768. Section 412(d) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f(d)) is amended by striking ''title I of the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.)'' and inserting ''dairy price support operations''.

SEC. 769. Notwithstanding any other provision of law, the City of Coachella, California, shall be eligible for grants and loans administered by the rural development mission areas of the Department of Agriculture.

SEC. 770. Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the City of Vicksburg, Mississippi, as meeting the requirements of a rural area in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

SEC. 771. Notwithstanding any other provision of law, the Administrator of the Rural Utilities Service shall use the authorities provided in the Rural Electrification Act of 1936 to finance the acquisition of existing generation, transmission and distribution systems and facilities serving high cost, predominantly rural areas by entities capable of and dedicated to providing or improving service in such areas in an efficient and cost effective manner.

SEC. 772. None of the funds appropriated or otherwise made available by this Act shall be used to issue a notice of proposed rulemaking, to promulgate a proposed rule, or to otherwise change or modify the definition of ''animal'' in existing regulations pursuant to the Animal Welfare Act.

SEC. 773. Section 306(a)(19)(A) of the Consolidated Farmers Home Administration Act of 1961 is amended by inserting after ''nonprofit corporations'' the following new phrase: '', Indian tribes (as such term is defined under section 4(e) of Public Law 93–638, as amended),''.

SEC. 774. Section 2101 of the Emergency Supplemental Act, 2000 (Public Law 106–246; 114 Stat. 541) is amended—

(1) by inserting ''or prior'' after ''such outstanding''; and

(2) by inserting ''and subsequently repaid'' after ''placed under loan''.

SEC. 775. For purposes of administering Title IX of this Act, the term ''agricultural commodity'' shall also include fertilizer and organic fertilizer, except to the extent provided pursuant to Section 904 of that title.

***Sec.** 776. HAMILTON GRANGE, NEW YORK.*

(a) SENSE OF THE CONGRESS.—Congress finds that—

(1) Alexander Hamilton, assisted by James Madison and George Washington, was the principal drafter of the Constitution of the United States;

(2) Hamilton was General Washington's aide-de-camp during the Revolutionary War, and, given command by Washington of the New York and Connecticut light infantry battalion, led the successful assault on British redoubt number 10 at Yorktown;

(3) after serving as Secretary of the Treasury, Hamilton founded the Bank of New York and the New York Post;

(4) the only home Hamilton ever owned, commonly known as ''the Grange'', is a fine example of Federal period architecture designed by New York architect John McComb, Jr., and was built in upper Manhattan in 1803;

(5) the New York State Assembly enacted a law in 1908 authorizing New York City to acquire the Grange and move it to nearby St. Nicholas Park, part of the original Hamilton estate, but no action was taken;

(6) in 1962, the National Park Service took over management of the Grange, by then wedged on Convent Avenue within inches between an apartment house on the north side and a church on the south side;

(7) the 1962 designation of the Grange as a national memorial was contingent on the acquisition by the National Park Service of a site to which the building could be relocated;

(8) the New York State legislature enacted a law in 1998 that granted approval for New York City to transfer land in St. Nicholas Park to the National Park Service, causing renovations to the Grange to be postponed; and

(9) no obelisk, monument, or classical temple along the national mall has been constructed to honor the man who more than any other designed the Government of the United States, Hamilton should at least be remembered by restoring his home in a sylvan setting.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Alexander Hamilton made an immense contribution to the United States by serving as a principal drafter of the Constitution; and

(2) the National Park Service should expeditiously—

(A) proceed to relocate the Grange to St. Nicholas Park; and

(B) restore the Grange to a state befitting the memory of Alexander Hamilton.

SECTION 777. FINANCIAL ASSISTANCE FOR LAND ACQUISITION FOR FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS NATIONAL HISTORIC SITE.

(a) IN GENERAL.—Section 4 of the Fallen Timbers Battlefield and Fort Miamis National Historic Site Act of 1999 (Public Law 106–164; 16

U.S.C. 461 note) is amneded by adding at the end the following:

''(d) LAND ACQUISITION ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide financial assistance to the management entity for acquiring lands or interests in lands within the boundaries of the historic site under subsection (b).

''(2) COST SHARING.—Financial assistance under this subsection may not be used to pay more than 50 percent of the cost of any acquisition made with the assistance.

''(3) CONDITION.—The Secretary shall require, as a condition of any assistance under this subsection, that any interest in land acquired with assistance under this subsection shall be included in and managed as part of the historic site.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of such Act is amended by inserting ''(a) IN GENERAL.— before ''There is authorized'', and by adding at the end the following:

''(b) LAND ACQUISITION ASSISTANCE.—There is authorized to be appropriated $2,500,000 to carry out section 4(d).''

TITLE VIII

NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS

DEPARTMENT OF AGRICULTURE

OFFICE OF THE CHIEF INFORMATION OFFICER

COMMON COMPUTING ENVIRONMENT

For an additional amount for ''Common Computing Environment,'' $19,500,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for $19,500,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for Departmental Administration, $200,000: Provided, That this amount shall be transferred to the Small Business Administration to support two advocacy staffers to review rules and regulations relating to disasters to determine the impact of their implementation on small business entities: Provided further, That the entire amount shall be available only to the extent an official budget request for $200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $50,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for $50,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for ''Emergency Conservation Program,'' for expenses resulting from natural disasters, $80,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for $80,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

FEDERAL CROP INSURANCE CORPORATION FUND

For an additional amount for the Federal Crop Insurance Corporation Fund, up to $13,000,000, to provide premium discounts to purchasers of crop insurance reinsured by the Corporation (except for catastrophic risk protection coverage), as authorized under section 1102(g)(2) of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 1999 (Public Law 105–277): Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'', to repair damages to the waterways and watersheds, including the purchase of floodplain easements, resulting from natural disasters, $110,000,000, to remain available until expended: Provided, That of the amount made available in this section, the Secretary may use up to $2,000,000 to replace, repair and improve snow telemetry equipment impacted by fire, winds, and fire fighting efforts in order to protect watersheds: Provided further, That the entire amount shall be available only to the extent an official budget request for $110,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the Rural Community Advancement Program, $200,000,000, to remain available until expended: Provided, That of the additional amount appropriated, $50,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression: Provided further, That of the additional amount appropriated, $30,000,000 shall be to provide grants in rural communities with extremely high energy costs: Provided further, That of the additional amount appropriated, $50,000,000 shall be for rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d), of which $25,000,000 shall be to provide assistance to areas in the State of North Carolina subject to a declaration of a major disaster as a result of Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided further, That of the additional amount appropriated, $70,000,000 shall be for the cost of direct loans and grants of the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d) for distribution through the national reserve, of which $30,000,000 may be used in counties which have received an emergency designation by the President or the Secretary after January 1, 2001, for applications responding to water shortages resulting from the designated emergency: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for $200,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

GENERAL PROVISIONS—THIS TITLE

SEC. 801. Notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), an additional $35,000,000, to remain available until expended, shall be provided through the Commodity Credit Corporation for technical assistance activities performed by any agency of the Department of Agriculture in carrying out the Conservation Reserve Program and the Wetlands Reserve Program funded by the Commodity Credit Corporation: Provided, That the entire amount shall be available only to the extent an official budget request for $35,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 802. The paragraph under the heading ''Livestock Assistance'' in chapter 1, title I of H.R. 3425 of the 106th Congress, enacted by section 1000(a)(5) of Public Law 106–113 (113 Stat. 1536) is amended by striking ''during 1999'' and inserting ''from January 1, 1999, through February 7, 2000'': Provided, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 803. Hereafter, for the purposes of the Livestock Indemnity Program authorized in Public Law 105–18, the term ''livestock'' shall have the same meaning as the term ''livestock'' under section 104 of Public Law 106–31.

SEC. 804. Notwithstanding any other provision of law, the Secretary of Agriculture may use the funds, facilities and authorities of the Commodity Credit Corporation to administer and make payments for losses not otherwise compensated to: (a) compensate growers whose crops could not be sold due to Mexican fruit fly quarantines in San Diego and San Bernardino/Riverside counties in California since their imposition on November 16, 1999, and September 10, 1999, respectively; (b) compensate growers in relation to the Secretary's ''Declaration of Extraordinary Emergency'' on March 2, 2000, regarding the plum pox virus; (c) compensate growers for losses due to Pierce's disease; (d) compensate growers for losses due to watermelon sudden wilt disease; and (e) compensate growers for losses incurred due to infestations of grasshoppers and Mormon crickets: Provided, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 805. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation to make and administer supplemental payments to dairy producers who received a payment under section 805 of Public

Law 106–78 and to new dairy producers. Such payment, per unit of production used in such prior payments, shall be in an amount equal to 35 percent of the reduction in market value per unit of milk production in 2000, as determined by the Secretary, based, to the extent practicable, on price estimates as of the date of enactment of this Act, from the previous 5-year average and on the base production of the producer used to make a payment under section 805 of Public Law 106–78: Provided, That these funds shall be available until September 30, 2001: Provided further, That the Secretary shall make payments to producers under this section in a manner consistent with and subject to the same limitations on payments and eligible production which were applicable to the payments that were made to dairy producers under section 805 of Public Law 106–78, except that a producer may be paid for production up to 39,000 cwt: Provided further, That the Secretary shall also make payments to new dairy producers at the same per unit rate: Provided further, That for any dairy producers, including new dairy producers, whose base production was less than twelve months for purposes of section 805 of Public Law 106–78, the producer's base production for the purposes of payments under this section may be, at the producer's option, the production of that producer in the twelve months preceding the enactment of this section or the producer's base production under the program carried out under section 805 of Public Law 106–78 subject to such limitations which are applicable to other producers: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 806. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation in an amount equal to $490,000,000 to make and administer payments for livestock losses using the criteria established to carry out the 1999 Livestock Assistance Program (except for application of the national percentage reduction factor) to producers for 2000 losses in a county which has received an emergency designation by the President or the Secretary after January 1, 2000, and shall be available until September 30, 2001: Provided, That the Secretary shall give consideration to the effect of recurring droughts in establishing the level of payments to producers under this section: Provided further, That of the funds made available by this section, up to $40,000,000 may be used to carry out the Pasture Recovery Program: Provided further, That the payments to a producer made available through the Pasture Recovery Program shall be no less than 65 percent of the average cost of reseeding: Provided further, That of the funds made available, the Secretary shall use not more than $12,000,000 to carry out the American Indian Livestock Feed Program: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for $490,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 807. In using amounts made available under section 801(a) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (7 U.S.C. 1421 note; Public Law 106–78), or under the matter under the heading ''CROP LOSS ASSISTANCE'' under the heading ''COMMODITY CREDIT CORPORATION FUND'' of H.R. 3425 of the 106th Congress, as enacted by section 1001(a)(5) of Public Law 106–113 (113 Stat. 1536, 1501A–289), to provide emergency financial assistance to producers on a farm that have incurred losses in a 1999 crop due to a disaster, the Secretary of Agriculture shall consider nursery stock losses caused by Hurricane Irene on October 16 and 17, 1999, to be losses to the 1999 crop of nursery stock: Provided, That such sums shall also be available to provide additional compensation to eligible agriculture producers of 1999 crop year citrus fruit for losses incurred due to the December 1998 freeze in California: Provided further, That such additional compensation, together with compensation previously provided by the Secretary of Agriculture for such losses does not exceed the level of compensation such producers would have received if such losses had occurred during the 1998 crop year: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount necessary to carry out this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 808. Notwithstanding section 1237(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3837(b)(1)), the Secretary of Agriculture may permit the enrollment of not to exceed 1,075,000 acres in the Wetlands Reserve Program: Provided, That notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), such sums as may be necessary, to remain available until expended, shall be provided through the Commodity Credit Corporation for technical assistance activities performed by any agency of the Department of Agriculture in carrying out this section: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 809. In addition to other compensation paid by the Secretary of Agriculture, the Secretary shall compensate, for economic losses not otherwise compensated, or otherwise seek to make whole, from funds of the Commodity Credit Corporation, not to exceed $2,400,000, the owners of all sheep destroyed from flocks within the period ending 20 days after the date of enactment of this Act under the Secretary's declarations of July 14, 2000, for lost income, or other business interruption losses, due to actions of the Secretary with respect to such sheep: Provided, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 810. (a) The Secretary of Agriculture shall pay Florida commercial citrus and lime growers $26 for each commercial citrus or lime tree removed to control citrus canker in order to allow for tree replacement and associated business costs. Payments under this subsection shall be capped in accordance with the following trees per acre limitations:

(1) in the case of grapefruit, 104 trees per acre;

(2) in the case of valencias, 123 trees per acre;

(3) in the case of navels, 118 trees per acre;

(4) in the case of tangelos, 114 trees per acre;

(5) in the case of limes, 154 trees per acre; and

(6) in the case of other or mixed citrus, 104 trees per acre.

(b) The Secretary of Agriculture shall compensate Florida commercial citrus and lime growers for lost production, as determined by the Secretary of Agriculture, with respect to trees removed to control citrus canker.

(c) To receive assistance under this section, a tree referred to in subsection (a) or (b) must have been removed after January 1, 1986, and before September 30, 2001.

(d) In the case of a removed tree that was covered by a crop insurance tree policy, compensation for lost production under subsection (b) with respect to such a tree shall be reduced by the indemnity received with respect to such a tree. In the case of a removed tree that was not covered by a crop insurance tree policy, although such insurance was available for the tree, compensation for lost production under subsection (b) with respect to such a tree shall be reduced by 5 percent.

(e) The Secretary of Agriculture shall use $58,000,000 of the funds of the Commodity Credit Corporation to carry out this section, to remain available until expended.

(f) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 811. Notwithstanding any other provision of law, the Secretary of Agriculture shall use $100,000,000 of Commodity Credit Corporation funds, to remain available until expended, to make payments to apple producers to provide relief for the loss of markets: Provided, That the amount of payment to each producer shall be made on a per pound basis equal to each qualifying producer's 1998 and 1999 production of apples: Provided further, That the grower shall establish eligibility for the amount of market loss payment upon either of the two crop years or an average of the two years: Provided further, That the Secretary shall not make payments for that amount of a particular farm's apple production that is in excess of 1.6 million pounds: Provided further, That in addition to the assistance provided under this section, the Secretary of Agriculture shall use $38,000,000 of Commodity Credit Corporation funds, to remain available until expended, to make payments to apple and potato producers to compensate them for quality losses to either or both their 1999 and 2000 crops due to fireblight or weather-related disaster, including but not limited to a hurricane or hail: Provided further, That these payments shall be made regardless of whether a crop was harvested and without limit: Provided further, That the producer shall be ineligible for payments under this section with respect to a market loss for apples or a quality loss for apples or potatoes to the extent of that amount that the producer received as compensation or assistance for the loss under any other Federal program, other than the Federal Crop Insurance Program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.): Provided further, That the Secretary shall not establish any terms or conditions for grower eligibility, such as limits based upon gross income, other than those in

this section: Provided further, That the assistance made available under this section for an eligible producer shall be made as soon as practicable after the enactment of this Act: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 812. (a) NONRECOURSE MARKETING ASSISTANCE LOANS.—

(1) The Secretary shall use funds of the Commodity Credit Corporation to make nonrecourse marketing assistance loans available to producers of the 2000 crop of honey.

(2) The loan rate for a marketing assistance loan under paragraph (1) for honey shall be 65 cents per pound.

(3) The Secretary shall permit producers to repay a marketing assistance nonrecourse loan under paragraph (1) at a rate that is the lesser of—

(A) the loan rate for honey, plus interest (as determined by the Secretary); or

(B) the prevailing domestic market price for honey, as determined by the Secretary.

(b) LOAN DEFICIENCY PAYMENTS.—

(1) The Secretary may make loan deficiency payments available to any producer of honey that, although eligible to obtain a marketing assistance loan under subsection (a), agrees to forgo obtaining the loan in return for a payment under this subsection.

(2) A loan deficiency payment under this subsection shall be determined by multiplying—

(A) the loan payment rate determined under paragraph (3); by

(B) the quantity of honey that the producer is eligible to place under loan, but for which the producer forgoes obtaining the loan in return for a payment under this subsection.

(3) For the purposes of this subsection, the loan payment rate shall be the amount by which—

(A) the loan rate established under subsection (a)(2); exceeds

(B) the rate at which a loan may be repaid under subsection (a)(3).

(c) In order to provide an orderly transition to the loans and payments provided under this section, the Secretary shall convert recourse loans for the 2000 crop of honey outstanding on the date of enactment of this Act to nonrecourse marketing assistance loans under subsection (a).

(d) LIMITATIONS.—

(1) The marketing assistance loan gains and loan deficiency payments that a person may receive for the 2000 crop of honey under this section shall be subject to the same limitations that apply to marketing assistance loans and loan deficiency payments received by producers of the same crop of other agricultural commodities.

(2) The Secretary shall carry out this section in such a manner as to minimize forfeitures of honey marketing assistance loans.

(e) The Secretary shall make loans and loan deficiency payments under this section available to producers beginning not later than 30 days after the date of enactment of this Act.

(f) In the case of a producer that marketed or redeemed, before, on, or within 30 days after the date of the enactment of this Act, a quantity of an eligible 2000 crop for which the producer has not received a loan deficiency payment or marketing loan gain under this section, the producer shall be eligible to receive a payment from the Secretary of Agriculture under this section in an amount equal to the payment or gain that the producer would have received for that quantity of eligible production as of the date on which the producer lost beneficial interest in the quantity or redeemed the quantity, as determined by the Secretary.

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

SEC. 813. The Secretary shall use up to $10,000,000 of the funds of the Commodity Credit Corporation to make livestock indemnity payment to producers on a farm that have incurred livestock losses during calendar year 2000 due to a disaster, as determined by the Secretary, including losses due to fires and anthrax: Provided, That the entire amount shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 814. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation, not to exceed $20,000,000, to make payments directly to producers of wool, and producers of mohair, for the 2000 marketing year: Provided, That the payment rate for producers of wool and mohair shall be equal to $0.40 per pound: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 815. (a) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying losses described in subsection (c).

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall make assistance available under this section in the same manner as provided under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), including using the same loss thresholds for quantity and economic losses as were used in administering that section.

(2) LOSS THRESHOLDS FOR QUALITY LOSSES.—In the case of a payment for quality loss for a crop under subsection (c)(2), the loss thresholds for quality loss for the crop shall be determined under subsection (d).

(c) QUALIFYING LOSSES.—Assistance under this section may be made available for losses due to damaging weather or related condition (including losses due to crop diseases and insects) associated with crops that are, as determined by the Secretary—

(1) quantity losses for the 2000 crop;

(2) quality losses for the 2000 crop; or

(3) severe economic losses for the 2000 crop.

(d) QUALITY LOSSES.—

(1) AMOUNT OF QUALITY LOSS.—The amount of a quality loss for a crop of producers on a farm under subsection (c)(2) shall be equal to the difference between—

(A) the per unit market value of the units of the crop affected by the quality loss would have had if the crop had not suffered a quality loss; and

(B) the per unit market value of the units of the crop affected by the quality loss.

(2) AMOUNT OF QUALITY LOSS PAYMENT.—Subject to paragraph (3), the amount of a payment made to producers on a farm for a quality loss for a crop under subsection (c)(2) shall be equal to the amount obtained by multiplying—

(A) 65 percent of the quantity of the crop affected by the quality loss that was produced on the farm; by

(B) 65 percent of the per unit quality loss for the crop determined under paragraph (1).

(3) ELIGIBILITY.—For producers on a farm to be eligible to obtain a payment for a quality loss for a crop under subsection (c)(2), the amount obtained by multiplying the per unit loss determined under paragraph (1) by the number of units affected by the quality loss shall be at least 20 percent of the value that all production of the crop would have had if the crop had not suffered a quality loss.

(e) CROPS COVERED.—Assistance under this section shall be applicable to losses for all crops, as determined by the Secretary, due to disasters, including—

(1) irrigated crops that, due to lack of water or contamination by saltwater intrusion of an irrigation supply resulting from drought conditions, were planted and suffered a loss or were prevented from being planted;

(2) pecans; and

(3) nursery losses in the State of Florida that occur, because of disaster, during the period beginning on October 1, 2000, and ending on December 31, 2000. Calculations of the amount of such losses shall be made independently of other losses of the producer, and such losses shall be subject to a separate limit on payment amounts as may otherwise apply. Any payment under this section for such losses shall for all purposes, present and future, be considered to be a 2000 crop payment, and such compensated losses shall be ineligible for any assistance that may become available for 2001 crop losses.

(f) CROP INSURANCE.—In carrying out this section, the Secretary shall not discriminate against or penalize producers on a farm that have purchased crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(g) LIMITATION ON PAYMENTS FOR MULTIPLE LOSSES ON SAME ACREAGE.—Notwithstanding subsection (d), a producer may not receive assistance under this section for losses to more than 2000 crop on the same acreage unless there is an established practice of planting two or more crops for harvest on such acreage in the same crop year, as determined by the Secretary. The Secretary shall give a producer that is not covered by the exception in the previous sentence an opportunity to designate the 2000 crop for which the producer requests assistance under this section.

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

SEC. 816. Of the amounts made available to the Secretary for the purchase of specialty crops under sections 203(d) and 261(a)(2) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106–224), the Secretary shall use not less than $30,000,000 to purchase cranberry juice concentrate and frozen cranberry fruit: Provided, That section 203(d)(1) of the Agricultural Risk Protection Act of 2000 (7

U.S.C. 1421 note; Public Law 106–224) is amended by inserting ''or cranberry products (including cranberry juice concentrate and frozen cranberry fruit)'' after ''cranberries'': Provided further, That in this section, the term ''farm unit'' means a separate and distinct farming operation that reports independent production information to the Cranberry Marketing Committee: Provided further, That to provide assistance for loss of markets for cranberries, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to make payments to cranberry producers: Provided further, That subject to this section and such other terms and conditions as are determined by the Secretary, a payment under this section shall be made on the basis of the quantity of the 1999 crop of cranberries that was produced on each farm unit: Provided further, That the maximum quantity of the 1999 crop of cranberries for which producers are eligible for a payment for a farm unit under this section shall be 1,600,000 pounds: Provided further, That subject to this section, the Secretary shall take such actions as are necessary to ensure that payments made under this section do not duplicate payments provided under other Federal programs for the same loss: Provided further, That this shall not apply to an indemnity provided under a policy or plan of insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.): Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 817. Section 1232(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(4)) is amended—

(1) by striking ''except that such'' and inserting ''except that—

''(A) such'';

(2) by inserting ''and'' after the semicolon at the end; and

(3) by adding at the end the following:

''(B) the Secretary shall not terminate the contract for failure to establish approved vegetative or water cover on the land if—

''(i) the failure to plant such cover was due to excessive rainfall or flooding;

''(ii) the land subject to the contract that could practicably be planted to such cover is planted to such cover; and

''(iii) the land on which the owner or operator was unable to plant such cover is planted to such cover after the wet conditions that prevented the planting subsides;''.

SEC. 818. (a) Section 353(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(e)) is amended by adding at the end the following:

''(7) FINANCING OF RECAPTURE PAYMENT.—

''(A) IN GENERAL.—The Secretary may amortize a recapture payment owed to the Secretary under this subsection.

''(B) TERM.—The term of an amortization under this paragraph may not exceed 25 years.

''(C) INTEREST RATE.—

''(i) IN GENERAL.—The interest rate applicable to an amortization under this paragraph may not exceed the rate applicable to a loan to reacquire homestead property less 100 basis points.

''(ii) EXISTING AMORTIZATIONS AND LOANS.—The interest rate applicable to an amortization or loan made by the Secretary before the date of enactment of this paragraph to finance a recapture payment owed to the Secretary under this subsection may not exceed the rate applicable to a loan to reacquire homestead property less 100 basis points.''.

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

SEC. 819. The Secretary of Agriculture shall use up to $2,500,000 of the funds of the Commodity Credit Corporation to provide financial assistance to the State of South Carolina to capitalize the South Carolina Grain Dealers Guaranty Fund: Provided, That these funds shall only be available if the State of South Carolina provides an equal amount in the form of a grant to the South Carolina Grain Dealers Guaranty Fund: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 820. (a) The Secretary of Agriculture may use funds made available under sections 211(a) and 211(b), and 133(b) of the Agricultural Risk Protection Act of 2000 to provide technical assistance to farmers and ranchers for the purposes described in sections 211(a) and 211(b), and 133(b) of that Act; and

(b) The Secretary of Agriculture may use funds made available under section 211(b) of the Agricultural Risk Protection Act of 2000 (16 U.S.C. 3830 note; Public Law 106–224) to provide additional funding for the Wildlife Habitat Incentive Program established under section 387 of the Federal Agriculture Improvement and Reform Act of 1996 in such sums as the Secretary considers necessary to carry out that program.

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

SEC. 821. Section 19(a)(1)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2028(a)(1)(A)) is amended by striking ''Puerto Rico'' and all that follows through ''2002, to finance'' and inserting ''Puerto Rico—

''(i) for fiscal year 2000, $1,268,000,000;

''(ii) for fiscal year 2001, the amount required to be paid under clause (i) for fiscal year 2000, as adjusted by the change in the Food at Home series of the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor, for the most recent 12-month period ending in June; and

''(iii) for fiscal year 2002, the amount required to be paid under clause (ii) for fiscal year 2001, as adjusted by the percentage by which the thrifty food plan is adjusted for fiscal year 2002 under section 3(o)(4);

to finance''.

SEC. 822. Notwithstanding any other provision of law, the Secretary of Agriculture shall make a payment in the amount $7,200,000 to the State of Hawaii from the Commodity Credit Corporation for assistance to an agricultural transportation cooperative in Hawaii, the members of which are eligible to participate in the Farm Service Agency administered Commodity Loan Program and have suffered extraordinary market losses due to unprecedented low prices: Provided, That the entire amount shall be available only to the extent an official budget request for $7,200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 823. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Long Park Dam in Utah from funds available for the Emergency Watershed Program, not to exceed $4,500,000.

SEC. 824. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Kuhn Bayou (Point Remove) Project in Arkansas from funds available for the Emergency Watershed Program, not to exceed $3,300,000.

SEC. 825. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Snake River Watershed project in Minnesota from funds available for the Emergency Watershed Program, not to exceed $4,000,000.

SEC. 826. Of the funds made available for the Emergency Watershed Protection Program activities in the State of North Carolina, $1,000,000 shall be available to the Secretary of Agriculture, acting through the Natural Resources Conservation Service, to provide technical and financial assistance for implementation of the project known as the ''Flood Water Mitigation and Stream Restoration Project'', Princeville, North Carolina.

SEC. 827. Notwithstanding any other provision of law, funds paid to oyster producers in the State of Connecticut under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, as contained in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) shall be retained by such producers.

SEC. 828. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to DuPage County, Illinois, from funds available for the Emergency Watershed Program, not to exceed $1,100,000.

SEC. 829. Subtitle G, Section 262 of Public Law 106–224 is amended as follows: After ''obligate'', strike ''and expend''.

SEC. 830. Any funds appropriated by Cerro Grande Fire Supplemental as contained in Public Law 106–246 for the Emergency Conservation Program not required to meet the purposes of rehabilitating farmland damaged from fires which resulted from prescribed burnings conducted by the Federal Government may be used by the Secretary of Agriculture for activities mandated under the Emergency Conservation Program authorized under section 401 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201) consistent with the cost-share requirements of that program: Provided, That the entire amount shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 831. Notwithstanding any other provision of law, for technical and financial assistance up to $120,000 shall be made available from the Emergency Watershed Program for the Camp

Lejeune Project on the Camp Lejeune Marine Base, North Carolina.

SEC. 832. Funds appropriated by this Act and Public Law 106–113 to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans and emergency loans may be transferred among these programs with the prior approval of the Committees on Appropriations of both Houses of Congress: Provided, That the entire amount shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 833. Section 321(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(b)) is amended by adding at the end the following:

''(3) LOANS TO POULTRY FARMERS.—

''(A) INABILITY TO OBTAIN INSURANCE.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subtitle, the Secretary may make a loan to a poultry farmer under this subtitle to cover the loss of a chicken house for which the farmer did not have hazard insurance at the time of the loss, if the farmer—

''(I) applied for, but was unable, to obtain hazard insurance for the chicken house;

''(II) uses the loan to rebuild the chicken house in accordance with industry standards in effect on the date the farmer submits an application for the loan (referred to in this paragraph as 'current industry standards');

''(III) obtains, for the term of the loan, hazard insurance for the full market value of the chicken house; and

''(IV) meets the other requirements for the loan under this subtitle.

''(ii) AMOUNT.—Subject to the limitation contained in section 324(a)(2), the amount of a loan made to a poultry farmer under clause (i) shall be an amount that will allow the farmer to rebuild the chicken house in accordance with current industry standards.

''(B) LOANS TO COMPLY WITH CURRENT INDUSTRY STANDARDS.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subtitle, the Secretary may make a loan to a poultry farmer under this subtitle to cover the loss of a chicken house for which the farmer had hazard insurance at the time of the loss, if—

''(I) the amount of the hazard insurance is less than the cost of rebuilding the chicken house in accordance with current industry standards;

''(II) the farmer uses the loan to rebuild the chicken house in accordance with current industry standards;

''(III) the farmer obtains, for the term of the loan, hazard insurance for the full market value of the chicken house; and

''(IV) the farmer meets the other requirements for the loan under this subtitle.

''(ii) AMOUNT.—Subject to the limitation contained in section 324(a)(2), the amount of a loan made to a poultry farmer under clause (i) shall be the difference between—

''(I) the amount of the hazard insurance obtained by the farmer; and

''(II) the cost of rebuilding the chicken house in accordance with current industry standards.''.

SEC. 834. For an additional amount for grants under sections 231(a) and 261(a)(2) of the Agricultural Risk Protection Act of 2000, $10,000,000: Provided, That the entire amount shall be available only to the extent an official budget request for $10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 835. For an additional amount for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under section 310B(a)(1) of the Consolidated Farm and Rural Development Act, $10,000,000: Provided, That the entire amount shall be available only to the extent an official budget request for $10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 836. Section 156(e) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(e)) is amended—

(1) in paragraph (1)—

(A) by striking ''recourse'' each place that it appears and inserting ''nonrecourse''; and

(B) by striking ''Subject to paragraph (2), the'' and inserting ''The'';

(2) by striking paragraph (2);

(3) by re-designating paragraph (3) as paragraph (2); and

(4) in paragraph (2) as so re-designated, by striking ''If'' through ''shall'' in the first sentence and inserting ''The Secretary shall''.

SEC. 837. Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308 (1)), the total amount of the payments specified in section 1001(3) of that Act or section 812 of this Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for one or more contract commodities, oilseeds and for honey under section 812 of this Act produced during the 2000 crop year may not exceed $150,000: Provided, That in carrying out this section, the Secretary shall allow a producer that has marketed or redeemed a quantity of an eligible 2000 crop for which the producer has not received a loan deficiency payment or marketing loan gain under section 134 or 135 of the Agricultural Market Transition Act (7 U.S.C. 7234, 7235) or section 812 of this Act to receive such payment or gain as of the date on which the quantity was marketed or redeemed, as determined by the Secretary.

SEC. 838. Notwithstanding any other provision of law, the Secretary shall extend until the date that is 60 days after the date of enactment of this Act the final eligibility date for marketing assistance loans and loan deficiency payments under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.) for rice of special grade designations, as determined by the Secretary, that was made eligible for the loans by the Secretary during December 1999; and for which producers were not notified of the eligibility period for the loans: Provided, That producers on a farm that lost a beneficial interest in rice after the date on which the rice was made ineligible for loans and loan deficiency payments by the Secretary shall be eligible to obtain loan deficiency payments based on the payment rate that was in effect on the last date of eligibility for the loans before the date of enactment of this Act: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 839. Notwithstanding any other provision of law, the Secretary of Agriculture may enter into contracts with livestock producers for the purpose of controlling the buildup of grasses, forbs and other natural fuels that contribute to the threat of wildfire on rangelands administered by the Secretary: Provided, That such contracts are provided from within discretionary funds.

SEC. 840. As soon as practicable after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall issue such regulations as are necessary to implement sections 804, 805, 806, 809, 810, 811, 812, 814, 815, 816, 836, 837, 838, 839, 841, 843, 844, and 845 of this title: Provided, That the issuance of the regulations shall be made without regard to: (1) the notice and comment provisions of section 553 of title 5, United States Code; (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''): Provided further, That in carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 841. The Secretary of Agriculture shall use funds of the Commodity Credit Corporation to make a payment to each eligible person described in section 204(b)(1)(A) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106–224) without regard to section 204(b)(1)(A)(ii) of that Act: Provided, That the Secretary shall make a payment to an eligible person described in this section in the same amount as is payable to an eligible person under section 204 of that Act: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 842. Payments made from amounts appropriated pursuant to this title shall not be subject to administrative offset, including administrative offset under chapter 37 of title 31, United States Code.

SEC. 843. The Secretary of Agriculture shall use not more than $20,000,000 of funds of the Commodity Credit Corporation to make payments to producers of tomatoes, pears, peaches, and apricots that were unable to market the crops of the producers because of the insolvency of an agriculture cooperative in the State of California: Provided, That the amount of a payment made to a producer under this subsection shall not exceed 50 percent of the contract value of the unmarketed crop referred to in this section: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 844. LOAN FORFEITURES OF BURLEY TOBACCO.

(a) IN GENERAL.—Notwithstanding sections 106 through 106B of the Agricultural Act of 1949 (7 U.S.C. 1445 through 1445–2)—

(1) a producer-owned cooperative marketing association may fully settle a loan made for the 1999 crop of Burley tobacco by forfeiting to the

Commodity Credit Corporation the Burley tobacco covered by the loan regardless of the condition of the tobacco;

(2) any losses to the Commodity Credit Corporation as a result of paragraph (1)—

(A) shall not be charged to the No Net Cost Tobacco Account; and

(B) shall not affect the amount of any assessment imposed against Burley or any other kind of tobacco under sections 106 through 106B of the Agricultural Act of 1949 (7 U.S.C. 1445 through 1445-2); and

(3) any tobacco forfeited pursuant to this section shall not be—

(A) counted for the purpose of determining the Burley tobacco quota for any year pursuant to section 319 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e); or

(B) sold for use in the United States.

(b) EMERGENCY REQUIREMENT.—

(1) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(2) The entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 845. COMMODITY ELIGIBILITY ASSISTANCE.

(a) IN GENERAL.—Section 3720B(a) of title 31, United States Code, is amended in the first sentence by inserting ''or a marketing assistance loan or loan deficiency payment under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.)'' after ''disaster loan''.

(b) PAYMENTS.—Any payment made by the Commodity Credit Corporation to a producer as a result of the amendment made by section (a) shall be credited toward any delinquent debt owed by the producer to the Farm Service Agency.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) takes effect on the date of enactment of this Act.

(2) TRANSITION LOAN DEFICIENCY PAYMENTS.—If the producers on a farm lost beneficial interest in a crop during the period beginning March 21, 2000, and ending on the day before the date of enactment of this Act and were ineligible for a marketing assistance loan under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.) because of section 3720B(a) of title 31, United States Code, as in effect before the amendment made by subsection (a), the producers shall be eligible for any loan deficiency payment under subtitle C of that Act that was available on the date on which the producers lost beneficial interest in the crop.

(d)(1) The entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amedned, is transmitted by the President to the Congress.

(2) The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 846. MAXIMUM AMOUNT OF EXCESS SHELTER EXPENSE DEDUCTION.

(a) AMENDMENT.—Section 5(e)(7)(B) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)(7)(B)) is amended by striking clauses (iii) and (iv) and inserting the following:

''(iii) for fiscal year 1999, $275, $478, $393, $334, and $203 per month, respectively;

''(iv) for fiscal year 2000, $280, $483, $398, $339, and $208 per month, respectively;

''(v) for fiscal year 2001, $340, $543, $458, $399, and $268 per month, respectively; and

''(vi) for fiscal year 2002 and each subsequent fiscal year, the applicable amount during the preceding fiscal year, as adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) EFFECTIVE DATE; APPLICATION OF AMENDMENT.—(1) Except as provided in paragraph (2), the amendment made by this section shall take effect on March 1, 2001.

(2) The amendment made by this section shall not apply with respect to certification periods beginning before March 1, 2001.

(c)(1) The entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(2) The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 847. VEHICLE ALLOWANCE.

(a) IN GENERAL.—Section 5(g)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)(2)) is amended—

(1) in subparagraph (B)(iv)—

(A) by striking ''subparagraph (C)'' and inserting ''subparagraphs (C) and (D)''; and

(B) by striking ''to the extent that'' and all that follows through the end of the clause and inserting ''to the extent that the fair market value of the vehicle exceeds $4,650; and''; and

(2) by adding at the end the following:

''(D) ALTERNATIVE VEHICLE ALLOWANCE.—If the vehicle allowance standards that a State agency uses to determine eligibility for assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) would result in a lower attribution of resources to certain households than under subparagraph (B)(iv), in lieu of applying subparagraph (B)(iv), the State agency may elect to apply the State vehicle allowance standards to all households that would incur a lower attribution of resources under the State vehicle allowance standards.''.

(b) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on July 1, 2001.

(2) The amendments made by this section shall not apply with respect to certification periods beginning before July 1, 2001.

(c)(1) The entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(2) The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

TITLE IX—TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Trade Sanctions Reform and Export Enhancement Act of 2000''.

SEC. 902. DEFINITIONS.

In this title:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(A) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

(B) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) any program administered under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.);

(D) the dairy export incentive program administered under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14);

(E) any commercial export sale of agricultural commodities; or

(F) any export financing (including credits or credit guarantees) provided by the United States Government for agricultural commodities.

(3) JOINT RESOLUTION.—The term ''joint resolution'' means—

(A) in the case of section 903(a)(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 903(a)(1) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section 903(a)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000, transmitted on _____.'', with the blank completed with the appropriate date; and

(B) in the case of section 906(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 906(2) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section 906(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000, transmitted on _____.'', with the blank completed with the appropriate date.

(4) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(5) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(6) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to—

(A) a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures; or

(B) a mandatory decision of the United Nations Security Council.

(7) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to—

(A) a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures; or

(B) a mandatory decision of the United Nations Security Council.

SEC. 903. RESTRICTION.

(a) NEW SANCTIONS.—Except as provided in sections 904 and 905 and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity, unless—

(1) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(A) describes the activity proposed to be prohibited, restricted, or conditioned; and

(B) describes the actions by the foreign country or foreign entity that justify the sanction; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

(b) EXISTING SANCTIONS.—The President shall terminate any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act.

SEC. 904. EXCEPTIONS.

Section 903 shall not affect any authority or requirement to impose (or continue to impose) a sanction referred to in section 903—

(1) against a foreign country or foreign entity—

(A) pursuant to a declaration of war against the country or entity;

(B) pursuant to specific statutory authorization for the use of the Armed Forces of the United States against the country or entity;

(C) against which the Armed Forces of the United States are involved in hostilities; or

(D) where imminent involvement by the Armed Forces of the United States in hostilities against the country or entity is clearly indicated by the circumstances; or

(2) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(A) controlled on the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778);

(B) controlled on any control list established under the Export Administration Act of 1979 or any successor statute (50 U.S.C. App. 2401 et seq.); or

(C) used to facilitate the development or production of a chemical or biological weapon or weapon of mass destruction.

SEC. 905. TERMINATION OF SANCTIONS.

Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in section 903(a) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(1) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing—

(A) the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years; and

(B) the request of the President for approval by Congress of the recommendation; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

SEC. 906. STATE SPONSORS OF INTERNATIONAL TERRORISM.

(a) REQUIREMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of this title (other than section 904), the export of agricultural commodities, medicine, or medical devices to Cuba or to the government of a country that has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. app. 2405(j)(1)), or section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), or to any other entity in such a country, shall only be made pursuant to one-year licenses issued by the United States Government for contracts entered into during the one-year period of the license and shipped within the 12-month period beginning on the date of the signing of the contract, except that the requirements of such one-year licenses shall be no more restrictive than license exceptions administered by the Department of Commerce or general licenses administered by the Department of the Treasury, except that procedures shall be in place to deny licenses for exports to any entity within such country promoting international terrorism.

(2) EXCEPTION.—Paragraph (1) shall not apply with respect to the export of agricultural commodities, medicine, or medical devices to the Government of Syria or to the Government of North Korea.

(b) QUARTERLY REPORTS.—The applicable department or agency of the Federal Government shall submit to the appropriate congressional committees on a quarterly basis a report on any activities undertaken under subsection (a)(1) during the preceding calendar quarter.

(c) BIENNIAL REPORTS.—Not later than two years after the date of enactment of this Act, and every two years thereafter, the applicable department or agency of the Federal Government shall submit a report to the appropriate congressional committees on the operation of the licensing system under this section for the preceding two-year period, including—

(1) the number and types of licenses applied for;

(2) the number and types of licenses approved;

(3) the average amount of time elapsed from the date of filing of a license application until the date of its approval;

(4) the extent to which the licensing procedures were effectively implemented; and

(5) a description of comments received from interested parties about the extent to which the licensing procedures were effective, after the applicable department or agency holds a public 30-day comment period.

SEC. 907. CONGRESSIONAL PROCEDURES.

(a) REFERRAL OF REPORT.—A report described in section 903(a)(1) or 905(1) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(b) REFERRAL OF JOINT RESOLUTION.—

(1) IN GENERAL.—A joint resolution introduced in the Senate shall be referred to the Committee on Foreign Relations, and a joint resolution introduced in the House of Representatives shall be referred to the Committee on International Relations.

(2) REPORTING DATE.—A joint resolution referred to in paragraph (1) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

SEC. 908. PROHIBITION ON UNITED STATES ASSISTANCE AND FINANCING.

(a) PROHIBITION ON UNITED STATES ASSISTANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, no United States Government assistance, including United States foreign assistance, United States export assistance, and any United States credit or guarantees shall be available for exports to Cuba or for commercial exports to Iran, Libya, North Korea, or Sudan.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to alter, modify, or otherwise affect the provisions of section 109 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039) or any other provision of law relating to Cuba in effect on the day before the date of the enactment of this Act.

(3) WAIVER.—The President may waive the application of paragraph (1) with respect to Iran, Libya, North Korea, and Sudan to the degree the President determines that it is in the national security interest of the United States to do so, or for humanitarian reasons.

(b) PROHIBITION ON FINANCING OF AGRICULTURAL SALES TO CUBA.—

(1) IN GENERAL.—No United States person may provide payment or financing terms for sales of agricultural commodities or products to Cuba or any person in Cuba, except in accordance with the following terms (notwithstanding part 515 of title 31, Code of Federal Regulations, or any other provision of law):

(A) Payment of cash in advance.

(B) Financing by third country financial institutions (excluding United States persons or Government of Cuba entities), except that such financing may be confirmed or advised by a United States financial institution.

Nothing in this paragraph authorizes payment terms or trade financing involving a debit or credit to an account of a person located in Cuba or of the Government of Cuba maintained on the books of a United States depository institution.

(2) PENALTIES.—Any private person or entity that violates paragraph (1) shall be subject to the penalties provided in the Trading With the Enemy Act for violations under that Act.

(3) ADMINISTRATION AND ENFORCEMENT.—The President shall issue such regulations as are necessary to carry out this section, except that the President, in lieu of issuing new regulations, may apply any regulations in effect on the date of the enactment of this Act, pursuant to the Trading With the Enemy Act, with respect to the conduct prohibited in paragraph (1).

(4) DEFINITIONS.—In this subsection—

(A) the term ''financing'' includes any loan or extension of credit;

(B) the term ''United States depository institution'' means any entity (including its foreign branches or subsidiaries) organized under the laws of any jurisdiction within the United States, or any agency, office or branch located in the United States of a foreign entity, that is engaged primarily in the business of banking (including a bank, savings bank, savings association, credit union, trust company, or United States bank holding company); and

(C) the term ''United States person'' means the Federal Government, any State or local government, or any private person or entity of the United States.

SEC. 909. PROHIBITION ON ADDITIONAL IMPORTS FROM CUBA.

Nothing in this title shall be construed to alter, modify, or otherwise affect the provisions of section 515.204 of title 31, Code of Federal Regulations, relating to the prohibition on the entry into the United States of merchandise that (1) is of Cuban origin, (2) is or has been located in or transported from or through Cuba, or (3) is made or derived in whole or in part of any article which is the growth, produce, or manufacture of Cuba.

SEC. 910. REQUIREMENTS RELATING TO CERTAIN TRAVEL-RELATED TRANSACTIONS WITH CUBA.

(a) AUTHORIZATION OF TRAVEL RELATING TO COMMERCIAL SALE OF AGRICULTURAL COMMODITIES.—The Secretary of the Treasury shall promulgate regulations under which the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations, may be authorized on a case-by-case basis by a specific license for travel to, from, or within Cuba for the commercial export sale of agricultural commodities pursuant to the provisions of this title.

(b) PROHIBITION ON TRAVEL RELATING TO TOURIST ACTIVITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law or regulation, the Secretary of the Treasury, or any other Federal official, may not authorize the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations, either by a general license or on a case-by-case basis by a specific license for travel to, from, or within Cuba for tourist activities.

(2) DEFINITION.—In this subsection, the term ''tourist activities'' means any activity with respect to travel to, from, or within Cuba that is not expressly authorized in subsection (a) of this section, in any of paragraphs (1) through (12) of section 515.560 of title 31, Code of Federal Regulations, or in any section referred to in any of such paragraphs (1) through (12) (as such sections were in effect on June 1, 2000).

SEC. 911. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title shall take effect on the date of enactment of this Act, and shall apply thereafter in any fiscal year.

(b) EXISTING SANCTIONS.—In the case of any unilateral agricultural sanction or unilateral

medical sanction that is in effect as of the date of enactment of this Act, this title shall take effect 120 days after the date of enactment of this Act, and shall apply thereafter in any fiscal year.

TITLE X—CONTINUED DUMPING AND SUBSIDY OFFSET

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Continued Dumping and Subsidy Offset Act of 2000''.

SEC. 1002. FINDINGS OF CONGRESS.

Congress makes the following findings:

(1) Consistent with the rights of the United States under the World Trade Organization, injurious dumping is to be condemned and actionable subsidies which cause injury to domestic industries must be effectively neutralized.

(2) United States unfair trade laws have as their purpose the restoration of conditions of fair trade so that jobs and investment that should be in the United States are not lost through the false market signals.

(3) The continued dumping or subsidization of imported products after the issuance of antidumping orders or findings or countervailing duty orders can frustrate the remedial purpose of the laws by preventing market prices from returning to fair levels.

(4) Where dumping or subsidization continues, domestic producers will be reluctant to reinvest or rehire and may be unable to maintain pension and health care benefits that conditions of fair trade would permit. Similarly, small businesses and American farmers and ranchers may be unable to pay down accumulated debt, to obtain working capital, or to otherwise remain viable.

(5) United States trade laws should be strengthened to see that the remedial purpose of those laws is achieved.

SEC. 1003. AMENDMENTS TO THE TARIFF ACT OF 1930.

(a) IN GENERAL.—Title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) is amended by inserting after section 753 following new section:

''SEC. 754. CONTINUED DUMPING AND SUBSIDY OFFSET.

''(a) IN GENERAL.—Duties assessed pursuant to a countervailing duty order, an antidumping duty order, or a finding under the Antidumping Act of 1921 shall be distributed on an annual basis under this section to the affected domestic producers for qualifying expenditures. Such distribution shall be known as the 'continued dumping and subsidy offset'.

''(b) DEFINITIONS.—As used in this section:

''(1) AFFECTED DOMESTIC PRODUCER.—The term 'affected domestic producer' means any manufacturer, producer, farmer, rancher, or worker representative (including associations of such persons) that—

''(A) was a petitioner or interested party in support of the petition with respect to which an antidumping duty order, a finding under the Antidumping Act of 1921, or a countervailing duty order has been entered, and

''(B) remains in operation.

Companies, businesses, or persons that have ceased the production of the product covered by the order or finding or who have been acquired by a company or business that is related to a company that opposed the investigation shall not be an affected domestic producer.

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner of Customs.

''(3) COMMISSION.—The term 'Commission' means the United States International Trade Commission.

''(4) QUALIFYING EXPENDITURE.—The term 'qualifying expenditure' means an expenditure incurred after the issuance of the antidumping duty finding or order or countervailing duty order in any of the following categories:

''(A) Manufacturing facilities.

''(B) Equipment.

''(C) Research and development.

''(D) Personnel training.

''(E) Acquisition of technology.

''(F) Health care benefits to employees paid for by the employer.

''(G) Pension benefits to employees paid for by the employer.

''(H) Environmental equipment, training, or technology.

''(I) Acquisition of raw materials and other inputs.

''(J) Working capital or other funds needed to maintain production.

''(5) RELATED TO.—A company, business, or person shall be considered to be 'related to' another company, business, or person if—

''(A) the company, business, or person directly or indirectly controls or is controlled by the other company, business, or person,

''(B) a third party directly or indirectly controls both companies, businesses, or persons,

''(C) both companies, businesses, or persons directly or indirectly control a third party and there is reason to believe that the relationship causes the first company, business, or persons to act differently than a nonrelated party.

For purposes of this paragraph, a party shall be considered to directly or indirectly control another party if the party is legally or operationally in a position to exercise restraint or direction over the other party.

''(c) DISTRIBUTION PROCEDURES.—The Commissioner shall prescribe procedures for distribution of the continued dumping or subsidies offset required by this section. Such distribution shall be made not later than 60 days after the first day of a fiscal year from duties assessed during the preceding fiscal year.

''(d) PARTIES ELIGIBLE FOR DISTRIBUTION OF ANTIDUMPING AND COUNTERVAILING DUTIES ASSESSED.—

''(1) LIST OF AFFECTED DOMESTIC PRODUCERS.—The Commission shall forward to the Commissioner within 60 days after the effective date of this section in the case of orders or findings in effect on January 1, 1999, or thereafter, or in any other case, within 60 days after the date an antidumping or countervailing duty order or finding is issued, a list of petitioners and persons with respect to each order and finding and a list of persons that indicate support of the petition by letter or through questionnaire response. In those cases in which a determination of injury was not required or the Commission's records do not permit an identification of those in support of a petition, the Commission shall consult with the administering authority to determine the identity of the petitioner and those domestic parties who have entered appearances during administrative reviews conducted by the administering authority under section 751.

''(2) PUBLICATION OF LIST; CERTIFICATION.—The Commissioner shall publish in the Federal Register at least 30 days before the distribution of a continued dumping and subsidy offset, a notice of intention to distribute the offset and the list of affected domestic producers potentially eligible for the distribution based on the list obtained from the Commission under paragraph (1). The Commissioner shall request a certification from each potentially eligible affected domestic producer—

''(A) that the producer desires to receive a distribution;

''(B) that the producer is eligible to receive the distribution as an affected domestic producer; and

''(C) the qualifying expenditures incurred by the producer since the issuance of the order or finding for which distribution under this section has not previously been made.

''(3) DISTRIBUTION OF FUNDS.—The Commissioner shall distribute all funds (including all interest earned on the funds) from assessed duties received in the preceding fiscal year to affected domestic producers based on the certifications described in paragraph (2). The distributions shall be made on a pro rata basis based on new and remaining qualifying expenditures.

''(e) SPECIAL ACCOUNTS.—

''(1) ESTABLISHMENTS.—Within 14 days after the effective date of this section, with respect to antidumping duty orders and findings and countervailing duty orders notified under subsection (d)(1), and within 14 days after the date an antidumping duty order or finding or countervailing duty order issued after the effective date takes effect, the Commissioner shall establish in the Treasury of the United States a special account with respect to each such order or finding.

''(2) DEPOSITS INTO ACCOUNTS.—The Commissioner shall deposit into the special accounts, all antidumping or countervailing duties (including interest earned on such duties) that are assessed after the effective date of this section under the antidumping order or finding or the countervailing duty order with respect to which the account was established.

''(3) TIME AND MANNER OF DISTRIBUTIONS.—Consistent with the requirements of subsections (c) and (d), the Commissioner shall by regulation prescribe the time and manner in which distribution of the funds in a special account shall be made.

''(4) TERMINATION.—A special account shall terminate after—

''(a) the order or finding with respect to which the account was established has terminated;

''(B) all entries relating to the order or finding are liquidated and duties assessed collected;

''(C) the Commissioner has provided notice and a final opportunity to obtain distribution pursuant to subsection (c); and

''(D) 90 days has elapsed from the date of the notice described in subparagraph (C).

Amounts not claimed within 90 days of the date of the notice described in subparagraph (C), shall be deposited into the general fund of the Treasury.''.

(b) CONFORMING AMENDMENT.—The table of contents for title VII of the Tariff Act of 1930 is amended by inserting the following new item after the item relating to section 753:

''Sec. 754. Continued dumping and subsidy offset.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to all antidumping and countervailing duty assessments made on or after October 1, 2000.

TITLE XI—CONSERVATION OF FARMABLE WETLAND

SECTION 1101. SHORT TITLE.

This title may be cited as the ''Conservation of Farmable Wetland Act of 2000''.

SEC. 1102. PILOT PROGRAM FOR ENROLLMENT OF WETLAND AND BUFFER ACREAGE IN CONSERVATION RESERVE.

(a) IN GENERAL.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by adding at the end the following:

''(h) PILOT PROGRAM FOR ENROLLMENT OF WETLAND AND BUFFER ACREAGE IN CONSERVATION RESERVE.—

''(1) IN GENERAL.—During the 2001 and 2002 calendar years, the Secretary shall carry out a pilot program in the States of Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota under which the Secretary shall include eligible acreage described in paragraph (3) in the program established under this subchapter.

''(2) PARTICIPATION AMONG STATES.—The Secretary shall ensure, to the maximum extent practicable, that owners and operators in each of the States referred to in paragraph (1) have an equitable opportunity to participate in the pilot program established under this subsection.

''(3) ELIGIBLE ACREAGE.—

''(A) IN GENERAL.—Subject to subparagraphs (B) through (D), an owner or operator may enroll in the conservation reserve under this subsection—

''(i) a wetland (including a converted wetland described in section 1222(b)(1)(A)) that was

cropped during at least 3 of the immediately preceding 10 crop years; and

''(ii) buffer acreage that—

''(I) is contiguous to the wetland described in clause (i);

''(II) is used to protect the wetland; and

''(III) is of such width as the Secretary determines is necessary to protect the wetland, taking into consideration and accommodating the farming practices (including the straightening of boundaries to accommodate machinery) used with respect to the cropland that surrounds the wetland.

''(B) EXCLUSIONS.—An owner or operator may not enroll in the conservation reserve under this subsection—

''(i) any wetland, or land on a floodplain, that is, or is adjacent to, a perennial riverine system wetland identified on the final national wetland inventory map of the Secretary of the Interior; or

''(ii) in the case of an area that is not covered by the final national inventory map, any wetland, or land on a floodplain, that is adjacent to a perennial stream identified on a 1-24,000 scale map of the United States Geological Survey.

''(C) PROGRAM LIMITATIONS.—

''(i) IN GENERAL.—The Secretary may enroll in the conservation reserve under this subsection—

''(I) not more than 500,000 acres in all States referred to in paragraph (1); and

''(II) not more than 150,000 acres in any 1 State referred to in paragraph (1).

''(ii) RELATIONSHIP TO PROGRAM MAXIMUM.—Subject to clause (iii), for the purposes of subsection (d), any acreage enrolled in the conservation reserve under this subsection shall be considered acres maintained in the conservation reserve.

''(iii) RELATIONSHIP TO OTHER ENROLLED ACREAGE.—Acreage enrolled under this subsection shall not affect for any fiscal year the quantity of—

''(I) acreage enrolled to establish conservation buffers as part of the program announced on March 24, 1998 (63 Fed. Reg. 14109); or

''(II) acreage enrolled into the conservation reserve enhancement program announced on May 27, 1998 (63 Fed. Reg. 28965).

''(D) OWNER OR OPERATOR LIMITATIONS.—

''(i) WETLAND.—The maximum size of any wetland described in subparagraph (A)(i) of an owner or operator enrolled in the conservation reserve under this subsection shall be 5 contiguous acres.

''(ii) BUFFER ACREAGE.—The maximum size of any buffer acreage described in subparagraph (A)(ii) of an owner or operator enrolled in the conservation reserve under this subsection shall be the greater of—

''(I) 3 times the size of any wetland described in subparagraph (A)(i) to which the buffer acreage is contiguous; or

''(II) 150 feet on either side of the wetland.

''(iii) TRACTS.—The maximum size of any eligible acreage described in subparagraph (A) in a tract (as determined by the Secretary) of an owner or operator enrolled in the conservation reserve under this subsection shall be 40 acres.

''(4) DUTIES OF OWNERS AND OPERATORS.—Under a contract entered into under this subsection, during the term of the contract, an owner or operator of a farm or ranch must agree—

''(A) to restore the hydrology of the wetland within the eligible acreage to the maximum extent practicable, as determined by the Secretary;

''(B) to establish vegetative cover on the eligible acreage, as determined by the Secretary; and

''(C) to carry out other duties described in section 1232.

''(5) DUTIES OF THE SECRETARY.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in return for a contract entered into by an owner or operator under this subsection, the Secretary shall make payments and provide assistance to the owner or operator in accordance with sections 1233 and 1234.

''(B) CONTINUOUS SIGNUP.—The Secretary shall use continuous signup under section 1234(c)(2)(B) to determine the acceptability of contract offers and the amount of rental payments under this subsection.

''(C) INCENTIVES.—The amounts payable to owners and operators in the form of rental payments under contracts entered into under this subsection shall reflect incentives that are provided to owners and operators to enroll filterstrips in the conservation reserve under section 1234.''.

SEC. 1103. INCIDENTAL GRAZING.

Section 1232(a)(7)(A) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(7)(A)) is amended—

(1) by striking ''occurs during'' and inserting ''occurs—

''(I) in the case of land other than eligible acreage enrolled under section 1231(h), during''; and

(2) by adding at the end the following:

''(II) in the case of eligible acreage enrolled under section 1231(h), at any time other than during the period beginning May 1 and ending August 1 of each year for a reduction in rental payment commensurate with the limited economic value of such incidental grazing; and''.

SEC. 1104. STUDY OF IMPACT OF PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Agriculture shall conduct a study of the impact of the pilot program established under section 1231(h) of the Food Security Act of 1985 (16 U.S.C. 3831(h)) (as added by section 1102(a)) on—

(1) enrollment of owners and operators in—

(A) the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of that Act (16 U.S.C. 3831 et seq.);

(B) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of title XII of that Act (16 U.S.C. 3837 et seq.); and

(C) other Federal and State conservation programs;

(2) types of environmentally sensitive acreage that have not been enrolled in the wetlands reserve program; and

(3) conservation of soil, water, and related natural resources, including grazing land, wetland, and wildlife habitat.

(b) REPORTS.—Not later than March 1, 2003, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the results of the study.

SEC. 1105. REGULATIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall promulgate such regulations as are necessary to implement the amendments made by this Act.

(b) PROCEDURE.—The promulgation of the regulations and administration of the amendments made by this Act shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

TITLE XII—HASS AVOCADO PROMOTION, RESEARCH, AND INFORMATION

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Hass Avocado Promotion, Research, and Information Act of 2000''.

SEC. 1202. FINDINGS AND DECLARATION OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Hass avocados are an integral food source in the United States that are a valuable and healthy part of the human diet and are enjoyed by millions of persons every year for a multitude of everyday and special occasions.

(2) Hass avocados are a significant tree fruit crop grown by many individual producers, but virtually all domestically produced Hass avocados for the commercial market are grown in the State of California.

(3) Hass avocados move in interstate and foreign commerce, and Hass avocados that do not move in interstate or foreign channels of commerce but only in intrastate commerce directly affect interstate commerce in Hass avocados.

(4) In recent years, large quantities of Hass avocados have been imported into the United States from other countries.

(5) The maintenance and expansion of markets in existence on the date of enactment of this title, and the development of new or improved markets or uses for Hass avocados are needed to preserve and strengthen the economic viability of the domestic Hass avocado industry for the benefit of producers and other persons associated with the producing, marketing, processing, and consuming of Hass avocados.

(6) An effective and coordinated program of promotion, research, industry information, and consumer information regarding Hass avocados is necessary for the maintenance, expansion, and development of domestic markets for Hass avocados.

(b) PURPOSE.—It is the purpose of this title to authorize the establishment, through the exercise of the powers provided in this title, of an orderly procedure for the development and financing (through an adequate assessment on Hass avocados sold by producers and importers in the United States) of an effective and coordinated program of promotion, research, industry information, and consumer information, including funds for marketing and market research activities, that is designed to—

(1) strengthen the position of the Hass avocado industry in the domestic marketplace; and

(2) maintain, develop, and expand markets and uses for Hass avocados in the domestic marketplace.

(c) LIMITATION.—Nothing in this title may be construed to provide for the control of production or otherwise limit the right of any person to produce, handle, or import Hass avocados.

SEC. 1203. DEFINITIONS.

As used in this title:

(1) BOARD.—The terms ''Avocado Board'' and ''Board'' mean the Hass Avocado Board established under section 1205.

(2) CONFLICT OF INTEREST.—The term ''conflict of interest'' means a situation in which a member or employee of the Board has a direct or indirect financial interest in a person that performs a service for, or enters into a contract with, the Board for anything of economic value.

(3) CONSUMER INFORMATION.—The term ''consumer information'' means any action or program that provides information to consumers and other persons on the use, nutritional attributes, and other information that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of Hass avocados.

(4) CUSTOMS.—The term ''Customs'' means the United States Customs Service.

(5) DEPARTMENT.—The term ''Department'' means the United States Department of Agriculture.

(6) HASS AVOCADO.—

(A) IN GENERAL.—The term ''Hass avocado'' includes—

(i) the fruit of any Hass variety avocado tree; and

(ii) any other type of avocado fruit that the Board, with the approval of the Secretary, determines is so similar to the Hass variety avocado as to be indistinguishable to consumers in fresh form.

(B) FORM OF FRUIT.—Except as provided in subparagraph (C), the term includes avocado fruit described in subparagraph (A) whether in fresh, frozen, or any other processed form.

(C) EXCEPTIONS.—In any case in which a handler further processes avocados described in subparagraph (A), or products of such avocados, for sale to a retailer, the Board, with the approval of the Secretary, may determine that such further processed products do not constitute a substantial value of the product and that, based on its determination, the product shall not be treated as a product of Hass avocados subject to assessment under the order. In addition, the Board, with the approval of the Secretary, may exempt certain frozen avocado products from assessment under the order.

(7) HANDLER.—

(A) FIRST HANDLER.—The term ''first handler'' means a person operating in the Hass avocados marketing system that sells domestic or imported Hass avocados for United States domestic consumption, and who is responsible for remitting assessments to the Board. The term includes an importer or producer who sells directly to consumers Hass avocados that the importer or producer has imported into the United States or produced, respectively.

(B) EXEMPT HANDLER.—The term ''exempt handler'' means a person who would otherwise be considered a first handler, except that all avocados purchased by the person have already been subject to the assessment under section 1205(h).

(8) IMPORTER.—The term ''importer'' means any person who imports Hass avocados into the United States.

(9) INDUSTRY INFORMATION.—The term ''industry information'' means information and programs that are designed to increase efficiency in processing, enhance the development of new markets and marketing strategies, increase marketing efficiency, and activities to enhance the image of Hass avocados and the Hass avocado industry domestically.

(10) ORDER.—The term ''order'' means the Hass avocado promotion, research, and information order issued under this title.

(11) PERSON.—The term ''person'' means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or other legal entity.

(12) PRODUCER.—The term ''producer'' means any person who—

(A) is engaged in the domestic production of Hass avocados for commercial use; and

(B) owns, or shares the ownership and risk of loss, of such Hass avocados.

(13) PROMOTION.—The term ''promotion'' means any action to advance the image, desirability, or marketability of Hass avocados, including paid advertising, sales promotion, and publicity, in order to improve the competitive position and stimulate sales of Hass avocados in the domestic marketplace.

(14) RESEARCH.—The term ''research'' means any type of test, study, or analysis relating to market research, market development, and marketing efforts, or relating to the use, quality, or nutritional value of Hass avocados, other related food science research, or research designed to advance the image, desirability, and marketability of Hass avocados.

(15) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(16) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(17) UNITED STATES.—The term ''United States'' means the United States collectively.

SEC. 1204. ISSUANCE OF ORDERS.

(a) IN GENERAL.—

(1) ISSUANCE.—To effectuate the policy of this title specified in section 1202(b), the Secretary, subject to the procedures provided in subsection (b), shall issue orders under this title applicable to producers, importers, and first handlers of Hass avocados.

(2) SCOPE.—Any order shall be national in scope.

(3) ONE ORDER.—Not more than one order shall be in effect at any one time.

(b) PROCEDURES.—

(1) PROPOSAL FOR AN ORDER.—An existing organization of avocado producers established pursuant to a State statute, or any other person who will be affected by this title, may request the issuance of, and submit a proposal for an order.

(2) PUBLICATION OF PROPOSAL.—The Secretary shall publish a proposed order and give notice and opportunity for public comment on the proposed order not later than 60 days after receipt by the Secretary of a proposal for an order from an existing organization of avocado producers established pursuant to a State statute, as provided in paragraph (1).

(3) ISSUANCE OF ORDER.—

(A) IN GENERAL.—After notice and opportunity for public comment are provided in accordance with paragraph (2), the Secretary shall issue the order, taking into consideration the comments received and including in the order such provisions as are necessary to ensure that the order is in conformity with this title.

(B) EFFECTIVE DATE.—The order shall be issued and become effective only after an affirmative vote in a referendum as provided in section 1206, but not later than 180 days after publication of the proposed order.

(c) AMENDMENTS.—The Secretary, from time to time, may amend an order. The provisions of this title applicable to an order shall be applicable to any amendment to an order.

SEC. 1205. REQUIRED TERMS IN ORDERS.

(a) IN GENERAL.—An order shall contain the terms and provisions specified in this section.

(b) HASS AVOCADO BOARD.—

(1) ESTABLISHMENT AND MEMBERSHIP.—

(A) ESTABLISHMENT.—The order shall provide for the establishment of a Hass Avocado Board, consisting of 12 members, to administer the order.

(B) MEMBERSHIP.—

(i) APPOINTMENT.—The order shall provide that members of the Board shall be appointed by the Secretary from nominations submitted as provided in this subsection.

(ii) COMPOSITION.—The Board shall consist of participating domestic producers and importers.

(C) SPECIAL DEFINITION OF IMPORTER.—In this subsection, the term ''importer'' means a person who is involved in, as a substantial activity, the importation, sale, and marketing of Hass avocados in the United States (either directly or as an agent, broker, or consignee of any person or nation that produces or handles Hass avocados outside the United States for sale in the United States), and who is subject to assessments under the order.

(2) DISTRIBUTION OF APPOINTMENTS.—

(A) IN GENERAL.—The order shall provide that the membership of the Board shall consist of the following:

(i) Seven members who are domestic producers of Hass avocados and are subject to assessments under the order.

(ii) Two members who represent importers of Hass avocados and are subject to assessments under the order.

(iii) Three members who are domestic producers of Hass avocados and are subject to assessments under the order, or are importers of Hass avocados and are subject to assessments under the order, to reflect the proportion of domestic production and imports supplying the United States market, which shall be based on the Secretary's determination of the average volume of domestic production of Hass avocados proportionate to the average volume of imports of Hass avocados in the United States over the previous three years.

(B) ADJUSTMENT IN BOARD REPRESENTATION.—Three years after the assessment of Hass avocados commences pursuant to an order, and at the end of each three-year period thereafter, the Avocado Board shall adjust the proportion of producer representatives to importer representatives on the Board under subparagraph (A)(iii) on the basis of the amount of assessments collected from producers and importers over the immediately preceding three-year period. Any adjustment under this subparagraph shall be subject to the review and approval of the Secretary.

(3) NOMINATION PROCESS.—The order shall provide that—

(A) 2 nominees shall be submitted for each appointment to the Board;

(B) nominations for each appointment of a producer or an importer shall be made by domestic producers or importers, respectively—

(i) in the case of producers, through an election process which utilizes existing organizations of avocado producers established pursuant to a State statute, with approval by the Secretary; and

(ii) in the case of importers, nominations are submitted by importers under such procedures as the Secretary determines appropriate; and

(C) in any case in which producers or importers fail to nominate individuals for an appointment to the Board, the Secretary may appoint an individual to fill the vacancy on a basis provided in the order or other regulations of the Secretary.

(4) ALTERNATES.—The order shall provide for the selection of alternate members of the Board by the Secretary in accordance with procedures specified in the order.

(5) TERMS.—The order shall provide that—

(A) each term of appointment to the Board shall be for 3 years, except that, of the initial appointments, 4 of the appointments shall be for 2-year terms, 4 of the appointments shall be for 3-year terms, and 4 of the appointments shall be for 4-year terms; and

(B) no member of the Board may serve more than 2 consecutive terms of three years, except that any member serving an initial term of 4 years may serve an additional term of 3 years.

(6) REPLACEMENT.—

(A) DISQUALIFICATION FROM BOARD SERVICE.—The order shall provide that if a member or alternate of the Board who was appointed as a domestic producer or importer ceases to belong to the group for which such member was appointed, such member or alternate shall be disqualified from serving on the Board.

(B) MANNER OF FILLING VACANCY.—A vacancy arising as a result of disqualification or any other reason before the expiration of the term of office of an incumbent member or alternate of the Board shall be filled in a manner provided in the order.

(7) COMPENSATION.—The order shall provide that members and alternates of the Board shall serve without compensation, but shall be reimbursed for the reasonable expenses incurred in performing duties as members or alternates of the Board.

(c) GENERAL RESPONSIBILITIES OF THE AVOCADO BOARD.—The order shall define the general responsibilities of the Avocado Board, which shall include the responsibility to—

(1) administer the order in accordance with the terms and provisions of the order;

(2) meet, organize, and select from among the members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines to be appropriate;

(3) recommend to the Secretary rules and regulations to effectuate the terms and provisions of the order;

(4) employ such persons as the Board determines are necessary, and set the compensation and define the duties of the persons;

(5)(A) develop budgets for the implementation of the order and submit the budgets to the Secretary for approval under subsection (d); and

(B) propose and develop (or receive and evaluate), approve, and submit to the Secretary for approval under subsection (d) plans or projects for Hass avocado promotion, industry information, consumer information, or related research;

(6)(A) implement plans and projects for Hass avocado promotion, industry information, consumer information, or related research, as provided in subsection (d); or

(B) contract or enter into agreements with appropriate persons to implement the plans and projects, as provided in subsection (e), and pay the costs of the implementation, or contracts and agreement, with funds received under the order;

(7) evaluate on-going and completed plans and projects for Hass avocado promotion, industry information, consumer information, or related research and comply with the independent evaluation provisions of the Commodity Promotion, Research, and Information Act of 1996 (subtitle B of title V of Public Law 104–127; 7 U.S.C. 7401 et seq.);

(8) receive, investigate, and report to the Secretary complaints of violations of the order;

(9) recommend to the Secretary amendments to the order;

(10) invest, pending disbursement under a plan or project, funds collected through assessments authorized under this title only in—

(A) obligations of the United States or any agency of the United States;

(B) general obligations of any State or any political subdivision of a State;

(C) any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System; or

(D) obligations fully guaranteed as to principal and interest by the United States, except that income from any such invested funds may be used only for a purpose for which the invested funds may be used;

(11) borrow funds necessary for the startup expenses of the order; and

(12) provide the Secretary such information as the Secretary may require.

(d) BUDGETS; PLANS AND PROJECTS.—

(1) SUBMISSION OF BUDGETS.—The order shall require the Board to submit to the Secretary for approval budgets, on a fiscal year basis, of the anticipated expenses and disbursements of the Board in the implementation of the order, including the projected costs of Hass avocado promotion, industry information, consumer information, and related research plans and projects.

(2) PLANS AND PROJECTS.—

(A) PROMOTION AND CONSUMER INFORMATION.—The order shall provide—

(i) for the establishment, implementation, administration, and evaluation of appropriate plans and projects for advertising, sales promotion, other promotion, and consumer information with respect to Hass avocados, and for the disbursement of necessary funds for the purposes described in this clause; and

(ii) that any plan or project referred to in clause (i) shall be directed toward increasing the general demand for Hass avocados in the domestic marketplace.

(B) INDUSTRY INFORMATION.—The order shall provide for the establishment, implementation, administration, and evaluation of appropriate plans and projects that will lead to the development of new markets, maintain and expand existing markets, lead to the development of new marketing strategies, or increase the efficiency of the Hass avocado industry, and activities to enhance the image of the Hass avocado industry, and for the disbursement of necessary funds for the purposes described in this subparagraph.

(C) RESEARCH.—The order shall provide for—

(i) the establishment, implementation, administration, and evaluation of plans and projects for market development research, research with respect to the sale, distribution, marketing, use, quality, or nutritional value of Hass avocados, and other research with respect to Hass avocado marketing, promotion, industry information or consumer information;

(ii) the dissemination of the information acquired through the plans and projects; and

(iii) the disbursement of such funds as are necessary to carry out this subparagraph.

(D) SUBMISSION TO SECRETARY.—The order shall provide that the Board shall submit to the Secretary for approval a proposed plan or project for Hass avocados promotion, industry information, consumer information, or related research, as described in subparagraphs (A), (B), and (C).

(3) APPROVAL BY SECRETARY.—A budget, plan, or project for Hass avocados promotion, industry information, consumer information, or related research may not be implemented prior to approval of the budget, plan, or project by the Secretary. Not later than 45 days after receipt of such a budget, plan, or project, the Secretary shall notify the Board whether the Secretary approves or disapproves the budget, plan, or project. If the Secretary fails to provide such notice before the end of the 45-day period, the budget, plan, or project shall be deemed to be approved and may be implemented by the Board.

(e) CONTRACTS AND AGREEMENTS.—

(1) PROMOTION, CONSUMER INFORMATION, INDUSTRY INFORMATION AND RELATED RESEARCH PLANS AND PROJECTS.—

(A) IN GENERAL.—To ensure the efficient use of funds, the order shall provide that the Board, with the approval of the Secretary, shall enter into a contract or an agreement with an avocado organization established by State statute in a State with the majority of Hass avocado production in the United States, for the implementation of a plan or project for promotion, industry information, consumer information, or related research with respect to Hass avocados, and for the payment of the cost of the contract or agreement with funds received by the Board under the order.

(B) REQUIREMENTS.—The order shall provide that any contract or agreement entered into under this paragraph shall provide that—

(i) the contracting or agreeing party shall develop and submit to the Board a plan or project, together with a budget that includes the estimated costs to be incurred for the plan or project;

(ii) the plan or project shall become effective on the approval of the Secretary; and

(iii) the contracting party or agreeing party shall—

(I) keep accurate records of all transactions of the party;

(II) account for funds received and expended;

(III) make periodic reports to the Board of activities conducted; and

(IV) make such other reports as the Board or the Secretary shall require.

(2) OTHER CONTRACTS AND AGREEMENTS.—The order shall provide that the Board, with the approval of the Secretary, may enter into a contract or agreement for administrative services. Any contract or agreement entered into under this paragraph shall include provisions comparable to the provisions described in paragraph (1)(B).

(f) BOOKS AND RECORDS OF BOARD.—

(1) IN GENERAL.—The order shall require the Board to—

(A) maintain such books and records (which shall be available to the Secretary for inspection and audit) as the Secretary may require;

(B) prepare and submit to the Secretary, from time to time, such reports as the Secretary may require; and

(C) account for the receipt and disbursement of all the funds entrusted to the Board, including all assessment funds disbursed by the Board to a State organization of avocado producers established pursuant to State law.

(2) AUDITS.—The Board shall cause the books and records of the Board to be audited by an independent auditor at the end of each fiscal year. A report of each audit shall be submitted to the Secretary.

(g) CONTROL OF ADMINISTRATIVE COSTS.—

(1) SYSTEM OF COST CONTROLS.—The order shall provide that the Board shall, as soon as practicable after the order becomes effective and after consultation with the Secretary and other appropriate persons, implement a system of cost controls based on normally accepted business practices that—

(A) will ensure that the costs incurred by the Board in administering the order in any fiscal year shall not exceed 10 percent of the projected level of assessments to be collected by the Board for that fiscal year; and

(B) cover the minimum administrative activities and personnel needed to properly administer and enforce the order, and conduct, supervise, and evaluate plans and projects under the order.

(2) USE OF EXISTING PERSONNEL AND FACILITIES.—The Board shall use, to the extent possible, the resources, staffs, and facilities of existing organizations, as provided in subsection (e)(1)(A).

(h) ASSESSMENTS.—

(1) AUTHORITY.—

(A) IN GENERAL.—The order shall provide that each first handler shall remit to the Board, in the manner provided in the order, an assessment collected from the producer, except to the extent that the sale is excluded from assessments under paragraph (6). In the case of imports, the assessment shall be levied upon imports and remitted to the Board by Customs.

(B) PUBLISHED LISTS.—To facilitate the payment of assessments under this paragraph, the Board shall publish lists of first handlers required to remit assessments under the order and exempt handlers.

(C) MAKING DETERMINATIONS.—

(i) FIRST HANDLER STATUS.—The order shall contain provisions regarding the determination of the status of a person as a first handler or exempt handler.

(ii) PRODUCER-HANDLERS.—For purposes of paragraph (3), a producer-handler shall be considered the first handler of those Hass avocados that are produced by that producer-handler and packed by that producer-handler for sale at wholesale or retail.

(iii) IMPORTERS.—The assessment on imported Hass avocados shall be paid by the importer to Customs at the time of entry into the United States and shall be remitted by Customs to the Board. Importation occurs when Hass avocados originating outside the United States are released from custody of Customs and introduced into the stream of commerce within the United States. Importers include persons who hold title to foreign-produced Hass avocados immediately upon release by Customs, as well as any persons who act on behalf of others, as agents, brokers, or consignees, to secure the release of Hass avocados from Customs and the introduction of the released Hass avocados into the current of commerce.

(2) ASSESSMENT RATES.—With respect to assessment rates, the order shall contain the following terms:

(A) INITIAL RATE.—The rate of assessment on Hass avocados shall be $.025 per pound on fresh avocados or the equivalent rate for processed avocados on which an assessment has not been paid.

(B) CHANGES IN THE RATE.—

(i) IN GENERAL.—Once the order in is effect, the uniform assessment rate may be increased or decreased not more than once annually, but in no event shall the rate of assessment be in excess of $.05 per pound.

(ii) REQUIREMENTS.—Any change in the rate of assessment under this subparagraph—

(I) may be made only if adopted by the Board by an affirmative vote of at least seven members of the Board and approved by the Secretary as necessary to achieve the objectives of this title (after public notice and opportunity for comment in accordance with section 553 of title 5, United States Code, and without regard to sections 556 and 557 of such title);

(II) shall be announced by the Board not less than 30 days prior to going into effect; and

(III) shall not be subject to a vote in a referendum conducted under section 1206.

(3) COLLECTION BY FIRST HANDLERS.—Except as provided in paragraph (1)(C)(iii), the first handler of Hass avocados shall be responsible for the collection of assessments from the producer under this subsection. As part of the collection of assessments, the first handler shall maintain a separate record of the Hass avocados of each producer whose Hass avocados are so handled, including the Hass avocados produced by the first handler.

(4) TIMING OF SUBMITTING ASSESSMENTS.—The order shall provide that each person required to remit assessments under this subsection shall remit to the Board the assessment due from each sale of Hass avocados that is subject to an assessment within such time period after the sale (not to exceed 60 days after the end of the month in which the sale took place) as is specified in the order.

(5) CLAIMING AN EXEMPTION FROM COLLECTING ASSESSMENTS.—To claim an exemption under section 1203(6) as an exempt handler for a particular fiscal year, a person shall submit an application to the Board—

(A) stating the basis for such exemption; and

(B) certifying such person will not purchase Hass avocados in the United States on which an assessment has not been paid for the current fiscal year.

(6) EXCLUSION.—An order shall exclude from assessments under the order any sale of Hass avocados for export from the United States.

(7) USE OF ASSESSMENT FUNDS.—The order shall provide that assessment funds shall be used for payment of costs incurred in implementing and administering the order, with provision for a reasonable reserve, and to cover the administrative costs incurred by the Secretary in implementing and administering this title, including any expenses incurred by the Secretary in conducting referenda under this title, subject to subsection (i).

(8) ASSESSMENT FUNDS FOR STATE ASSOCIATION.—The order shall provide that a State organization of avocado producers established pursuant to State law shall receive an amount equal to the product obtained by multiplying the aggregate amount of assessments attributable to the pounds of Hass avocados produced in such State by 85 percent. The State organization shall use such funds and any proceeds from the investment of such funds for financing domestic promotion, research, consumer information, and industry information plans and projects, except that no such funds shall be used for the administrative expenses of such State organization.

(9) ASSESSMENT FUNDS FOR IMPORTERS ASSOCIATIONS.—

(A) IN GENERAL.—The order shall provide that any importers association shall receive a credit described in subparagraph (B) if such association is—

(i) established pursuant to State law that requires detailed State regulation comparable to that applicable to the State organization of United States avocado producers, as determined by the Secretary; or

(ii) certified by the Secretary as meeting the requirements applicable to the Board as to budgets, plans, projects, audits, conflicts of interest, and reimbursements for administrative costs incurred by the Secretary.

(B) CREDIT.—An importers association described in subparagraph (A) shall receive 85 percent of the assessments paid on Hass avocados imported by the members of such association.

(C) USE OF FUNDS.—

(i) IN GENERAL.—Importers associations described in subparagraph (A) shall use the funds described in subparagraph (B) and proceeds from the investment of such funds for financing promotion, research, consumer information, and industry information plans and projects in the United States.

(ii) ADMINISTRATIVE EXPENSES.—No funds described in subparagraph (C) shall be used for the administrative expenses of such importers association.

(i) REIMBURSEMENT OF SECRETARY EXPENSES.—The order shall provide for reimbursing the Secretary—

(1) for expenses not to exceed $25,000 incurred by the Secretary in connection with any referendum conducted under section 1206;

(2) for administrative costs incurred by the Secretary for supervisory work of up to 2 employee years annually after an order or amendment to any order has been issued and made effective; and

(3) for costs incurred by the Secretary in implementation of the order issued under section 1204, for enforcement of the title and the order, for subsequent referenda conducted under section 1206, and in defending the Board in litigation arising out of action taken by the Board.

(j) PROHIBITION ON BRAND ADVERTISING AND CERTAIN CLAIMS.—

(1) PROHIBITIONS.—Except as provided in paragraph (2), a program or project conducted under this title shall not—

(A) make any reference to private brand names;

(B) make false, misleading, or disparaging claims on behalf of Hass avocados; or

(C) make false, misleading, or disparaging statements with respect to the attributes or use of any competing products.

(2) EXCEPTIONS.—Paragraph (1) does not preclude the Board from offering its programs and projects for use by commercial parties, under such terms and conditions as the Board may prescribe as approved by the Secretary. For the purposes of this subsection, a reference to State of origin does not constitute a reference to a private brand name with regard to any funds credited to, or disbursed by the Board to, a State organization of avocado producers established pursuant to State law. Furthermore, for the purposes of this section, a reference to either State of origin or country of origin does not constitute a reference to a private brand name with regard to any funds credited to, or disbursed by the Board to, any importers association established or certified in accordance with subsection (h)(9)(A).

(k) PROHIBITION ON USE OF FUNDS TO INFLUENCE GOVERNMENTAL ACTION.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), the order shall prohibit any funds collected by the Board under the order from being used in any manner for the purpose of influencing legislation or government action or policy.

(2) EXCEPTION.—Paragraph (1) shall not apply to the development or recommendation of amendments to the order.

(l) PROHIBITION OF CONFLICT OF INTEREST.—The Board may not engage in, and shall prohibit the employees and agents of the Board from engaging in, any action that would be a conflict of interest.

(m) BOOKS AND RECORDS; REPORTS.—

(1) IN GENERAL.—The order shall provide that each first handler, producer, and importer subject to the order shall maintain, and make available for inspection, such books and records as are required by the order and file reports at the time, in the manner, and having the content required by the order, to the end that such information is made available to the Secretary and the Board as is appropriate for the administration or enforcement of this title, the order, or any regulation issued under this title.

(2) CONFIDENTIALITY REQUIREMENT.—

(A) IN GENERAL.—Information obtained from books, records, or reports under paragraph (1) shall be kept confidential by all officers and employees of the Department of Agriculture and by the staff and agents of the Board.

(B) SUITS AND HEARINGS.—Information described in subparagraph (A) may be disclosed to the public only—

(i) in a suit or administrative hearing brought at the request of the Secretary, or to which the Secretary or any officer of the United States is a party, involving the order; and

(ii) to the extent the Secretary considers the information relevant to the suit or hearing.

(C) GENERAL STATEMENTS AND PUBLICATIONS.—Nothing in this paragraph may be construed to prohibit—

(i) the issuance of general statements, based on the reports, of the number of persons subject to the order or statistical data collected from the reports, if the statements do not identify the information furnished by any person; or

(ii) the publication, by direction of the Secretary, of the name of any person who violates the order, together with a statement of the particular provisions of the order violated by the person.

(3) LISTS OF IMPORTERS.—

(A) REVIEW.—The order shall provide that the staff of the Board shall periodically review lists of importers of Hass avocados to determine whether persons on the lists are subject to the order.

(B) CUSTOMS SERVICE.—On the request of the Secretary or the Board, the Commissioner of the United States Customs Service shall provide to the Secretary or the Board lists of importers of Hass avocados.

(n) CONSULTATIONS WITH INDUSTRY EXPERTS.—

(1) IN GENERAL.—The order shall provide that the Board may seek advice from and consult with experts from the production, import, wholesale, and retail segments of the Hass avocado industry to assist in the development of promotion, industry information, consumer information, and related research plans and projects.

(2) SPECIAL COMMITTEES.—

(A) IN GENERAL.—For the purposes described in paragraph (1), the order shall authorize the appointment of special committees composed of persons other than Board members.

(B) CONSULTATION.—A committee appointed under subparagraph (A) shall consult directly with the Board.

(o) OTHER TERMS OF THE ORDER.—The order shall contain such other terms and provisions, consistent with this title, as are necessary to carry out this title (including provision for the assessment of interest and a charge for each late payment of assessments under subsection (h)).

SEC. 1206. REFERENDA.

(a) REQUIREMENTS FOR INITIAL REFERENDUM.—

(1) REFERENDUM REQUIRED.—During the 60-day period immediately preceding the proposed effective date of an order issued under section 1204(b)(3), the Secretary shall conduct a referendum among producers and importers required to pay assessments under the order, as provided in section 1205(h)(1).

(2) APPROVAL OF ORDER NEEDED.—The order shall become effective only if the Secretary determines that the order has been approved by a simple majority of all votes cast in the referendum.

(b) VOTES PERMITTED.—

(1) IN GENERAL.—Each producer and importer eligible to vote in a referendum conducted under this section shall be entitled to cast 1 vote if they satisfy the eligibility requirements as defined in paragraph (2).

(2) ELIGIBILITY.—For purposes of paragraph (1), producers and importers, as these terms are defined in section 1203, shall be considered to be eligible to vote if they have been producers or importers with sales of Hass avocados during a period of at least 1 year prior to the referendum.

(c) MANNER OF CONDUCTING REFERENDA.—

(1) IN GENERAL.—Referenda conducted pursuant to this title shall be conducted in a manner determined by the Secretary.

(2) ADVANCE REGISTRATION.—A producer or importer of Hass avocados who chooses to vote in any referendum conducted under this title

shall register with the Secretary prior to the voting period, after receiving notice from the Secretary concerning the referendum under paragraph (4).

(3) VOTING.—A producer or importer of Hass avocados who chooses to vote in any referendum conducted under this title shall vote in accordance with procedures established by the Secretary. The ballots and other information or reports that reveal or tend to reveal the identity or vote of voters shall be strictly confidential.

(4) NOTICE.—The Secretary shall notify all producers and importers at least 30 days prior to the referendum conducted under this title. The notice shall explain the procedure established under this subsection.

(d) SUBSEQUENT REFERENDA.—If an order is approved in a referendum conducted under subsection (a), effective beginning on the date that is 3 years after the date of the approval, the Secretary—

(1) at the discretion of the Secretary, may conduct at any time a referendum of producers and importers required to pay assessments under the order, as provided in section 1205(h)(1), subject to the voting requirements of subsections (b) and (c), to ascertain whether eligible producers and importers favor suspension, termination, or continuance of the order; or

(2) shall conduct a referendum of eligible producers and importers if requested by the Board or by a representative group comprising 30 percent or more of all producers and importers required to pay assessments under the order, as provided in section 1205(h)(1), subject to the voting requirements of subsections (b) and (c), to ascertain whether producers and importers favor suspension, termination, or continuance of the order.

(e) SUSPENSION OR TERMINATION.—If, as a result of a referendum conducted under subsection (d), the Secretary determines that suspension or termination of the order is favored by a simple majority of all votes cast in the referendum, the Secretary shall—

(1) not later than 180 days after the referendum, suspend or terminate, as appropriate, collection of assessments under the order; and

(2) suspend or terminate, as appropriate, activities under the order as soon as practicable and in an orderly manner.

SEC. 1207. PETITION AND REVIEW.

(a) PETITION AND HEARING.—

(1) PETITION.—A person subject to an order may file with the Secretary a petition—

(A) stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law; and

(B) requesting a modification of the order or an exemption from the order.

(2) HEARING.—The petitioner shall be given the opportunity for a hearing on a petition filed under paragraph (1), in accordance with regulations issued by the Secretary. Any such hearing shall be conducted in accordance with section 1209(b)(2) and be held within the United States judicial district in which the residence or principal place of business of the person is located.

(3) RULING.—After a hearing under paragraph (2), the Secretary shall make a ruling on the petition, which shall be final if in accordance with law.

(4) LIMITATION.—Any petition filed under this subsection challenging an order, any provision of the order, or any obligation imposed in connection with the order, shall be filed within 2 years after the effective date of the order, provision, or obligation subject to challenge in the petition.

(b) REVIEW.—

(1) COMMENCEMENT OF ACTION.—The district courts of the United States in any district in which a person who is a petitioner under subsection (a) resides or conducts business shall have jurisdiction to review the ruling of the Secretary on the petition of the person, if a complaint requesting the review is filed no later than 20 days after the date of the entry of the ruling by the Secretary.

(2) PROCESS.—Service of process in proceedings under this subsection shall be conducted in accordance with the Federal Rules of Civil Procedure.

(3) REMAND.—If the court in a proceeding under this subsection determines that the ruling of the Secretary on the petition of the person is not in accordance with law, the court shall remand the matter to the Secretary with directions—

(A) to make such ruling as the court shall determine to be in accordance with law; or

(B) to take such further action as, in the opinion the court, the law requires.

(c) ENFORCEMENT.—The pendency of proceedings instituted under this section shall not impede, hinder, or delay the Attorney General or the Secretary from obtaining relief under section 1208.

SEC. 1208. ENFORCEMENT.

(a) JURISDICTION.—A district court of the United States shall have jurisdiction to enforce, and to prevent and restrain any person from violating, this title or an order or regulation issued by the Secretary under this title.

(b) REFERRAL TO ATTORNEY GENERAL.—A civil action brought under subsection (a) shall be referred to the Attorney General for appropriate action, except that the Secretary is not required to refer to the Attorney General a violation of this title, or an order or regulation issued under this title, if the Secretary believes that the administration and enforcement of this title would be adequately served by administrative action under subsection (c) or suitable written notice or warning to the person who committed or is committing the violation.

(c) CIVIL PENALTIES AND ORDERS.—

(1) CIVIL PENALTIES.—

(A) IN GENERAL.—A person who violates a provision of this title, or an order or regulation issued by the Secretary under this title, or who fails or refuses to pay, collect, or remit any assessment or fee required of the person under an order or regulation issued under this title, may be assessed by the Secretary—

(i) a civil penalty of not less than $1,000 nor more than $10,000 for each violation; and

(ii) in the case of a willful failure to remit an assessment as required by an order or regulation, an additional penalty equal to the amount of the assessment.

(B) SEPARATE OFFENSES.—Each violation shall be a separate offense.

(2) CEASE AND DESIST ORDERS.—In addition to or in lieu of a civil penalty under paragraph (1), the Secretary may issue an order requiring a person to cease and desist from continuing a violation of this title, or an order or regulation issued under this title.

(3) NOTICE AND HEARING.—No penalty shall be assessed, or cease and desist order issued, by the Secretary under this subsection unless the Secretary gives the person against whom the penalty is assessed or the order is issued notice and opportunity for a hearing before the Secretary with respect to the violation. Any such hearing shall be conducted in accordance with section 1209(b)(2) and shall be held within the United States judicial district in which the residence or principal place of business of the person is located.

(4) FINALITY.—The penalty assessed or cease and desist order issued under this subsection shall be final and conclusive unless the person against whom the penalty is assessed or the order is issued files an appeal with the appropriate district court of the United States in accordance with subsection (d).

(d) REVIEW BY DISTRICT COURT.—

(1) COMMENCEMENT OF ACTION.—

(A) IN GENERAL.—Any person against whom a violation is found and a civil penalty is assessed or a cease and desist order is issued under subsection (c) may obtain review of the penalty or order by, within the 30-day period beginning on the date the penalty is assessed or the order is issued—

(i) filing a notice of appeal in the district court of the United States for the district in which the person resides or conducts business, or in the United States District Court for the District of Columbia; and

(ii) sending a copy of the notice by certified mail to the Secretary.

(B) COPY OF RECORD.—The Secretary shall promptly file in the court a certified copy of the record on which the Secretary found that the person had committed a violation.

(2) STANDARD OF REVIEW.—A finding of the Secretary shall be set aside under this subsection only if the finding is found to be unsupported by substantial evidence.

(e) FAILURE TO OBEY AN ORDER.—

(1) IN GENERAL.—A person who fails to obey a cease and desist order issued under subsection (c) after the order has become final and unappealable, or after the appropriate United States district court had entered a final judgment in favor of the Secretary of not more than $10,000 for each offense, after opportunity for a hearing and for judicial review under the procedures specified in subsections (c) and (d).

(2) SEPARATE VIOLATIONS.—Each day during which the person fails to obey an order described in paragraph (1) shall be considered as a separate violation of the order.

(f) FAILURE TO PAY A PENALTY.—

(1) IN GENERAL.—If a person fails to pay a civil penalty assessed under subsection (c) or (e) after the penalty has become final and unappealable, or after the appropriate United States district court has entered final judgment in favor of the Secretary, the Secretary shall refer the matter to the Attorney General for recovery of the amount assessed in any United States district court in which the person resides or conducts business.

(2) SCOPE OF REVIEW.—In an action by the Attorney General under paragraph (1), the validity and appropriateness of a civil penalty shall not be subject to review.

(g) ADDITIONAL REMEDIES.—The remedies provided in this title shall be in addition to, and not exclusive of, other remedies that may be available.

SEC. 1209. INVESTIGATIONS AND POWER TO SUBPOENA.

(a) INVESTIGATIONS.—The Secretary may conduct such investigations as the Secretary considers necessary for the effective administration of this title, or to determine whether any person has engaged or is engaging in any act that constitutes a violation of this title or any order or regulation issued under this title.

(b) SUBPOENAS, OATHS, AND AFFIRMATIONS.—

(1) INVESTIGATIONS.—For the purpose of conducting an investigation under subsection (a), the Secretary may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The production of the records may be required from any place in the United States.

(2) ADMINISTRATIVE HEARINGS.—For the purpose of an administrative hearing held under section 1207(a)(2) or 1208(c)(3), the presiding officer may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The attendance of witnesses and the production of the records may be required from any place in the United States.

(c) AID OF COURTS.—

(1) IN GENERAL.—In the case of contumacy by, or refusal to obey a subpoena issued under subsection (b) to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which the investigation or proceeding is conducted, or where the person resides or conducts business, in order to enforce a subpoena issued under subsection (b).

(2) ORDER.—The court may issue an order requiring the person referred to in paragraph (1) to comply with a subpoena referred to in paragraph (1).

(3) FAILURE TO OBEY.—Any failure to obey the order of the court may be punished by the court as a contempt of court.

(4) PROCESS.—Process in any proceeding under this subsection may be served in the United States judicial district in which the person being proceeded against resides or conducts business, or wherever the person may be found.

SEC. 1210. CONFIDENTIALITY.

(a) PROHIBITION.—No information regarding names of voters or how a person voted in a referendum conducted under this title shall be made public.

(b) PENALTY.—Any person who knowingly violates subsection (a) or the confidentiality terms of an order, as described in section 1205(m)(2), shall be subject to a fine of not less that $1,000 nor more than $10,000 or to imprisonment for not more than 1 year, or both. If the person is an officer or employee of the Department of Agriculture or the Board, the person shall be removed from office.

(c) ADDITIONAL PROHIBITION.—No information obtained under this title may be made available to any agency or officer of the Federal Government for any purpose other than the implementation of this title or an investigatory or enforcement action necessary for the implementation of this title.

(d) WITHHOLDING INFORMATION FROM CONGRESS PROHIBITED.—Nothing in this title shall be construed to authorize the withholding of information from Congress.

SEC. 1211. AUTHORITY FOR SECRETARY TO SUSPEND OR TERMINATE ORDER.

(a) GROUNDS FOR SUSPENSION OR TERMINATION.—If the Secretary finds that an order, or any provision of the order, obstructs or does not tend to effectuate the policy of this title specified in section 1202(b), the Secretary shall terminate or suspend the operation of the order or provision under such terms as the Secretary determines are appropriate.

(b) EFFECT OF LACK OF APPROVAL OF ORDER.—If, as a result of a referendum, the Secretary determines that the order is not approved, the Secretary shall, within 180 days after making the determination, suspend, or terminate, as appropriate, collection of assessments under the order, and suspend or terminate, as appropriate, activities under the order in an orderly manner as soon as possible.

SEC. 1212. RULES OF CONSTRUCTION.

(a) TERMINATION OR SUSPENSION NOT AN ORDER.—The termination or suspension of an order, or a provision of an order, shall not be considered an order under the meaning of this title.

(b) RIGHTS.—This title—

(1) may not be construed to provide for control of production or otherwise limit the right of individual Hass avocado growers, handlers and importers to produce, handle, or import Hass avocados; and

(2) shall be construed to treat all persons producing, handling, and importing Hass avocados fairly and to implement any order in an equitable manner.

(c) OTHER PROGRAMS.—Nothing in this title may be construed to preempt or supersede any other program relating to Hass avocado promotion, research, industry information, and consumer information organized and operated under the laws of the United States or of a State.

SEC. 1213. REGULATIONS.

The Secretary may issue such regulations as are necessary to carry out this title and the powers vested in the Secretary by this title, including regulations relating to the assessment of late payment charges and interest.

SEC. 1214. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this title.

(b) ADMINISTRATIVE EXPENSES.—Funds appropriated under subsection (a) may not be used for the payment of the expenses or expenditures of the Board in administering a provision of an order.

TITLE XIII—DEBT REDUCTION

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,000,000,000.

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001''.

Following is explanatory language on H.R. 5426, as introduced on October 6, 2000.

The conferees on H.R. 4461 agree with the matter included in H.R. 5426 and enacted in this conference report by reference and the following description of it. This bill was developed through negotiations by the conferees on the differences in H.R. 4461. References in the following description to the ''conference agreement'' mean the matter included in the introduced bill enacted by this conference report.

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: ''Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.''

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides $2,914,000 for the Office of the Secretary instead of $2,836,000 as proposed by the House and $27,914,000 as proposed by the Senate.

The conferees note that $40,000,000 for the development and implementation of a common computing environment is provided under the heading ''Common Computing Environment'' instead of $25,000,000 as proposed by the House.

The conference agreement does not adopt bill language as proposed by the Senate providing that funds for the development and implementation of a common computing environment shall be available only upon prior notice to the Committees on Appropriations.

The conference agreement does not include House language permitting unobligated balances of representation funds in the Foreign Agricultural Service to be used for official reception and representation purposes.

The conferees direct the Secretary to provide to the Committees on Appropriations a detailed report of all USDA activities related to Hurricane Mitch recovery efforts in Central America. The report should specifically include, but not be limited to, a list of all agencies that participated in the efforts, the specific activities by each agency, the cost incurred by each agency, and the source of funding for these costs.

The Secretary of Agriculture is urged to use ethanol, biodiesel, and other alternative fuels to the maximum extent practicable in meeting the fuel needs of the Department of Agriculture.

As the Administration proceeds with implementing the 1998 Congressional amendments to the Clean Air Act, the conferees urge that it closely follow the legislative language defining the quarantine and preshipment exemption. The conferees also urge the Administration to work with stakeholders regarding methyl bromide availability for critical post-harvest uses.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

The conference agreement provides $7,462,000 for the Office of the Chief Economist as proposed by the Senate instead of $6,408,000 as proposed by the House.

NATIONAL APPEALS DIVISION

The conference agreement provides $12,421,000 for the National Appeals Division (NAD) as proposed by the Senate instead of $11,718,000 as proposed by the House.

The conferees direct that the Director of NAD track and make available information about Director Review Determinations that are made in favor of the Department and those that are made in favor of the producer, and that NAD make this information available to the public, and submit a report to the Committees on Appropriations no later than February 1, 2001, as proposed by the House.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides $6,765,000 for the Office of Budget and Program Analysis as proposed by the Senate instead of $6,581,000 as proposed by the House.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides $10,051,000 for the Office of the Chief Information Officer as proposed by the House instead of $10,046,000 as proposed by the Senate. This includes the following increases from the fiscal year 2000 level: $1,392,000 for a central cyber security program; $1,280,000 to strengthen the information risk management program; $1,116,000 for an information and telecommunications security architecture; and $217,000 for pay costs.

The conferees direct the Chief Information Officer to keep the Committees updated on a quarterly basis as the information security programs are implemented.

COMMON COMPUTING ENVIRONMENT

The conference agreement provides $40,000,000 in a separate account for the Common Computing Environment instead of $25,000,000 as proposed by the House.

The conferees note that incorporating geographic information systems technology and the use of geospatial information are important components of the Common Computing Environment.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides $5,171,000 for the Office of the Chief Financial Officer as proposed by the Senate instead of $4,783,000 as proposed by the House.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides $629,000 for the Office of the Assistant Secretary for

Administration as proposed by the Senate instead of $613,000 as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides $182,747,000 for Agriculture Buildings and Facilities and Rental Payments as proposed by the Senate instead of $150,343,000 as proposed by the House.

The conferees expect that the five percent transfer authority will be proposed when a move into General Services Administration (GSA) space is vacated in favor of commercial space. The report further notes that this flexibility is provided to allow for incremental changes in the amount of GSA space, and is not intended to finance changes in GSA billing.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $36,010,000 for Departmental Administration instead of $34,708,000 as proposed by the House and $36,840,000 as proposed by the Senate.

The conference agreement reflects the transfer of $177,000 in FY 2000 for accounting support services from Departmental Administration to the Office of the Chief Financial Officer, and increases of $979,000 for pay costs and $500,000 for alternative dispute resolution.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

The conference agreement provides $3,568,000 for the Office of the Assistant Secretary for Congressional Relations as proposed by the House and the Senate. The conference agreement allows funds to be transferred to the agencies, but does not prescribe the amount of funds to be transferred. The conferees direct the Department, within 30 days of enactment, to notify the Committees on the allocation of these funds, including an explanation for any agency-by-agency distribution of these funds.

OFFICE OF COMMUNICATIONS

The conference agreement provides $8,623,000 for the Office of Communications instead of $8,138,000 as proposed by the House and $8,873,000 as proposed by the Senate.

The conference agreement includes the increase requested for pay costs and $250,000 for electronic access to information.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $68,867,000 for the Office of the Inspector General instead of $66,867,000 as proposed by the Senate and $65,097,000 as proposed by the House.

The conference agreement includes $2,000,000 for oversight and audit activities involving the more than $16 billion provided in emergency agricultural assistance in fiscal years 1999 and 2000. The conferees want to ensure the Inspector General's office has resources to carry out its oversight activities with respect to these funds.

The conferees do not agree to language proposed by the Senate directing the Inspector General to investigate whether National Appeals Division decisions overwhelmingly favor the Department. The conference agreement addresses this issue under the National Appeals Division account.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $31,080,000 for the Office of the General Counsel as proposed by the Senate instead of $29,194,000 as proposed by the House.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides $556,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of $540,000 as proposed by the House.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $67,038,000 for the Economic Research Service as proposed by the Senate instead of $66,419,000 as proposed by the House. Included in this amount is $12,195,000 for USDA food assistance program studies and evaluations, of which $1,000,000 is transferred to the Food Program Administration account of the Food and Nutrition Service as proposed by the Senate.

Of the $1,000,000 to be transferred to the Food and Nutrition Service for studies and evaluations, $500,000 is to be made available for a study on the decline in participation in the food stamp program. The FNS study on this issue is to be completed by the Food and Nutrition Service within 180 days of enactment of this Act.

The conferees note that the USDA released a study in June, 2000, on this same issue. In addition, the USDA has contracted out for a broader, more in-depth study of food stamp program access and declining food stamp participation. The conferees are concerned that the studies to date neither accounted for a large segment of the participation decline, nor did they fully account for the corresponding rise in demand among community food banks. The Department is encouraged to develop the ongoing study in a manner to answer these questions.

The conferees direct the Economic Research Service to provide an interim report, by April 15, 2001, on the number of suppliers of infant formula in each state or major marketing area, and to compare the cost of formula that is included in the WIC rebate program versus the cost of formula that is not in the WIC rebate program. The conferees expect a final report by August 31, 2001.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $100,772,000 for the National Agricultural Statistics Service instead of $100,851,000 as proposed by the House and $100,615,000 as proposed by the Senate. This amount includes $159,000 to develop and implement a bi-weekly cream/milkfat price survey to benefit all segments of the dairy industry.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides $898,812,000 for the Agricultural Research Service instead of $843,584,000 as proposed by the House and $871,593,000 as proposed by the Senate.

The conference agreement approves all directives and provides funding for all research and related costs, as specified in the House and Senate reports accompanying the fiscal year 2001 appropriations bill. Where increased funding is provided by both the House and Senate for the same research activity, the conference agreement provides funding at the higher level.

The conferees are aware that USDA is considering the relocation of ARS scientists from the Shafter Cotton Research Station, CA. The conferees are concerned that this relocation will reduce the level of resources for cotton research conducted at the station. The conference agreement provides continued funding at the fiscal year 2000 level for this research and directs that no action be taken to shift funds or staffing resources from Shafter without the prior approval of the Committees on Appropriations of both Houses of Congress.

The conferees recognize that ARS, Stoneville, MS, should be properly credited with the development of a catfish line (USDA 103) with improved growth characteristics. The Stoneville Unit has also developed the first channel catfish detailed genetic linkage map.

Increased funding provided by the conference agreement for endophyte research, as recommended by the House, is to be divided equally among the participating institutions (University of Arkansas, University of Missouri, and Oregon State University).

Increased funding provided by the conference agreement for chicken genome mapping, as recommended by the House, is to be carried out at the Avian Disease Oncology Laboratory, currently located in East Lansing, Michigan.

The conferees encourage the Department to carry out glassy-winged sharpshooter and Pierce's disease research at Parlier, CA.

The conferees expect the Department to ensure that funds provided to the Yakima Agricultural Research Laboratory intended for potato research are fully utilized for potato research.

The conferees concur with House report language regarding increased funding, as recommended by both the House and Senate, for potato research at Prosser, WA.

Increased funding provided by the conference agreement for mosquito trapping research and West Nile virus, as recommended by the House, is to be utilized for cooperative research with the State of Connecticut Agricultural Experiment Station for research that focuses on the West Nile virus crisis. These resources will allow the experiment station to enhance its on-going efforts to control and eradicate this infectious disease.

Within the increased funding provided by the conference agreement for soil tilth research, as recommended by the House, $350,000 is to be utilized for carbon cycle research focusing on the corn-soybean rotation.

BUILDINGS AND FACILITIES

The conference agreement provides $74,200,000 for Agricultural Research Service, Building and Facilities instead of $39,300,000 as proposed by the House and $56,330,000 as proposed by the Senate.

The following table reflects the conference agreement:

Arizona: Water Conservation and Western Cotton Laboratory, Maricopa. ...	$5,000,000
California: Western Regional Research Center, Albany.	4,900,000
District of Columbia: U.S. National Arboretum.	3,330,000
Hawaii: U.S. Pacific Basin Agricultural Research Center, Hilo.	5,000,000
Illinois: USDA Greenhouse Complex, Urbana.	3,600,000
Iowa: National Animal Disease Center, Ames.	9,000,000
Kansas: U.S. Grain Marketing Research Laboratory, Manhattan.	3,500,000
Maine: Northeast Marine Cold Water Aquaculture Research Center, Orono.	2,500,000
Maryland:	
Human Nutrition Research Center, Beltsville.	13,300,000
National Agricultural Library, Beltsville.	1,770,000
Mississippi: Insect Rearing Facility, Stoneville.	5,000,000
Montana: Fort Keogh Laboratory, Miles City.	5,300,000
New York: Plum Island Animal Disease Center, Greenport.	7,000,000
Utah: Poisonous Plant Laboratory, Logan.	5,000,090
Total	$74,200,000

The conferees are aware that the Agriculture Research Station and the Animal and Plant Health Inspection Service are developing a Master Plan to construct new and expanded facilities at Ames, Iowa. The conferees direct the Secretary of Agriculture to assess the scope of and need for this project based on the research and regulatory requirements of the Department, and the relationship between this project and existing capabilities available to the Department. The Office of the Secretary of Agriculture is directed to submit a report to the Committees on Appropriations by March 1, 2001 that will include this assessment as well as current estimates of full costs and the proposed construction schedule for this project. Of the funds appropriated no more than $2,000,000 will be expended prior to March 30, 2001. The Department will not commit additional funds on any of the components of this project after that date unless the report finds that the construction of the component is found to be appropriate.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $506,193,000 for research and education activities instead of $481,551,000 as proposed by the House and $494,044,000 as proposed by the Senate.

The following table reflects the conference agreement:

Research and education activities

(In thousands of dollars)

	Conference Agreement
Payments under the Hatch Act	$180,545
Cooperative Forestry Research (McIntire-Stennis)	21,932
Payments to 1890 Colleges and Tuskegee University	32,676
Special Research Grants (Public Law 89–106):	
Advanced genetic technologies (KY)	475
Advanced spatial technologies (MS)	1,000
Aegilops cylindricum (WA)	360
Aflatoxin (IL)	131
Agricultural diversification (HI)	131
Agricultural diversity/Red River Trade Corridor (MN,ND)	375
Agricultural telecommunications (NY)	425
Agriculture-based industrial lubricants (IA)	350
Agriculture water usage (GA)	300
Agroecology (MD)	285
Alliance of food protection (GA, NE)	300
Alternative crops (ND)	625
Alternative corps for arid lands (TX)	100
Alternative nutrient management (VT)	190
Alternative salmon products (AK)	645
Animal science food safety consortium (AR, IA, KS)	1,635
Apple fire blight (MI, NY)	500
Aquaculture (AR)	238
Aquaculture (FL)	446
Aquaculture (LA)	330
Aquaculture (MS)	592
Aquaculture (NC)	300
Aquaculture (VA)	100
Aquaculture (WA)	285
Aquaculture Product and Marketing Development (WV)	750
Asparagus technology and production (WA)	225
Babcock Institute (WI)	600
Beef technology transfer (MO)	285
Biobased technology (MI)	285
Bioinformatics (VA)	475
Biomass-based energy research (OK, MS)	902
Biotechnology (NC)	285
Blocking anhydrous methamphetamine production (IA)	248
Bovine Tuberculosis (MI)	325
Brucellosis vaccine (MT)	496
Center for animal health & productivity (PA)	113
Center for Rural Studies (VT)	200
Chesapeake Bay agroecology (MD)	175
Chesapeake Bay aquaculture	392
Citrus canker (FL)	4,750
Citrus tristeza	742
Competitiveness of agriculture products (WA)	680
Cool season legume research (ID, WA)	329
Cranberry/blueberry (MA)	175
Cranberry/blueberry disease and breeding (NJ)	220
Dairy and meat goat research (TX)	63
Dairy farm profitability (PA)	285
Delta rural revitalization (MS)	205
Designing foods for health (TX)	563
Diaprepes/root weevil (FL)	395
Drought mitigation (NE)	200
Ecosystems (AL)	500
Efficient irrigation (NM, TX)	1,188
Environmental biotechnology (RI)	190
Environmental horticulture (FL)	285
Environmental research (NY)	400
Environmental risk factors/cancer (NY)	227
Environmentally-safe products (VT)	246
Exotic pest diseases (CA)	1,250
Expanded wheat pasture (OK)	293
Farm injuries and illnesses (NC)	285
Feed barley for rangeland cattle (MT)	694
Fish and shellfish technologies (VA)	475
Floriculture (HI)	250
Food and Agriculture Policy Research Institute (IA, MO)	950
Food irradiation (IA)	225
Food Marketing Policy Center (CT)	495
Food processing center (NE)	42
Food quality (AK)	350
Food safety (AL)	521
Food safety research consortium (NY)	285
Food Systems Research Group (WI)	500
Forages for advancing livestock production (KY)	375
Forestry (AR)	523
Fruit and vegetable market analysis (AZ, MO)	348
Generic commodity promotions, research and evaluation (NY)	198
Global change/ultraviolet radiation	1,434
Grain sorghum (KS)	106
Grass seed cropping systems for sustainable agriculture (ID, OR, WA)	423
Human nutrition (IA)	473
Human nutrition (LA)	752
Human nutrition (NY)	622
Hydroponic tomato production (OH)	100
Illinois-Missouri Alliance for Biotechnology	1,242
Improved dairy management practices (PA)	398
Improved early detection of crop disease (NC)	198
Improved fruit practices (MI)	445
Infectious disease research (CO)	300
Institute for Food Science & Engineering (AR)	1,250
Integrated production systems (OK)	180
Intelligent quality sensor for food safety (ND)	142
International arid lands consortium	495
Iowa Biotechnology Consortium	1,564
Livestock and dairy policy (NY, TX)	570
Lowbush blueberry research (ME)	260
Maple research (VT)	119
Meadowfoam (OR)	300
Michigan biotechnology consortium	725
Midwest Advanced Food Manufacturing Alliance	462
Midwest agricultural products (IA)	646
Milk safety (PA)	375
Minor use animal drugs	550
Molluscan shellfish (OR)	400
Multi-commodity research (OR)	364
Multi-cropping strategies for aquaculture (HI)	127
National beef cattle genetic evaluation consortium (NY)	285
National biological impact assessment	254
Nematode resistance genetic engineering (NM)	127
Nevada arid rangelands initiative (NV)	300
New crop opportunities (AK)	496
New crop opportunities (KY)	725
Non-food uses of agricultural products (NE)	64
Nursery, greenhouse, and turf specialities (AL)	285
Oil resources from desert plants (NM)	175
Organic waste utilization (NM)	100
Pasture and forage research (UT)	250
Peach tree short life (SC)	179
Peanut allergy reduction (AL)	500
Pest control alternatives (SC)	117
Phytophthora root rot (NM)	138
Pierce's disease (CA)	1,900
Plant, drought, and disease resistance gene cataloging (NM)	250
Potato research	1,450
Precision agriculture (KY)	750
Preharvest food safety (KS)	212
Preservation and processing research (OK)	226
Produce pricing (AZ)	76
Protein utilization (IA)	190
Rangeland ecosystems (NM)	300
Red snapper research (AL)	725
Regional barley gene mapping project	588
Regionalized implications of farm programs (MO, TX)	294
Rice Modeling (AR)	296
Rural Development Centers (PA, IA, ND, MS, OR, LA)	523
Rural Policies Research Institute (NE, IA, MO)	822
Russian wheat aphid (CO)	250
Safe vegetable production (GA)	285
Satsuma orange research (AL)	475
Sclerotina disease research (MN)	238
Seafood and acquaculture harvesting, processing, and marketing (MS)	305

	Conference Agreement
Seafood harvesting, processing, and marketing (AK)	1,168
Seafood safety (MA)	278
Small fruit research (OR, WA, ID)	325
Southwest consortium for plant genetics and water resources	369
Soybean cyst nematode (MO)	600
STEEP-water quality in the Pacific Northwest	500
Sustainable agriculture (CA)	393
Sustainable agriculture (MI)	445
Sustainable agriculture and natural resources (PA)	100
Sustainable agriculture systems (NE)	59
Sustainable agriculture beef supply (MT)	744
Sustainable pest management for dryland wheat (MT)	462
Swine waste management (NC)	500
Technological development of renewable resources (MO)	285
Tillage silviculture, waste management (LA)	212
Tomato wilt virus (GA)	250
Tropical aquaculture (FL)	198
Tropical and subtropical research/T STAR	3,862
Turkey carna virus (IN)	200
Value-added product development from agricultural resources (MT)	332
Value-added products (IL)	95
Vidalia onions (GA)	250
Viticulture consortium (NY, CA, PA)	1,500
Water conservation (KS)	79
Weed control (ND)	436
Wetland plants (LA)	600
Wheat genetic research (KS)	261
Wheat sawfly research (MT)	332
Wood utilization (AK, ID, ME, MI, MN, MS, NC, OR, TN)	5,786
Wool research (TX, MT, WY)	300
Subtotal, Special Grants	85,669
Improved pest control:	
Emerging pests/critical issues	200
Expert IPM decision support system	177
Integrated pest management	2,731
IR–4 minor crop pest management	8,990
Pest management alternatives	1,623
Subtotal, Improved pest control	13,721
National Research Initiative (NRI) Competitive Grants	106,000
Animal health and disease (sec. 1433)	5,109
Alternative crops	800
Critical Agricultural Materials Act	640
1994 Institutions research program	1,000
Institution challenge grants	4,350
Graduate fellowships grants	3,000
Multicultural scholars program	1,000
Hispanic education partnership grants	3,500
Capacity building grants (1890 Institutions)	9,500
Payments to the 1994 Institutions	1,552
Alaska Native serving and Native Hawaiian-serving Institutions education grants	3,000
Secondary agriculture education	800
Sustainable agriculture research and education/SARE	9,250
Aquaculture centers (sec. 1475)	4,000
Federal Administration:	
Agriculture development in the American Pacific	564
Agriculture waste utilization (WV)	496
Agriculture water policy (GA)	366
Alternative fuels characterization laboratory (ND)	259
Animal waste management (OK)	275
Biotechnology (MS)	591
Center for Agricultural and Rural Development (IA)	428
Center for innovative food technology (OH)	761
Center for North American Studies (TX)	87
Climate change research (FL)	170
Cotton research (TX)	500
Data Information system	2,125
Geographic information system	1,025
Germplasm development in forage grasses (OH)	100
Livestock marketing information center (CO)	185
Mariculture (NC)	325
Mississippi Valley State University	647
National Center for Peanut Competitiveness (GA)	400
Office of Extramural Programs	449
Pay costs and FERS	1,100
Peer panels	350
PM–10 air quality study (WA)	436
Precision agriculture/Geospatial Training and Application Center (AL)	587
Precision agriculture/Tennessee Valley Research and Extension Center (AL)	147
Shrimp aquaculture (AZ, HI, MA, MS, SC, TX)	4,177
Sustainable agriculture development (OH)	475
Urban silviculture (NY)	238
Water quality (IL)	349
Water quality (ND)	395
Wetland plants (WV)	142
Subtotal, Federal Administration	18,149
Total, Research and Education Activities	$506,193

The conference agreement includes $800,000 for alternative crops, of which $600,000 is for canola and $200,000 is for hesperaloe and other natural products from desert plants.

The conference agreement for Binational Agricultural Research and Development (BARD) is included under the ''Agricultural Research Service, Salaries and Expenses'' account, which provides $400,000 as proposed by the Senate instead of $400,000 under CSREES Research and Education Activities as proposed by the House.

The conference agreement provides $106,000,000 for the National Research Initiative (NRI), without specifying the breakdown of funds to support the ''high priority research'' areas authorized by 7 U.S.C. 450i(b). However, the conferees direct that $20,788,000 of this amount, the full request level, be made available to support the President's Food Safety Initiative. The conferees also encourage a fair distribution of resources between research on animal systems and plants.

The conferees are aware that CSREES intends to fill the position of National Program Leader, Agricultural Engineering, vacated by retirement. The conferees intend that the primary responsibilities of the position should continue to support ginning education and technology transfer and be based at a USDA ginning laboratory facility to maintain efficiency and ensure close communications with stakeholders and researchers.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The conference agreement provides $7,100,000 for the Native American Institutions Endowment Fund as proposed by both the House and the Senate, with technical corrections as proposed by the Senate.

EXTENSION ACTIVITIES

The conference agreement provides $433,429,000 for extension activities instead of $431,540,000 as proposed by the House and $427,380,000 as proposed by the Senate.

The following table reflects the conference agreement:

Extension Activities

[In thousands of dollars]

	Conference agreement
Smith-Lever sections 3(b) and (c)	$276,548
Smith-Lever section 3(d):	
Farm safety	4,000
Food and nutrition education	58,695
Indian reservation agents	2,000
Pesticide applicator training	0
Pest management	10,783
Rural development centers	908
Sustainable agriculture	3,800
Youth at risk	8,500
Youth farm safety education and certification	500
Renewable Resources Extension Act	3,192
1890 Colleges & Tuskegee University	28,243
1890 facilities grants	12,200
Rural health and safety education	2,628
Extension services at the 1994 institutions	3,280
Subtotal	415,277
Federal administration:	
After-school program (CA)	399
Ag in the Classroom	452
Beef producers improvement (AR)	197
Botanical garden initiative (IL)	238
Conservation technology transfer (WI)	475
Dairy education (IA)	238
Delta Teachers Academy	3,500
Diabetes detection, prevention (WA)	926
Efficient irrigation (NM/TX)	1,900
Extension specialist (MS)	100
Family farm beef industry network (OH)	1,320
Food animal residue avoidance database/FARAD	285
Food Electronically and Effectively Distributed (FEED) demonstration project (OR)	167
Income enhancement demonstration (OH)	246
Integrated cow/calf management (IA)	285
National Center for Agriculture Safety (IA)	195
Pilot technology transfer (WI)	163
Pilot technology transfer (OK, MS)	326
Potato pest management (WI)	190
Range improvement (NM)	197

	Conference agreement
Rural development (AK)	618
Rural development (NM)	280
Rural rehabilitation (GA)	246
Vocational agriculture (OK)	276
Wood biomass as an alternative farm product (NY)	197
General administration and pay	4,736
Total, Federal Administration	18,152
Total, Extension Activities	$433,429

The conference agreement includes $4,000,000 for farm safety, of which $2,800,000 is for the AgrAbility project.

INTEGRATED ACTIVITIES

The conference agreement provides $41,941,000 for integrated activities instead of $39,541,000 as proposed by the House and $43,365,000 as proposed by the Senate.

The following table reflects the conference agreement:

Integrated Activities Account

[In thousands of dollars]

	Conference agreement
Integrated Research, Education and Extension Competitive Grants Program:	
Water Quality	$13,000
Food Safety	15,000
Pesticide Impact Assessment	4,541
Crops at Risk From FQPA Implementation	1,500
FQPA Risk Mitigation Program for Major Food Crop Systems	4,900
Methyl Bromide Transition Program	2,500
Organic Transition Program	500
Total, Integrated Activities	41,941

The conferees direct the Department to continue funding for the Farm*A*Syst program at no less than the fiscal year 1999 level, and encourage the Department to give consideration to $4,000,000 for this program within the funds provided for water quality.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides $635,000 for the Office of the Under Secretary for Marketing and Regulatory Programs as proposed by the Senate instead of $618,000 as proposed by the House.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides $530,564,000 for the Animal and Plant Health Inspection Service (APHIS) instead of $469,985,000 as proposed by the House and $458,149,000 as proposed by the Senate.

The conference agreement does not include the House bill language ''reduced by $15,510.''

The conference agreement includes language permitting up to $1,000,000 for wildlife services methods development pilot projects for wildlife predation of livestock.

The conference agreement includes an additional $59,400,000 for boll weevil eradication program as proposed by the Senate in Division B.

The conferees direct the agency not to deduct administrative and overhead expenses from the additional funding provided for boll weevil eradication. The conferees support the producer-governed Boll Weevil Action Committee's unanimously approved plan for allocation of the emergency and regular funding for eradication zones active as of December 1, 2000. The conferees understand the plan provides for distribution of funds on a pro-rata basis with exceptions to address special funding requirements arising from extraordinary circumstances in Oklahoma, Mississippi and possibly Tennessee.

The conferees are concerned about the need for more control of rabies. The conferees direct the Secretary of Agriculture to issue a declaration of emergency with regard to rabies in West Virginia, Ohio, Vermont, New Hampshire, New York, Pennsylvania, and Texas, and to provide an additional $4,100,000 above the fiscal year 2000 level for control efforts by the Animal and Plant Health Service (APHIS), Wildlife Services. Of this amount, not less than $1,300,000 is to be directed toward cooperative rabies control in West Virginia.

The following table reflects the conference agreement:

[In thousands of dollars]

	Conference agreement
Pest and Disease Exclusion:	
Agricultural quarantine inspection	$38,970
User fees	85,000
Subtotal, Agricultural Quarantine Inspection	123,970
Cattle ticks	5,276
Foot-and-mouth disease	3,803
Import/export	7,025
Sanitary/phytosanitary management	8,205
Fruit fly exclusion and detection	32,610
Screwworm	30,375
Tropical bont tick	407
Total, Pest and Disease Exclusion	211,671
Plant and Animal Health Monitoring:	
Animal health monitoring and surveillance	68,653
Animal and plant health regulatory enforcement	6,263
Emergency Management System	2,997
Pest detection	6,729
Total, Plant and Animal Health Monitoring	84,642
Pest and Disease Management Programs:	
Aquaculture	920
Biocontrol	8,318
Boll weevil	79,157
Brucellosis eradication	9,943
Emerging plant pests	3,533
Golden nematode	580
Gypsy moth	4,417
Imported fire ant	2,100
Noxious weeds	1,124
Pink bollworm	1,548
Pseudorabies	4,039
Scrapie eradication	3,024
Tuberculosis	5,474
Wildlife services operations	36,781
Witchweed	1,506
Total, Pest and Disease Management	162,464
Animal Care:	
Animal welfare	12,167
Horse protection	398
Total, Animal Care	12,565
Scientific and Technical Services:	
Biotechnology/environmental protection	10,021
Integrated systems acquisition project	1,000
Plant methods development laboratories	4,806
Veterinary biologics	10,751
Veterinary diagnostics	17,514
Wildlife Services methods development	11,025
Total, Scientific and Technical Services	55,117
Contingency fund	4,105
Invasive species	0
Total, Contingency Fund and Invasive Species	4,105
Total, Salaries and Expenses	530,564

The conference agreement provides $625,000 for a cooperative agreement with Georgia Wildlife Services and the University of Georgia to conduct research on and control of game bird predation in Georgia.

The conference agreement provides an increase of $1,000,000 above the fiscal year 2000 level for predator control programs for livestock operators in Montana, Idaho and Wyoming.

The conference agreement provides $50,000 to begin studies in order to better understand the effect of American white pelicans and their associated ecology on the aquaculture industry in the Mid-south.

The conferees are aware that the General Accounting Office has been asked to provide an analysis of the likely impact of an extension of the Andean Trade Preferences Act on imports of Peruvian asparagus within six months of the date of enactment of this Act. The conferees support this request and note the importance of completion of the study by the date requested.

The conferees urge the use of the VAC–TRAC Verification System (VTVS) through Artificial Intelligence networking in the establishment of the permanent animal identification system in the United States. The VTVS will possibly help enforce APHIS' port of entry agricultural quarantine program and assure the safety and efficacy of veterinary biological and agricultural biotechnology products overseen by APHIS.

The conference agreement includes an increase of $1,000,000 above the fiscal year 2000 level for aviation operations and safety.

The conference agreement includes an increase of $2,000,000 above the fiscal year 2000 level for the shared responsibility with the states to conduct surveys, compliance monitoring, and enforcement responsibilities affiliated with the fire ant quarantine of nursery and greenhouse plants including control, management and eradication of the imported fire ant in New Mexico.

The conference agreement provides $500,000 for research and evaluation of nicarbazin as a means of controlling goose and other avian populations and to increase airport safety.

The conference agreement does not adopt House report language regarding apportionment of funds by the Office of Management and Budget. The conferees direct the Department to notify the Committees on Appropriations when funds are released from the

Commodity Credit Corporation for APHIS programs.

The conference agreement provides $920,000 for aquaculture including an increase of $191,000 above the fiscal year 2000 level to continue the telemetry studies on depredating species of wildlife in the Southeast and to pay for cost increases. The conference agreement also includes $100,000 to support a wildlife biologist at the Northwest Florida Aquaculture Farm in Blountstown, FL.

The conference agreement provides an increase of $124,000 for the National Poultry Improvement Program.

The conferees emphasize that they expect the Secretary to continue to conduct a wildlife services program consistent with the program in place on the date of enactment of this Act. The Secretary is expected to take all actions deemed necessary and proper to protect agricultural resources, natural resources, property, and public health and safety on all lands with respect to injurious animals such as predators, rodents, birds, reptiles, and amphibians. The conferees also emphasize the importance to develop and implement methods that best promote and further utilize non-lethal means of control in order to sustain diversity of and reduce harm to native species, and realize savings and efficiencies among public agencies and those seeking agency assistance. The conferees expect the Secretary to continue cooperating with all parties interested in agency activities and to conduct such investigations, experiments, and tests as he may deem necessary and proper to determine, demonstrate, and promulgate the best methods of eliminating the threats posed by injurious animals in the most efficient and humane manner practicable. The conferees further expect the General Accounting Office to provide a report to the Appropriations Committees of the House and the Senate by November 30, 2001 on actions taken or planned by Wildlife Services to reduce the threats posed by injurious animals; the nature, severity, and harm resulting from such threats; specific costs and benefits of agency operations; and opportunities for developing effective non-lethal methods of control as evidenced by evaluations of actual agency activities on farms and ranches representative of client appeals for assistance and results.

The conference agreement provides an increase of $50,000 above the fiscal year 2000 level for a cooperative agreement with Murray State University, Breathitt Veterinary Center, Hopkinsville, KY to determine the impact on animal health from common agricultural chemical usage.

The conference agreement provides an increase of $2,370,000 above the fiscal year 2000 level for the emergency management systems program so the agency can respond to crises that threaten the economic health of the animal industry.

The conferees direct the agency to evaluate its authority and its resources for sufficiency to promote the safety of companion animals transported on commercial airlines. This study should include recommendations regarding any authority needed by the agency to improve animal safety on all commercial airlines.

BUILDINGS AND FACILITIES

The conference agreement provides $9,870,000 for Animal and Plant Health Inspection Service Buildings and Facilities as proposed by the Senate instead of $5,200,000 as proposed by the House.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $65,335,000 for the Agricultural Marketing Service instead of $56,326,000 as proposed by the House and $64,696,000 as proposed by the Senate. The conference agreement provides that $639,000 shall be transferred for the National Organic Standards program only after promulgation of a final rule as proposed by the House. The total amount recommended includes: $5,900,000 for the Livestock Mandatory Price Reporting Act of 1999 as proposed by the Senate instead of $3,000,000 as proposed by the House; $6,235,000 for the Microbiological Data program as proposed by the Senate; an increase of $1,106,000 for the Pesticide Data program as proposed by the House instead of $1,137,000 as proposed by the Senate; and an increase of $31,000 for the Federal-State Marketing Improvement program as proposed by the House.

The conferees expect that, prior to implementation of the recommendations of the USDA Research and Promotion Task Force, the Agricultural Marketing Service will conduct a cost and benefit analysis of the recommendations of the USDA Research and Promotion Task Force, and report to the Committees on Appropriations of the House of Representatives and the Senate on the cost implications to the affected commodity promotion boards.

The conferees place the highest emphasis on ensuring the safety of meals delivered through USDA's various feeding programs. The conferees direct that USDA will not preclude the use of any USDA-approved food safety technology in the preparation of food for its meal or nutrition programs.

PAYMENTS TO STATES AND POSSESSIONS

The conference agreement provides $1,350,000 for the Payments to States and Possessions program instead of $1,500,000 as proposed by the House and $1,200,000 as proposed by the Senate.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $31,420,000 for the Grain Inspection, Packers and Stockyards Administration instead of $27,801,000 as proposed by the House and $27,269,000 as proposed by the Senate.

The conference agreement includes $600,000 for the completion of a biotechnology facility.

The conferees direct the Secretary of Agriculture to conduct a comprehensive study on the issue of captive supply, and deliver a report by September 30, 2001. In particular, the Secretary is instructed to examine and report on whether or not the cattle that are procured pursuant to a captive supply arrangement by a packer's non-reporting subsidiary, affiliate and owners, officers and employees are being included in the percentages as captive supply. The report shall also include the reasons why GIPSA's annual ''Packers and Stockyard Statistical Report'' frequently reports a captive supply percentage much lower than the percentages reported by other entities.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides $460,000 for the Office of the Under Secretary for Food Safety as proposed by the Senate instead of $446,000 as proposed by the House.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $696,704,000 for the Food Safety and Inspection Service instead of $673,790,000 as proposed by the House and $678,011,000 as proposed by the Senate.

The conference agreement includes $591,258,000 for federal food inspection.

The conference agreement includes $6,000,000 to be used to the extent approved by the Director of the Office of Management and Budget to liquidate obligations incurred in previous years that violated the Antideficiency Act. The conferees expect the agency to take appropriate action to avoid violations of the Antideficiency Act from occurring again.

The conference agreement does not adopt Senate bill language providing that the appropriation shall not be available for shell egg surveillance under the Egg Products Inspection Act.

The conferees direct the agency to provide $500,000 to the National Research Council for an evaluation, at the earliest date practicable, by the National Research Council of the role of scientifically determined criteria, including microbiological criteria, in the production and regulation of meat and poultry products and a report, including recommendations to the Secretary, to be prepared by the National Advisory Committee on Microbiological Criteria for Foods, no later that March 1, 2001, regarding microbiological performance standards, including the role of such standards as a means of assuring meat and poultry product safety, as well as such other considerations as the Committee deems appropriate. These activities should in no way delay the implementation of the HACCP inspection system or other food safety activities.

The conferees direct the agency to continue to provide the Quarterly Report on Budget Execution and Staffing to the Committees on Appropriations.

The conference agreement does not include language under this heading which permits FSIS to expend funds appropriated for FY 2001 to liquidate overobligations and overexpenditures incurred in previous fiscal years as proposed by the House.

The conferees note that the conference agreement provides for all mandatory pay cost increases and the full amount requested for the FSIS portion of the Food Safety Initiative.

The conference agreement includes full funding for inspection costs and activities and $2,039,000 for activities related to the Codex Alimentarius. The conferees note increased responsibilities for the agency regarding participation in the Codex Alimentarius. The conference agreement provides for not to exceed $50,000 for representational expenses associated with Codex activities.

The conferees direct a report by March 1, 2001 on meat and poultry inspection regulations in place prior to publication of the Pathogen Reduction HACCP Rule.

Furthermore, the conferees, in supporting food safety regulations based upon the best available science, recognize the importance of the National Advisory Committee for Microbiological Criteria for Foods' (NACMF) chartered mission of providing impartial, scientific advice to Federal agencies on food safety matters. The conferees, therefore, direct that as part of Department of Health and Human Services and Department of Agriculture's ongoing rechartering of the NACMF, the Secretary of Agriculture and Secretary of Health and Human Services shall: (1) appoint a number of members consistent with scientific advisory committees utilized by agencies such as the Food and Drug Administration and the U.S. Environmental Protection Agency; (2) adhere strictly to applicable Federal conflict-of-interest requirements for Federal advisory committee membership; (3) report to the Committee on Appropriations and Committee on Agriculture, Nutrition, and Forestry of the U.S. Senate, the Committee on Appropriations and Committee on Agriculture in the U.S. House of Representatives, and the Secretaries of Agriculture and Health and Human Services on any conflicts of interest

of NACMF members involved in making recommendations to federal agencies, whether waived under applicable Federal law or not, and what those conflicts are.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides $589,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the Senate instead of $572,000 as proposed by the House.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement provides $828,385,000 for the salaries and expenses of the Farm Service Agency (FSA), the same as proposed by the House, Senate and President's budget request. The conferees are concerned, however, that the budget request did not include a funding request sufficient to maintain FSA county office employees at the fiscal year 2000 level. Rural communities and agricultural producers rely heavily on the programs administered by the FSA county office employees during periods of economic decline. Since the economic crisis and FSA workload are not expected to decline in the near future, the conferees expect that future funding requests will fully support the workload needs of county office employees.

STATE MEDIATION GRANTS

The conferees are aware of outstanding issues regarding confidentiality of client information and auditing requirements necessary to maintain program integrity in the State Mediation Program. The conferees strongly encourage the relevant agencies to work cooperatively to balance those program interests and propose further reauthorization requirements as appropriate.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Guaranteed	($870,000,000)
Subsidy	4,437,000
Farm Operating Loans:	
Direct	(525,000,000)
Subsidy	47,355,000
Unsubsidized Guaranteed	(1,077,839,000)
Subsidy	14,770,000
Subsidized Guaranteed	(369,902,000)
Subsidy	30,185,000
Emergency Loans	(25,000,000)
Subsidy	6,133,000
Indian Tribe Land Acquisition Loans	(2,006,000)
Subsidy	323,000

The conferees considered the estimated large carry over balances in the Agricultural Credit Insurance Fund Program account in determining the fiscal year 2001 funding amounts. The estimated carry over balances and the conference agreement reflect at a minimum the President's budget request. In the case of emergency loans, the total amount available is $292,802,000 with a subsidy of $71,825,000, reflecting an increase of $142,738,000 and $35,014,000, respectively, over the President's request.

RISK MANAGEMENT AGENCY

The conference agreement provides $65,597,000 for the Risk Management Agency (RMA) as proposed by the Senate instead of $67,700,000 as proposed by the House.

The conferees recognize the importance of improved risk management tools for dairy farmers and expect the RMA to allow the participation of producers in the Dairy Options Pilot Program (DOPP) for more than one year. The complexities inherent in DOPP require a full understanding of all facets of the program rather than a mere introduction to any benefits or problems. Accordingly, the Administrator of RMA is directed to report to the Appropriations Committees of the House and the Senate by January 2001 on agency compliance with this directive.

CORPORATIONS

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

The conference agreement provides such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses as proposed by the Senate instead of a limitation of $27,771,007,000 as proposed by the House.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides $711,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the Senate instead of no appropriation as proposed by the House.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides $714,116,000 for Conservation Operations as proposed by the Senate instead of $676,812,000 as proposed by the House. Included in this amount is not less than $9,125,000 for operation and establishment of plant materials centers as proposed by the House instead of not less than $9,975,000 as proposed by the Senate.

The conference agreement provides $2,000,000 for the Urban Resources Partnership program, the same amount as the budget request, of which $1,000,000 is available only after promulgation of a final rule for the program.

The conference agreement includes language that makes $204,000 available for the American Heritage Rivers program, the same amount as the budget request.

The conferees recognize the long-term nature of the technical assistance work associated with EQIP contracts and recommend that the technical assistance component be reimbursed, from the Commodity Credit Corporation, for all costs associated with new and existing contracts.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, funding is included for the following items: fiscal year 2000 funding level for the National Water Management Center in Arkansas; $290,000 to expand cooperative efforts with Delaware State University as proposed by the House instead of $500,000 as proposed by the Senate; $5,000,000 for pilot projects for technology systems resulting in nutrient reduction in Florida and North Carolina instead of $1,600,000 as proposed by the House; $525,000 for a cooperative agreement with the Georgia Soil and Water Conservation Commission; $750,000 for Hungry Canyon/Loess Hills erosion control instead of $900,000 as proposed by the Senate; $500,000 above the fiscal year 2000 funding level for Chesapeake Bay activities instead of $1,000,000 as proposed by the Senate; $250,000 for the Squirrel Branch drainage project in Mississippi instead of $500,000 as proposed by the Senate; $100,000 for a cooperative agreement for soil erosion and water quality analysis with Alcorn State University; $150,000 for Tallahagga grade stabilization; no funds to implement Phase II for watershed work in Walton, New York instead of $525,000 as proposed by the House; $300,000 for a study to characterize land use change in cooperation with Clemson University instead of $350,000 as proposed by the Senate; $300,000 for Oregon Garden in Silverton instead of $400,000 as proposed by the Senate; $225,000 to test emerging alternative technology to reduce phosphorus loading into Lake Champlain instead of $300,000 as proposed by the Senate; $18,000,000 for the Grazing Lands Conservation Initiative as proposed by the House instead of $17,000,000 as proposed by the Senate; $725,000 for the Great Lakes Basin Program instead of $700,000 as proposed by the House and $750,000 as proposed by the Senate; $1,000,000 above the fiscal year 2000 level for the Wildlife Management Institute for developing and transferring fish and wildife technology to States and field offices; and an increase of $14,060,000 above the fiscal year 2000 funding level for AFO/CAFO instead of $8,660,000 above fiscal year 2000 as proposed by the House.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides $10,868,000 for Watershed Surveys and Planning as proposed by the House instead of $10,705,000 as proposed by the Senate. The conference agreement includes language providing $136,000 for American Heritage Rivers, the same amount as requested in the budget.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $99,443,000 as proposed by the Senate instead of $83,423,000 as proposed by the House. The conference agreement includes $15,000,000 for watersheds authorized under the Flood Control Act of 1936 as proposed by the Senate instead of $12,000,000 as proposed by the House.

The conference report includes a provision that earmarks $8,000,000 of the funds available for Emergency Watershed Protection activities for Mississippi, Wisconsin, New Mexico, and Ohio for financial and technical assistance for pilot rehabilitation projects.

The conference agreement includes funds for a study in cooperation with the town of Johnston, Rhode Island, on floodplain management for the Pocasset River.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, the following item is included: funds for financial assistance to implement Phase II of a multi-year agreement between the NRCS and the Watershed Agricultural Council in Walton, New York including funds to monitor perpetual stewardship easements.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides $42,015,000 for Resource Conservation and Development instead of $41,708,000 as proposed by the House and $36,265,000 as proposed by the Senate.

FORESTRY INCENTIVES PROGRAM

The conference agreement provides $6,325,000 for the Forestry Incentives Program as proposed by the Senate. The House bill provided no funds for this account.

TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides $605,000 for the Office of the Under Secretary for Rural Development as proposed by the Senate instead of $588,000 as proposed by the House.

The conferees expect the Department to give consideration to the following requests for assistance from rural development programs: rural business enterprise grants to the Lower Mississippi Delta Development Center in Memphis, TN, the Central Kentucky Growers in Georgetown, KY, the Warren County Port Commission in Vicksburg, MS, and the York (PA) Farmers' Market; assistance from community facilities grant and loan programs for construction of a Filipino community center in Waipahu in Honolulu County, HI; assistance from the distance

learning program to the Memphis Mid-south Telemedicine Network Initiative in Tennessee and an outreach program for e-commerce and a high school mentoring program at New Mexico State University; financial assistance to the Town of Newton, MA for upgrades to the sewer system to comply with Clean Water Act standards; funding for the Rockland County (NY) Cornell Cooperative Extension facility; financial assistance, including use of other federal funds to offset USDA loans, for new wastewater treatment facilities in Beach City, OH, and assistance to deal with the environmental health risk due to the quality of water in Browning and East Glacier, MT located on the Blackfeet Indian Reservation and assistance for a sanitary sewers project in Jerusalem Township, Lucas County, OH.

The conferees expect the Department to apply established review procedures when considering applications.

The conferees direct the Department to fund the completion of a study by the National Ground Water Association that would identify and develop strategies to address economic, legal, technological, or public health issues that must be addressed prior to developing a publicly financed program to assist individual low and moderate income households to secure financing for the installation or refurbishing of individually owned household water well systems.

The conferees recognize the urgent need to provide adequate medical care for the members of the Mississippi Band of Choctaw Indians (the Tribe) and other eligible individuals residing in east central Mississippi including Attala, Winston, Noxubee, Leake, Neshoba, Kemper, Scott, Newton, Jasper, and Jones counties. The Tribe, under the provisions of a Self-Governance Compact with the Indian Health Service/U.S. Department of Health and Human Services is the major provider of comprehensive health care services to this large community. Given the rapid population growth in this community, especially young children, the conferees understand there is a critical need to update, expand and modernize the Tribe's existing medical facilities especially the Choctaw Health Center, the Choctaw Residential Center, and the Tribe's ambulatory medical and dental care facilities in the outlying rural clinics in Red Water, Bogue Chitto, and Conehatta.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $762,542,000 for the Rural Community Advancement Program (RCAP) instead of $775,837,000 as proposed by the House and $759,284,000 as proposed by the Senate.

The conference agreement does not include Senate language that specifies program levels within the total made available under the RCAP for assistance to Native Americans. The conferees are aware of housing, utility, business opportunity, and educational infrastructure needs and direct the Department to allocate program benefits in a manner that best serves the requirements of this population, but expect that up to $4,000,000 shall be available for community facility grants for tribal college improvements.

The conference agreement adopts House language setting aside funds provided for Federally Recognized Native American Tribes for technical assistance for rural transportation.

The conference agreement does not adopt House language setting aside $2,000,000 for an agritourism program. The conferees direct the Department to consider requests for agritourism funding and use funds provided under the RCAP to assist meritorious projects.

The conference agreement adopts House language setting aside $5,000,000 for hazardous weather early warning systems.

The conference agreement adopts House language setting aside $5,000,000 for rural partnership technical assistance grants.

The conference agreement does not adopt House language setting aside $2,000,000 for loans to firms that market and process biobased products.

The conference agreement adopts Senate language providing for up to one percent of funds provided for water and waste disposal systems in Alaska for program administration and up to one percent to improve interagency coordination.

The conference agreement adopts Senate language providing $16,125,000 for technical assistance grants.

The conference agreement adopts Senate language setting aside $34,704,000 for Rural Utility Services programs under the Rural Economic Area Partnership Zones.

The conferees direct that of the funds provided for technical assistance for rural waste systems, $7,300,000 be designated for the Rural Community Assistance Program.

The conference agreement includes language provided in title VII to define the use of funds awarded under the Rural Community Development Initiative.

The conferees direct the Department to give priority consideration to applications that will assist producers' transition from tobacco to alternative crops, and to applications that will add value to alternative crops within those states most dependent on tobacco production.

The conferees direct the Department to use RBOG funds for the regional development activities of multi-jurisdictional planning and development organizations serving general purpose units of local government.

The conferees are aware of and encourage the Department to consider applications from the City of Valdez to repair avalanche damage to its water and sewer system through the Water and Waste Disposal Loan and Grants program.

The following table indicates the distribution of funding for the RCAP:

Water/Sewer	$644,360,000
Community Facilities	53,225,000
Business-Cooperative Development	64,957,000
Total	762,542,000
Earmarks:	
Tech. Assist. (water/sewer)	16,215,000
Circuit Rider	9,500,000
Native Americans	24,000,000
Rural Community Development Initiative	6,000,000

RURAL DEVELOPMENT

SALARIES AND EXPENSES

The conference agreement provides $130,371,000 for Rural Development Salaries and Expenses as proposed by the Senate instead of $120,270,000 as proposed by the House.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $254,640,000 for activities under the Rural Housing Insurance Fund Program Account as proposed by the House instead of $285,279,000 as proposed by the Senate. The conference agreement provides for an estimated loan program level of $5,068,649,000 instead of $5,073,497,000 as proposed by the House and $4,564,372,000 as proposed by the Senate.

The conference agreement adopts House language providing up to $5,400,000 for a demonstration program in North Carolina on the use of modular housing.

The conference agreement adopts Senate language providing $13,832,000 for empowerment zones and enterprise communities designated as Rural Economic Area Partnership Zones.

The conference agreement adopts Senate language providing for a transfer of $409,233,000 to salaries and expenses.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Housing Insurance Fund Program Account:	
Loan authorizations:	
Single family (sec. 502)	($1,100,000,000)
Unsubsidized guaranteed	(3,700,000,000)
Housing repair (sec. 504)	(32,396,000)
Rental housing (sec. 515)	(114,321,000)
Multi-family housing guarantees (sec. 538)	(100,000,000)
Site loans (sec. 524)	(5,152,000)
Credit sales of acquired property	(11,780,000)
Self-help housing land development fund	(5,000,000)
Total, Loan authorizations	(5,068,649,000)
Loan subsidies:	
Single family (sec. 502)	176,760,000
Unsubsidized guaranteed	7,400,000
Housing repair (sec. 504)	11,481,000
Multi-family housing guarantees (sec. 538)	1,520,000
Rental housing (sec. 515)	56,326,000
Site loans (sec. 524)	—
Credit sales of acquired property	874,000
Self-help housing land development fund	279,000
Total, Loan subsidies	254,640,000
RHIF administration expenses (transfer to RHS)	409,233,000
Total, Rural Housing Insurance Fund	1,343,873,000
(Loan authorization)	(5,068,649,000)

RENTAL ASSISTANCE PROGRAM

The conference agreement provides $680,000,000 for the Rental Assistance Program as proposed by the Senate instead of $655,900,000 as proposed by the House.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides $34,000,000 for Mutual and Self-Help Housing Grants as proposed by the Senate instead of $28,000,000 as proposed by the House.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $44,000,000 for Rural Housing Assistance Grants as proposed by the Senate instead of $39,000,000 as proposed by the House.

The conference agreement adopts Senate language setting aside $5,000,000 for a housing demonstration program for workers in the agriculture, aquaculture and seafood processing industries.

FARM LABOR PROGRAM ACCOUNT

The conference agreement provides $30,000,000 for the Farm Labor Program Account as proposed by the House instead of $28,750,000 as proposed by the Senate. The conference agreement provides $15,000,000 for loan subsidies and $15,000,000 for grants.

The conference agreement does not adopt House language providing $3,000,000 for grants to migrant and seasonal farm workers.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement adopts Senate language providing for a transfer of $3,640,000 to salaries and expenses.

The conference agreement adopts Senate language setting aside $2,036,000 for Federally Recognized Native American Tribes and $4,072,000 for Mississippi Delta Region counties.

The conferees direct the Department to give priority consideration to applications that will assist producers' transition from tobacco to alternative crops and to applications that will add value to alternative crops within those states most dependent on tobacco production.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides $6,500,000 for Rural Cooperative Development Grants as proposed by the House instead of $6,000,000 as proposed by the Senate.

The conference agreement adopts House language providing $2,000,000 for the appropriate technology transfer for rural areas program.

The conference agreement adopts Senate language providing not to exceed $1,500,000 for cooperatives or associations of cooperatives, whose primary focus is to provide assistance to small, minority producers.

The conference agreement does not provide for the requested transfer of $2,000,000 from salaries and expenses to fund cooperative research agreements.

NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER REVOLVING FUND

The conference agreement does not provide $5,000,000 for the National Sheep Industry Improvement Center Revolving Fund as proposed by the House. The Senate bill provided no funds for this program. This matter is addressed in title VII.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $40,374,000 for activities under the Rural Electrification and Telecommunications Loans Program Account as proposed by the Senate instead of $33,270,000 as proposed by the House. The conference agreement provides for an estimated loan program level of $3,111,500,000 as proposed by the Senate instead of $2,040,000,000 as proposed by the House.

The conference agreement adopts Senate language providing for a transfer of $34,716,000 to salaries and expenses.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Electrification and Telecommunications Loans Program Account:	
Loan authorizations:	
Electric:	
Direct, 5 percent	($121,500,000)
Direct, Muni	(295,000,000)
Direct, FFB	(1,700,000,000)
Direct, Treasury rate	(500,000,000)
Guaranteed	
Subtotal	(2,616,500,000)
Telecommunications:	
Direct, (5 percent)	(75,000,000)
Direct, Treasury rate	(300,000,000)
Direct, FFB	(120,000,000)
Subtotal	(495,000,000)
Total, loan authorizations	(3,111,500,000)
Loan subsidies:	
Electric:	
Direct, 5 percent	12,101,000
Direct, Muni	20,503,000
Direct, FFB	(1)
Direct, Treasury rate	(1)
Guaranteed	
Subtotal	32,604,000
Telecommunications:	
Direct, 5 percent	7,770,000
Direct, Treasury rate	(1)
Direct, FFB	(1)
Subtotal	7,770,000
Total, loan subsidies	40,374,000
RETLP administrative expenses (transfer to RUS)	34,716,000
Total, Rural Electrification and Telecommunications Loans Program Account	75,090,000
(Loan authorization)	(3,111,500,000)

[1] Negative subsidy rates for fiscal year 2001 are calculated for these programs.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement adopts House language including audits under ''administrative expenses.''

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

The conference agreement provides $27,000,000 for the Distance Learning and Telemedicine Program as proposed by the Senate instead of $19,500,000 as proposed by the House.

The conference agreement adopts Senate language setting aside $2,000,000 for a pilot program to finance broadband transmission and local dial-up service in rural areas as proposed by the Senate instead of $1,400,000 as proposed by the House.

The conferees direct the Department to maintain the current level of funding for grants to rural entities to promote employment of rural residents through teleworking.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The conference agreement provides $570,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services as proposed by the Senate instead of $554,000 as proposed by the House.

The conferees want to ensure that farmers participating in the WIC Farmers Market Nutrition Program (FMNP) and the Food Stamp Program (FSP) are able to participate through electronic benefit transfer (EBT) systems. The conferees note that USDA has established the technical feasibility of wireless and other innovative EBT systems for farmers markets, rural route vendors, and other ''non-traditional'' vendors operating without access to standard telephone and electricity service.

The conferees urge the Department to use funds designated for the development of WIC EBT systems to support state initiatives to implement wireless and other innovative EBT solutions for farmers and farmers markets participating in the WIC FMNP and the FSP to enable them to continue participating in these programs.

Nutrition monitoring activities are vital to shaping policies for food safety, child nutrition, food assistance, and dietary guidance. Integration of these activities must ensure that: (1) the quality of the dietary data collected is not diminished; (2) survey methods capture statistically valid intakes of various population groups, especially at-risk groups, and are continually updated to account for changes in dietary patterns and new food technologies; (3) the needs of the many users of these important data are met; and (4) data are made available in a timely manner. The conferees direct the USDA, in consultation with the Department of Health and Human Services, to prepare and submit a report to the House and Senate Committees on Appropriations, by December 31, 2000, that describes the process for integrating the National Health and Nutrition Examination Survey (NHANES) and the Continuing Survey of Food Intakes by Individuals (CSFII). The report should: (1) include a timeline and steps to accomplish the goals set forth in the National Nutrition Monitoring and Related Research Act of 1990; (2) be prepared in consultation with representatives of user groups (i.e., anti-hunger groups, consumer advocates, commodity organizations, food producers, nutrition professionals, and public and voluntary health organizations); (3) address the strengths and potential weaknesses of merging the two surveys and identify how problems will be addressed and by whom; (4) identify funding needs and sources; and (5) include recommendations for inclusion in reauthorization of the National Nutrition Monitoring and Related Research Act.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides a total of $9,541,539,000 for Child Nutrition Programs as proposed by the Senate instead of $9,535,039,000 as proposed by the House. Included in this amount is an appropriated amount of $4,413,960,000, a transfer from section 32 of $5,127,579,000, $6,000,000 for the school breakfast demonstration project as proposed by the Senate, and $500,000 for a school breakfast pilot project.

The conference agreement provides the following for Child Nutrition programs:

Total Obligational Authority

Child Nutrition Programs:	
School lunch program	$5,387,523,000
School breakfast program	1,495,684,000
Child and adult care food program	1,807,435,000
Summer food service program	323,499,000
Special milk program	16,843,000
State administrative expenses	127,321,000
Commodity procurement and support	360,223,000
School meals initiative/Team nutrition	10,000,000
School breakfast demonstration project	6,000,000
Coordinated review effort	4,511,000
Food safety education	2,000,000
School breakfast pilot project	500,000
Total	9,541,539,000

The conference agreement includes $500,000 for school breakfast startup grants in Wisconsin. The conferees are aware of an effort initiated and funded by the State of Wisconsin to enhance participation in the school breakfast program and the Department is directed to make available grants to currently non-participating schools in a manner consistent with that program.

The conferees are aware that the Department has recently issued a final rule regarding the use of alternate protein products in the Child Nutrition Programs. The conferees

urge the Department to work with interested organizations to ensure that fortification, name and labeling requirements are sufficient to protect the health, growth, and nutritional well-being of America's school children. The conferees believe that any new requirements for fortification of these protein products should be based on the USDA guidelines that set levels for nutrient fortification of soy-containing foods used in the child nutrition programs. In addition, the conferees encourage that any recommended labeling requirements be consistent with similar guidelines of other Departmental agencies and the Food and Drug Administration.

The conferees recognize the longstanding, high level of expertise in the Food and Nutrition Service in the administration of school lunch programs, and encourage the Secretary to take advantage of this expertise by utilizing Food and Nutrition Service staff in any efforts to help other nations establish such programs.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides $4,052,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) as proposed by the Senate, instead of $4,067,000,000 as proposed by the House. The conference agreement provides sufficient funding to support an average of at least 7.4 million monthly participants in the WIC program, an increase from the projected fiscal year 2000 average monthly participation level of 7.2 million.

The conference agreement provides that the Secretary shall obligate $10,000,000 for the farmers' market nutrition program within 45 days of enactment of this Act, and that the Secretary shall obligate an additional $10,000,000 for this program from funds not needed to meet program participation requirements.

The conference agreement does not include a provision that allows fiscal year 2000 WIC carryover funds to be transferred to other nutrition programs as proposed by the House.

The conference agreement includes a provision that WIC funds shall be made available for sites participating in the WIC program to determine whether a child eligible to participate has received an appropriate blood lead screening test upon the enrollment of the child in the WIC program as proposed by the Senate.

It is not the intent of this conference agreement to detrimentally affect religious beliefs or practices. Nothing in this agreement is intended to preclude a child's participation in the Special Supplemental Nutrition Program for Women, Infants, and Children if a parent objects to his or her child receiving a lead poisoning screening test because such a test would be inconsistent with his or her religious beliefs and practices. Accommodation of religious beliefs and practices shall have no impact whatsoever on the level of funds made available for each site participating in the WIC program.

The conference agreement directs the USDA to release a final rule on WIC delivery systems no later than 90 days after enactment of this Act.

The conferees are aware that the Department is considering changes in the food package to the WIC program. One of those proposals involves the potential exceptions to the current sugar cap for the WIC food package. The sugar cap is an issue that has been studied many times, always with the same conclusion. The consensus from the studies, nutritionists, State WIC directors, sugar commodity associations, and dentists is that no exceptions to the sugar cap should be made. Accordingly, the conferees direct that the Department make no exceptions to the sugar cap. The conferees further direct that no USDA funds be used to investigate this issue further.

FOOD STAMP PROGRAM

The conference agreement provides $20,114,293,000 for the food stamp program instead of $21,221,293,000 as proposed by the Senate and $21,231,993,000 as proposed by the House. Included in this amount is $18,613,293,000 for expenses instead of $19,720,293,000 as proposed by the Senate and $19,730,993,000 as proposed by the House. The recommendation makes a downward adjustment of $1,107,000,000, as reflected in OMB's Mid-Session Review.

The conference agreement does not include Senate language providing for an additional amount, not to exceed $7,300,000, for bison purchases for the Food Distribution Program on Indian Reservations (FDPIR). The conferees encourage the Department to continue and increase, to the extent practicable, purchases of bison for FDPIR and to use every opportunity to acquire purchases from Native American producer and cooperative organizations. The Department should also review program infrastructure needs, including refrigeration, and use program funds, as necessary, to meet existing requirements.

The conferees recognize the severe health problems facing Native Americans, including diabetes and heart disease. The conferees expect the Secretary to purchase bison meat for the FDPIR to promote health benefits in the Native American population.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $140,300,000 for the Commodity Assistance Program as proposed by the Senate instead of $138,300,000 as proposed by the House. Included in the amount is $45,000,000 for administration of TEFAP, and $98,300,000 for the Commodity Supplemental Food Program.

The conference agreement includes language that provides $20,781,000 of this appropriation shall be available for administrative expenses of the Commodity Supplemental Food Program.

The conferees are aware of the interest in restoring the income eligibility guideline for senior citizens under the Commodity Supplemental Food Program to 185% of poverty, the same as that used for mothers, infants, and children. The Secretary is encouraged to give positive consideration to this proposal.

FOOD DONATIONS PROGRAM

The conference agreement provides $151,081,000 for the Food Donations Program instead of $161,081,000 as proposed by the House and $141,081,000 as proposed by the Senate. Included in this amount is $150,000,000 for the Elderly Feeding Program.

FOOD PROGRAM ADMINISTRATION

The conference agreement provides $116,807,000 for Food Program Administration as proposed by the Senate instead of $116,392,000 as proposed by the House. Included in this amount is not less than $4,500,000 to improve integrity in the Food Stamp Program and Child Nutrition Program as proposed by the Senate instead of not less than $3,000,000 as proposed by the House.

The conference agreement does not include funds for the Colonias program. The conferees note that over $300,000,000 is estimated to be spent on nutrition education, promotion, and information through USDA's feeding programs. The conferees urge the Department to target funding from these nutrition education, promotion and information programs to the Colonias in the southwestern United States.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

The conference agreement provides $115,424,000 for the Foreign Agricultural Service instead of $113,424,000 as proposed by the Senate and $109,186,000 as proposed by the House. The conference agreement includes $3,120,000 for mandatory pay cost increases and $618,000 for the Foreign Agricultural Service attache, office in the American Institute in Taiwan.

The conference agreement provides $4,000,000 for the Cochran Fellowship Program and encourages the Secretary to continue to provide additional support for the program through the CCC Emerging Markets Program at the fiscal year 1999 level.

The conference agreement includes $2,000,000 for the Foreign Agricultural Service to administer and oversee emergency and other international food assistance. The Service is expected to undertake activities in support of monetization where there is the highest potential for promoting and enhancing economic growth and development in recipient countries. Further, the Service is directed to specifically expand its presence in Ukraine where there is a strong potential for expansion, and Bulgaria, where there is a need for more adequate administration and monitoring of USDA programs due to the sharp increase in USDA food aid programs in the Balkans. The conferees believe these funds will help build strong U.S. partnerships with emerging economies and enhance exports to develop long-term markets for U.S. agricultural inputs and products.

The conferees direct the Department to provide a quarterly report to the Subcommittees on Agriculture of the House and Senate Appropriations Committees detailing the volume of agricultural imports from and exports to China by commodity.

The conferees understand that there may be the opportunity to resume food assistance to Ukraine in the coming year. The Secretary is encouraged to pursue responsible opportunities for restoring appropriate levels of assistance for this nation, including opportunities for collaborative programs involving research, extension, micro-credit, and business development opportunities.

The Secretary is directed to require that any agreement be transparent, subject to monitoring, and to report to the Committees all steps taken to achieve these requirements before finalizing any agreement.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

The conferees encourage the Department of Agriculture to provide concessional financing through the P.L. 480 title I program to private entities as authorized in P.L. 104–27, the Federal Agriculture Improvement and Reform Act of 1996.

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

The conference agreement adopts Senate bill language requiring prior notice to the Committees on Appropriations for transfers of funds between title I agreements and title I ocean freight differential.

PUBLIC LAW 480—TITLE II GRANTS

The conference agreement provides $837,000,000 for Public Law 480 title II as proposed by the Senate instead of $770,000,000 as proposed by the House.

The conference agreement does not adopt House bill language providing for transfer of up to 15 percent of title II funds to title III. The conferees note that this provision exists in current law.

The conference agreement does not adopt House bill language providing $1,850,000 for

use by the United States Agency for International Development for administrative expenses to carry out title II.

The conferees are aware that loss of commodities under the Public Law 480 food program often occurs as a result of package breakage. The conferees urge the Secretary to evaluate this problem, explore using alternative containers, and to meet regularly with members of private voluntary organizations, the industry, shippers, and millers, to continue to improve the quality of food aid, in terms of its packaging, nutritional content, and other quality aspects.

The following table reflects the conference agreement for Public Law 480 program accounts:

Public Law 480 Program and Grant Accounts:	
Title I—Credit Sales:	
Program level	($180,000,000)
Direct loans	159,678,000
Ocean freight differential	20,322,000
Title II—Commodities for disposition abroad:	
Program level	(837,000,000)
Appropriation	837,000,000
Loan subsidies	114,186,000
Salaries and expenses:	
General Sales Manager (transfer to FAS)	1,035,000
Farm Service Agency (transfer to FSA)	815,000
Subtotal	1,850,000
Total, Public Law 480:	
Program level	(1,017,000,000)
Appropriation	973,358,000

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides total appropriations, including Prescription Drug User Fee Act collections, of $1,217,797,000 for the salaries and expenses of the Food and Drug Administration, instead of $1,240,178,000 as proposed by the House and $1,216,796,000 as proposed by the Senate, and provides specific amounts by FDA activity as proposed by the Senate.

The conference agreement does not include a rescission of $27,000,000 as proposed by the House. The conference agreement does not include the subheading ''(Including Rescission)'' as proposed by the House.

The conferees adopt the title VI subheading as proposed by the Senate. The House version differed technically.

The conference agreement does not include a proviso that $3,000,000 may be for activities carried out with regard to new animal drugs, as proposed by the House. However, the conference agreement provides an increase of $3,000,000 for work done within the Center for Veterinary Medicine on antimicrobial resistance. The Senate had no similar provision.

The conference agreement does not include a proviso that, in addition to amounts provided, $6,000,000 shall be made available for food safety activities, as proposed by the Senate. The conference agreement provides the full increase requested for the Food Safety Initiative, $30,000,000, as proposed by the House.

The conference agreement provides that fees derived from applications received during fiscal year 2001 shall be subject to the fiscal year 2001 limitation as proposed by the Senate. The House had no similar provision.

The conference agreement provides the full funding increases from the fiscal year 2000 levels requested in the President's fiscal year 2001 budget for the following activities: $30,000,000 for food safety initiatives; $22,879,000 for premarket review; and $4,783,000 for payments to the General Services Administration for rent and related activities. For other increases requested in the President's fiscal year 2001 budget, the conferees provide the following: $9,000,000 for inspections; $5,000,000 for enforcement of Internet drug sales; $5,000,000 for counter-bioterrorism activities; and $6,800,000 for improvements to FDA's current system of post-approval surveillance to identify adverse events associated with products on the market, subject to existing information confidentiality restrictions.

In addition, the conference agreement provides increases from the fiscal year 2000 levels of $1,000,000 for dietary supplements and $1,000,000 for orphan product grants, as recommended by the Senate; and $1,200,000 for the Office of Generic Drugs to reduce generic drug application review and approval times.

Fiscal year 2000 funds appropriated, but no longer required, for FDA tobacco activities have been made available to cover the $5,000,000 included in the fiscal year 2001 budget request for costs associated with the relocation of the Center for Food Safety and Applied Nutrition to College Park, MD; $21,800,000 included in the fiscal year 2001 budget request for one-time contracts and equipment purchases; and $1,500,000, as recommended by the House, for information technology upgrades for the Office of Generic Drugs. Funding for these one-time cost requirements is not included in the fiscal year 2001 level provided.

The conferees direct that FDA provide $1,500,000 from sums provided for food safety for a contract with New Mexico State University's Physical Science Laboratory to establish an agricultural products testing laboratory in Dona Ana County, New Mexico. The laboratory will conduct rapid screening analyses of fresh fruits and vegetables (imported and domestic) for microbiological contamination of products in the Texas, New Mexico, Arizona area. The laboratory will augment FDA's capabilities and facilitate rapid testing of these perishable products. The conference language replaces similar language in the House report. The Senate had no similar language.

The conferees expect FDA to make final the regulations regarding labeling of irradiated foods by March 1, 2002, and report to the House and Senate Committees on Appropriations on the status by November 15, 2000. This agreement changes the dates proposed for final regulations by the House of September 30, 2001, and by the Senate of October 30, 2001.

The conference agreement does not include House language on treatment of biologic drugs versus that of chemically-based drugs, as related to orphan drug alternatives. Recognizing that the House authorizing committee has recently resumed consideration of this issue, the conferees defer to that action in lieu of that recommended by the House. The Senate had no similar language.

It has been brought to the conferees' attention that makers of electronic facial toning appliances have been informed by the FDA that their products may be ''medical devices'' under the law. The conferees encourage the FDA to consider the companies' claims that products are purely cosmetic and not ''intended to affect the structure or any function of the body.'' Nothing in this conference report language should be taken to diminish or attempt to diminish the responsibility under law for the FDA to continue to protect American consumers. FDA will report to the Appropriations Committees of the House and Senate on their findings.

BUILDINGS AND FACILITIES

The conference agreement provides $31,350,000 for Food and Drug Administration Buildings and Facilities as proposed by the Senate instead of $11,350,000 as proposed by the House.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides $68,000,000 for the Commodity Futures Trading Commission instead of $69,000,000 as proposed by the House and $67,100,000 as proposed by the Senate.

The conference agreement adopts Senate language providing not to exceed $1,000 for official reception and representation expenses instead of not to exceed $2,000 as proposed by the House.

The conference agreement does not adopt a House provision providing authority to charge reasonable fees to cover the costs of Commission-sponsored events and activities. The conferees note that this authority exists in permanent law.

TITLE VII—GENERAL PROVISIONS

House and Senate Section 701.—The conference agreement (Section 701) makes funds available for the purchase of passenger motor vehicles in fiscal year 2001 as proposed by the Senate instead of in the ''current fiscal year'' as proposed by the House.

House and Senate Section 704.—The conference agreement includes language (Section 704) that provides that the Secretary of Agriculture may transfer unobligated balances of the USDA to the Working Capital fund for the acquisition of plant and capital equipment of primary benefit to USDA with prior approval from the agency administrator and the Committees on Appropriations.

House and Senate Section 705.—The conference agreement includes language (Section 705) allowing certain funds to remain available until expended.

House Section 709.—The conference agreement does not include a provision as proposed by the House making commodities available to individuals in cases of hardship. The Secretary of Agriculture has this authority.

House Section 713 and Senate Section 712.—The conference agreement includes language (Section 712) that makes funds available for the cost of loans for fiscal year 2001 as proposed by the Senate instead of ''in the current fiscal year'' as proposed by the House.

House Section 714.—The conference agreement does not include a provision that sums as may be necessary for current fiscal year pay raises shall be absorbed within levels appropriated by this Act as proposed by the House.

House Section 716 and Senate Section 714.—The conference agreement includes permanent language (Section 714) allowing the use of cooperative agreements.

House Section 718 and Senate Section 716.—The conference agreement includes language (Section 716) that provides $1,800,000 for expenses for advisory committees as proposed by the Senate instead of $1,500,000 as proposed by the House.

House Section 723 and Senate Section 721.—The conference agreement includes language (Section 721) that provides for reprogramming procedures in fiscal year 2001.

House Section 724 and Senate Section 722.—The conference agreement includes language (Section 722) regarding limitations on the Fund for Rural America.

House Section 726.—The conference agreement does not contain a limitation on AMTA contract payments for wild rice as proposed by the House. Public Law 106–78 made this provision permanent.

House Section 727 and Senate Section 724.—The conference agreement includes language (Section 724) regarding limitations on the Initiative for Future Agriculture and Food Systems.

House Section 728 and Senate Section 725.—The conference agreement makes permanent a provision (Section 725) regarding participation by farmer-owned cooperatives in commodity purchase programs.

Senate Section 727.—The conference agreement includes language (Section 727) that prohibits the use of funds to close or relocate certain FDA offices in St. Louis, Missouri.

Senate Section 728.—The conference agreement includes language (Section 728) prohibiting the use of funds to reduce staff levels at certain FDA offices in Detroit, Michigan.

House Section 730 and Senate Section 729.—The conference agreement includes language (Section 729) to permanently (1) allow the Agricultural Marketing Service to utilize advertising in conducting consumer education activities, and (2) prohibit the use of funds to carry out certain activities unless the Secretary of Agriculture inspects and certifies agricultural processing equipment and imposes a fee for those activities.

House Section 731 and Senate Section 730.—The conference agreement includes language (Section 730) regarding budget submission requirements related to user fees proposals prior to the date of conference for the fiscal year 2002 appropriations Act.

House Section 732 and Senate Section 731.—The conference agreement includes language (Section 731) that none of the funds appropriated by this Act shall be used to establish an Office of Community Food Security or any similar office within the USDA without prior approval of the Committees on Appropriations of the House and the Senate.

House Section 734.—The conference agreement (Section 733) prohibits the use of funds for certain activities implementing the Kyoto Protocol.

Senate Section 733.—The conference agreement (Section 734) prohibits the use of funds to transfer or convey federal lands and facilities at Fort Reno, OK, without the specific authorization of Congress.

Senate Section 734.—The conference agreement (Section 735) prohibits the use of funds for the implementation of a Support Services Bureau or similar organization.

House Section 735.—The conference agreement does not include language regarding karnal bunt.

Senate Section 735.—The conference agreement (Section 736) contains a provision that raises income eligibility levels for rural development programs.

House Section 736.—The conference agreement (Section 737) makes Lloyd, New York, and Thompson, New York, eligible for certain loans and grants.

Senate Section 736.—The conference agreement (Section 738) contains a permanent provision that disallows the sale or disposal of housing purchased in a foreign country for the agricultural attache, without the approval of the FAS.

House Section 737.—The conference agreement includes language (Section 739) making permanent a provision that the fee collected by the Secretary of Agriculture for a guaranteed loan may be in an amount equal to not more than 2 percent of the principal obligation of the loan.

House Section 738 and Senate Section 737.—The conference agreement includes language (Section 740) that allows the Secretary to use funds to employ individuals to perform services outside the U.S. as determined to be necessary to carry out programs and activities abroad through the use of Personal Service Agreements.

Senate Section 738.—The conference agreement includes language (Section 741) that prohibits the use of funds to close or relocate a state rural development office until/unless cost effectiveness and enhanced program delivery has been determined.

House Section 739.—The conference agreement includes language (Section 742) that extends the dairy price support program and delays the dairy recourse loan program.

Senate Section 739.—The conference agreement includes language (Section 743) that directs that not more than $25,000,000 worth of commodities made available under the section 416(b) program shall be made available to foreign countries to assist in mitigating the effects of HIV/AIDS.

House Section 740.—The conference agreement (Section 744) provides $2,000,000 for hunger fellowships.

Senate Section 740.—The conference agreement (Section 745) includes the ''Medicine Equity and Drug Safety Act of 2000'' and the ''Prescription Drug Import Fairness Act of 2000'' (Section 746).

House Section 741.—The conference agreement provides language (Section 747) regarding loans in Arkansas.

Senate Section 741.—The conference agreement includes language (Section 748) that amends the Organic Act of 1990 to allow sulfites in the production of wine.

House Section 742.—The conference agreement includes language (Section 749) regarding the Friends of the National Arboretum.

Senate Section 742.—The conference agreement includes language (Section 750) that prohibits the use of funds to discontinue use of FINPACK in the Farm Service Agency (FSA) offices for six months from the date of enactment. The conferees expect the FSA to provide for a smooth and orderly transition to a common computing environment in USDA field service centers. The transition should provide the capability of FSA computer programs to interface with any commercial off-the-shelf software, including FINPACK, that may be used by clients or lending institutions.

House Section 743.—The conference agreement does not include language regarding compensation for the value of lost production due to citrus canker.

Senate Section 743.—The conference agreement (Section 751) makes permanent a provision that any borrower whose income does not exceed 115 percent of the median family income of the U.S. shall be eligible for section 502 housing.

House Section 744.—The conference agreement does not include language regarding alternative protein products.

Senate Section 744.—The conference agreement does not include Sense of the Senate language regarding victims of domestic violence. However, the conferees do agree that to the extent practicable, USDA's Rural Housing Service should work with other public agencies and organizations to provide transitional housing for individuals and families who are homeless as a result of domestic violence.

House Section 745.—The conference agreement includes language (Section 752) that makes ratites and squab slaughtered for human consumption subject to the Poultry Products Inspection Act.

Senate Section 745.—The conference agreement does not include language that prohibits the use of funds to change natural cheese standards. The conferees are aware of technological changes relating to cheese processing and the potential economic and structural changes that might result within the dairy industry. The conferees are also aware of a request recently submitted to the General Accounting Office for a report on this subject and concur that such a request is consistent with that part of Senate Section 745 which requires a study on this subject.

House Section 746.—The conference agreement does not include language regarding previously appropriated funds to compensate nursery stock producers for losses caused by Hurricane Irene.

Senate Section 746.—The conference agreement does not include language regarding the import of Argentine citrus.

House Section 747.—The conference agreement includes language (Section 753) providing guidance for developing the prevention standards for Salmonella Enteritidis.

The conferees share the commitment to egg safety evidenced by the Action Plan to Eliminate Salmonella Enteritidis Illnesses Due to Eggs published on December 10, 1999. The conferees support FDA's current thinking paper on national standards for egg safety dated July 31, 2000. In preparing the regulations to implement the plan, the conferees expect the government agencies to: (1) coordinate federal and state programs to efficiently and effectively implement the standards; (2) consider egg labeling which is consistent with the existing safe handling instructions associated with meat and poultry; (3) consider effective administrative and management practices to ensure consistent nationwide enforcement and implementation of the standards, including (a) cleaning and disinfection, (b) rodent and pest elimination, (c) proper egg washing, (d) biosecurity, (e) refrigeration, (f) testing and verification, and (g) vaccination; (4) consider the appropriate utilization of existing federal, state, or local government agencies currently charged with poultry or egg safety responsibilities (including such aspects of grading as are related to egg safety), in implementing the regulations; (5) conduct traceback procedures in a consistent manner and make such procedures accessible to the public, and employ appropriate inspectional and testing protocols to determine the source of contamination; and (6) consider, as appropriate, the provisions of existing national and state quality assurance programs in establishing regulations that are practical, achievable and cost-effective in accordance with the risk posed to U.S. consumers.

Senate Section 747.—The conference agreement does not include language regarding the Dairy Export Incentive Program. The conferees are concerned that awards for U.S. dairy products under the Dairy Export Incentive Program have not been shipped and the Department has been reluctant to reallocate these amounts for other awards. The conferees direct the Secretary to provide information to the Committees no later than November 1, 2000, relating to a justification for this reluctance, including supporting documentation.

House Section 748.—The conference agreement does not include language regarding loans to poultry farmers.

Senate Section 748.—The conference agreement does not include language that reauthorizes State agricultural mediation programs through 2005. The conference agreement provides annual funding for the program in the appropriate section of the bill.

House Section 749.—The conference agreement includes language (Section 754) extending the time to compensate cotton producers/ginners/others in Georgia.

Senate Section 749.—The conference agreement includes language (Section 755) that adds a section to the Food Security Act of 1985 to make provisions for Good Faith Reliance when the owner/operator is attempting to comply with terms of the contract and enrollment requirements.

House Section 750.—The conference agreement does not include language providing emergency funds for market/quality loss payments for apples and potatoes.

Senate Section 750.—The conference agreement does not include language regarding

data collected on imported herbs. The conferees do expect the Secretary of Agriculture to cooperate with the Secretary of the Treasury to establish a framework within which the publication of data regarding herb imports (including through electronic media) may be made available to the public on a monthly basis.

House Section 751.—The conference agreement does not include language exempting oyster fishermen from repaying emergency payments issued erroneously in the State of Connecticut.

House Section 752.—The conference agreement does not include language urging the Secretary of Agriculture to use alternative fuels in meeting the fuel needs of the USDA. This matter is addressed under the Office of the Secretary.

House Section 753.—The conference agreement does not include language regarding reimportation of prescription drugs. This matter is addressed under Sections 745 and 746.

House Section 754.—The conference agreement does not include language regarding reimportation of prescription drugs. This matter is addressed under Sections 745 and 746.

Section 756.—The conference agreement includes language that amends Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act.

Section 757.—The conference agreement includes language that allows the USDA to retain refunds and rebates from credit card services.

Section 758.—The conference agreement includes a technical correction to the Act of August 19, 1958, to permit section 416(b) food aid programs to operate more efficiently.

Section 759.—The conference agreement includes language that allows Sea Island Health Clinic on Johns Island, South Carolina, to remain eligible for Rural Development community facilities programs.

Section 760.—The conference agreement includes language making certain areas of Dade County, Florida, eligible for business and industry loans.

Section 761.—The conference agreement includes language designating the City of Kewanee and the City of Jacksonville, Illinois, as meeting the requirements of a rural area contained in section 520 of the Housing Act of 1949 permanently.

Section 762.—The conference agreement includes language directing the Chief of the Natural Resources Conservation Service to settle claims associated with the Chuquatonchee Watershed Project in Mississippi from existing funds.

Section 763.—The conference agreement includes language making the Konocti Water District, California, eligible for grants and loans administered by the Rural Utilities Service during fiscal year 2001.

Section 764.—The conference agreement includes language designating Jefferson County, Kentucky, as a rural area for purposes of the business and industry direct and guaranteed loan program during fiscal year 2001.

Section 765.—The conference agreement includes language authorizing the conveyance of a small parcel of land associated with the Beltsville Agricultural Research Center within the Sunnyside Subdivision of Prince George's County, Maryland.

Section 766.—The conference agreement designates up to $500,000 of the funds provided to carry out section 211(a) of the Agricultural Risk Protection Act of 2000 to be used solely for the State of California.

Section 767.—The conference agreement provides for a wildlife services program for injurious animal species.

Section 768.—The conference agreement amends section 412 (d) of the Agricultural Trade Development and Assistance Act of 1954 for dairy value products.

Section 769.—The conference agreement makes the City of Coachella, California, eligible for grants and loans administered by the Rural Development mission areas of USDA for fiscal year 2001.

Section 770.—The conference agreement designates the City of Vicksburg, Mississippi, as meeting the requirements of a rural area in section 520 of the Housing Act of 1949.

Section 771.—The conference agreement provides language instructing the Administrator of the Rural Utilities Service to use the authorities of the Rural Electrification Act of 1936 to finance the acquisition of electricity in predominantly rural areas.

Section 772.—The conference agreement includes language (Section 772) prohibiting the use of funds to promulgate a final rule to change the definition of ''animal'' pursuant to the Animal Welfare Act.

Section 773.—The conference agreement includes language (Section 773) adding ''Indian tribes'' to the Consolidated Farmers Home Administration Act of 1961.

Section 774.—The conference agreement includes language (Section 774) making technical corrections to P.L. 106–246.

Section 775.—The conference agreement includes language (Section 775) modifying the term ''agricultural commodity'' for the purposes of administering Title IX of this Act.

Section 776.—The conference agreement includes language (Section 776) regarding Hamilton Grange.

Section 777.—The conference agreement includes language (Section 777) regarding ''Fallen Timbers Battlefield and Fort Miamis National Historic Site.''

TITLE VIII

NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS, DEPARTMENT OF AGRICULTURE

The conference agreement includes a new title to provide emergency assistance for agricultural losses of crop production and quality related to natural disasters, conservation needs, market-related problems, relief to rural communities across America and certain USDA administrative requirements. Emergency agricultural assistance was previously included in H.R. 3908, as passed by the House of Representatives on March 30, 2000; H.R. 4461, as passed by the Senate on July 20, 2000; and Public Law 106–246, enacted on July 13, 2000. Items included in H.R. 3908 and H.R. 4461, not previously resolved in P.L. 106–246, were given consideration for inclusion in this conference report.

A number of accounts are included in this conference report which respond to the severe wildfires that have occurred in many states such as Montana and Idaho. The Emergency Conservation Program, Emergency Watershed Program, Livestock Assistance Program (including the American Indian Emergency Feed Assistance Program), Livestock Indemnity Program, and programs within the USDA rural development mission area receive funding in the conference report which will assist in the response and recovery of these affected lands, farming and ranching operations, and rural communities.

OFFICE OF THE SECRETARY OF AGRICULTURE

Bovine tuberculosis—The conferees expect the Secretary to use all existing authority for the implementation of a program that will prevent and eradicate bovine tuberculosis in Texas, Michigan, and other affected States, to reduce the monetary loss associated with bovine tuberculosis affecting cattle producers. The conferees recognize the importance of this program, and of the complete eradication of bovine tuberculosis. The conferees believe the program should include payments to producers who suffer livestock losses. The conferees direct the Secretary of Agriculture, in consultation with the affected States, to ensure the program shall be administered in such a manner that will reduce the Federal financial burden resulting from the payments made to the producers.

OFFICE OF THE CHIEF INFORMATION OFFICER

COMMON COMPUTING ENVIRONMENT

The conference agreement provides $19,500,000, to remain available until expended, for information technology tools needed to develop and implement a common computing environment in USDA field office service centers.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $200,000 for activities related to rural business entities.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement does not include $7,140,000 to contain and control Pierce's disease as proposed by the House in H.R. 3908. The conferees note that USDA has received emergency funds from the Commodity Credit Corporation for applied research, eradication, and control of Pierce's Disease.

The conference agreement addresses funding for boll weevil eradication in title I of this Act.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement includes $50,000,000, to remain available until expended, for administrative expenses associated with administering provisions of this title.

EMERGENCY CONSERVATION PROGRAM

The conference agreement provides $80,000,000, to remain available until expended, for natural disasters. The conferees intend this funding to address damages incurred on crop lands as a result of the summer fires and drought conditions in certain regions of the country as well as other natural disasters. The conferees further intend for the funding to address the replacement of fences destroyed by the fires.

The conference agreement does not include language to allow the Secretary of Agriculture to use unobligated balances available in the ECP to repair farm buildings and equipment, as proposed by the House in H.R. 3908.

FEDERAL CROP INSURANCE CORPORATION FUND

The conference agreement provides an additional $13,000,000 to provide premium discounts to purchasers of crop insurance reinsured by the Corporation as proposed by the House in H.R. 3908 and the Senate.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides an additional $110,000,000, to remain available until expended, for watershed and flood prevention operations to reduce hazards to life and property in watersheds damaged by natural disasters. The Natural Resource Conservation Service will provide financial and technical assistance to help repair damage to rivers, streams, reservoirs, and other waterways including: $3,300,000 for the Kuhn Bayou Project in Arkansas; $10,000,000 for the Chino Dairy Preserve in California; $4,000,000 for the Snake River Project in Minnesota; $1,100,000 for DuPage County, Illinois; $8,000,000 for emergency dam rehabilitation projects in Mississippi, Wisconsin, Ohio, and New Mexico; $4,500,000 for Long Park Dam, Utah; $500,000 for floods in Wisconsin; $2,000,000 for the Lower James River in South

Dakota; and $2,000,000 to replace, repair, and improve snow telemetry equipment impacted by fire, winds, and fire fighting efforts.

RURAL DEVELOPMENT

The conferees are aware of the efforts of the Coeur d'Alene tribe and private sector investors to operate a strawboard plant in Plummer, Idaho, that provides economic benefits to the community and achieves an environmentally safe method of disposing of blue grass straw. The conferees direct the Department to meet with the plant owners and operators to determine what assistance can be made available to keep the plant in operation.

The conferees urge the Department to consider forgiveness or restructuring for Rural Development loans issued to the Green County, Kentucky, Sanitation District No. 1.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement includes an additional $200,000,000 for the Rural Community Advancement Program, instead of $180,000,000 as proposed by the Senate, and $43,000,000 as proposed by the House in H.R. 3908.

The conference agreement includes a provision regarding the availability of grants for rural community facilities for areas with extreme unemployment and severe economic depression as proposed by the Senate.

The conference agreement includes a provision regarding the availability of funds to provide grants in rural communities with extremely high energy costs as proposed by the Senate.

The conference agreement includes a provision regarding assistance to areas in the state of North Carolina subject to a declaration of a major disaster as a result of Hurricanes Floyd, Dennis or Irene.

The conference agreement provides that of the amount appropriated for rural utilities loans and grants, $30,000,000 may be used only in counties which have received an emergency declaration by the President or Secretary of Agriculture after January 1, 2000, for applications responding to water shortages resulting from a designated emergency, including in the states of Texas, Georgia, Montana and Idaho.

The conference agreement includes an additional $50,000,000 for communities facilities loans and grants with a requirement that $25,000,000 of the total be directed to assist recovery efforts in North Carolina from natural disasters.

The conferees are aware of an ongoing wastewater treatment project in Huey, Illinois. The conferees encourage USDA Rural Development to provide adequate funding and technical assistance to complete the project.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement does not include any additional funding this account as proposed by the Senate.

GENERAL PROVISIONS—THIS TITLE

Senate Section 1101 and House Section 3101.—The conference agreement includes language (Section 801) that provides an additional $35,000,000 for conservation technical assistance, to remain available until expended.

Senate Section 1102.—The conference agreement includes language (section 802) that extends the period of eligibility for the Livestock Assistance Program.

Senate Section 1103.—The conference agreement includes language (section 803) that conforms the definition of ''livestock'' for the purposes of administering the Livestock Indemnity and Livestock Assistance Programs.

Senate Section 1104.—This matter is addressed in Section 805.

Senate Section 1105.—The conference agreement includes language (section 804) that allows the Secretary of Agriculture to utilize Commodity Credit Corporation funds to provide compensation to growers for losses due to Mexican fruit fly quarantines, plum pox virus, Pierce's disease, grasshopper/Mormon cricket infestations, and watermelon sudden wilt. The conferees note that this funding is in addition to the funding provided in section 203 of P.L. 106–224.

Senate Section 1106.—The conference agreement includes language (section 805) that provides supplemental payments to dairy producers.

Senate Section 1107.—The conference agreement includes language (section 806) that provides $490,000,000 to make and administer payments for livestock losses using criteria established to carry out the 1999 Livestock Assistance Program.

The conferees expect that up to $5,000,000 be provided under this section to the State of Alabama and that those funds shall be used in conjunction with the program administered by the Alabama Department of Agriculture and Industries.

The conferees expect the Department to provide up to $2,000,000 to individuals who raise poultry owned by other individuals for income losses sustained before April 30, 2001, to the extent that the Secretary finds that such losses are the result of Poult Enteritis Mortality Syndrome control programs.

The amount provided includes up to $300,000 for the Montana Department of Agriculture for transportation needs associated with emergency hay and feeding.

The conferees are aware of the extraordinarily bad weather during the past year. As a result of cold temperatures and record rainfall during the early growing season in New York and other parts of the Northeast, the hay crop is substandard in both quantity and quality. The conferees expect that the Secretary of Agriculture will use a portion of the funds available under this section to compensate dairy and livestock producers who suffered losses in their hay crop for purchases of supplemental feed.

Senate Section 1108.—The conference agreement includes language (section 807) that clarifies nursery crop loss eligibility.

Senate Section 1109.—The conference agreement includes language (section 808) that provides authority and technical assistance funding to enroll additional acres into the Wetlands Reserve Program.

Senate Section 1110.—The conference agreement includes language (section 809) that provides up to $2,400,000 in compensation for owners of sheep destroyed pursuant to the Secretary of Agriculture's declarations of July 14, 2000, instead of $4,000,000 as provided by the Senate.

Senate Section 1111 and House general provision 3103.—The conference agreement includes language (section 810) that directs the Secretary of Agriculture to use not more than $58,000,000 for replacement of citrus trees and for compensation for losses as a result of citrus canker, instead of $40,000,000 provided by the Senate and House in H.R. 3908.

Senate Section 1117 and House section 750.—The conference agreement includes language (section 811) regarding quality and market loss assistance for apples and potatoes.

The conference agreement includes language (section 812) that directs the Secretary of Agriculture to make non-recourse marketing assistance loans available to producers of honey.

The conference agreement includes language (section 813) that provides up to $10,000,000 from Commodity Credit Corporation funds for livestock indemnity payments to producers during calendar year 2000 due to disasters, including fires and anthrax.

The conference agreement includes language (section 814) that provides $20,000,000 from Commodity Credit Corporation funds for wool and mohair payments to producers for the 2000 marketing year.

Senate Sections 1114 and 1115.—The conference agreement includes language (section 815) which provides such sums as may be necessary to provide assistance to farmers for losses in production and quality sustained in 2000 due to natural disasters. The conferees expect the Department to administer this program within the general guidelines provided for similar programs enacted in recent years, with the exception of guidelines needed for adverse commodity quality losses.

In the case of grain and oilseed quality losses, the Department is expected to take into consideration market value reductions experienced by farmers who may be unable to market their production for the end use intended. The conferees are aware that farmers of some commodities adversely impacted by quality factors have not received compensation commensurate with actual value of reduction in the marketplace as a result of past Departmental quality loss procedures. Guidelines are established in this section that direct the Department to calculate the production value reduction of a commodity in an area from the value assigned for such commodities as production loss under this section. The Department is further instructed by the conferees to take every precaution to avoid payment levels reached by artificial or manipulated price fluctuations and to ensure that payments to producers are not at levels in excess of reasonable expectations.

The conferees have provided a mechanism of determining payments that will reduce time of application processing from those periods experienced in recent years. Due to ongoing problems related to depressed prices and the fact that the rural economy has not kept pace with other sectors of the national economy, it is expected that payments made available under this section will be provided in the most efficient and timely manner possible. The conferees note that the separation of production loss calculations from an independent calculation for quality might result in an eligible threshold of loss not being met by separate calculations for the same crop, and that the Secretary may wish to consider an adjustment to the threshold of loss, in equity, to account for economic losses sustained by a combination of both quality and quantity.

Because cotton is stored identity-preserved and its overall quality cannot be improved through blending in warehouses, the Secretary, in carrying out the provisions of this act providing assistance to cotton producers for losses in production (or quantity), quality and other economic losses, should ensure that (1) loss thresholds for quantity losses are determined in a manner that is similar to that used by the Secretary for the 1998 and 1999 crops of cotton; (2) that quality losses are compensated in a manner that is appropriate for cotton; and (3) that market losses, increased expenses (including expenses related to fuel purchases), and other factors that detrimentally affect a cotton producer's net income are included in determining severe economic losses that are to be compensated under subsection (c)(3) of this Act. If there is a category of severe economic loss for which the Secretary did not establish a threshold for the 1998 and 1999 crops, no additional threshold should be established

and any loss that qualifies as a severe economic loss under subsection (c)(3) should be compensated.

With respect to the determination of quality losses for the 2000 crop of upland cotton, the Secretary should: (1) determine the value of quality losses in a manner that is similar to that used in implementing weather related disaster losses for the 1998 and 1999 crops and reflected in 7 C.F.R. 1478.17(g); (2) consider that any bale produced in a county that is of a quality that is less than the 5-year county average historical quality premium or discount has suffered a quality loss; and (3) in determining the value of the crop affected by the quality loss that would have applied if the crop had suffered a quantity loss, as provided in subsection (c)(2) for cotton, compare the value of the cotton affected by the quality loss with the value of the cotton if it had not had a reduction in quality.

Finally, in determining whether a cotton producer is eligible to receive a payment for a quality loss under this section, the Secretary should compare the amount of a quality loss payment that the producer would qualify for under subsection (c)(2) (notwithstanding the eligibility requirement in subsection (d)(3)) to the value of those bales of cotton that are affected by quality losses.

Due to the fact that onion growers have experienced weather related disasters three out of the last four years, the Secretary of Agriculture is directed to develop a suitable onion crop loss disaster program for weather related crop and weather related market losses incurred by producers during the 2000 crop year. Further, the conferees expect the Secretary to take into consideration each qualifying producer's pre-1996 production of onions, based on the 5-year average market price for yellow onions when calculating payments under this program.

The conference agreement includes language (section 816) regarding market loss assistance for growers of cranberries. The conferees continue to be concerned about the economic losses sustained by cranberry growers around the country. Prices for fruit paid to growers have declined to historically depressed levels due to enormous surpluses caused by record harvests. Steps taken thus far by the Secretary towards stabilizing prices, including the purchase of agricultural products containing cranberry ingredients, have only marginally reduced existing surpluses and hold out little hope of stabilizing prices. The industry has sought, and the Secretary has approved, a marketing order to help reduce the surplus but the short-term impact on growers will be negative, unless and until prices for the fruit are restored.

Accordingly, the conferees have included $20,000,000 for a market loss assistance payment to cranberry growers. The payment is to be calculated on a per pound basis on each qualifying producer's 1999 production of cranberries subject to a limitation of 1.6 million pounds per separate farm unit as reported to the Cranberry Marketing Committee and would be subject to such other terms and conditions as may be established by the Secretary.

The conferees also have included language to direct the Secretary to use not less than $30,000,000 of additional funds available to the Secretary for commodity purchases, including amounts permanently appropriated under the Section 32 program and additional amounts appropriated for specialty crops pursuant to section 261(a)(2) of the Agricultural Risk Protection Act of 2000 (Pub. L. 106–224; 114 Stat. 427), for the purchase of cranberry juice concentrate and frozen cranberry fruit or their equivalent in removing fruit from current surplus.

In selecting fruit or fruit products for purchase, the Secretary shall consult with industry representatives and representatives of the recipients of Federal food purchase programs to select products which utilize the greatest quantity of fruit at the least cost while providing the maximum nutritional benefit for food purchase recipients.

The conference agreement includes language (section 817) prohibiting the Secretary of Agriculture from terminating contracts established under section 1232(a)(4) of the Food Security Act of 1985 for failure to establish vegetative or water cover under certain conditions.

The conference agreement includes language (section 818) regarding shared appreciation for loans established under section 353(e) of the Consolidated Farm and Rural Development Act.

Senate Section 1112.—The conference agreement includes language (section 819), which allows the Secretary to contribute Commodity Credit Corporation funds for the establishment of a grain dealers' indemnity fund in South Carolina, to be available only if such funding is matched by a grant from the State.

Senate Section 1113.—The conference agreement provides language (section 820) that amends section 211 of the Agricultural Risk Protection Act of 2000 to provide technical assistance to farmers and ranchers and funding for the Wildlife Habitat Incentives Program from funds provided.

The conference agreement includes language (section 821) that reauthorizes the Puerto Rico Food Stamp Block Grant through 2002.

Senate Section 1116.—The conference agreement includes language (section 822) regarding payments to the State of Hawaii from the Commodity Credit Corporation for transportation assistance.

Senate Section 2101.—The conferees have addressed the issue of business and industry loan guarantee eligibility elsewhere in the Act.

Senate Sections 2102, 2103, and 2104.—The conference agreement provides (sections 823, 824, 825, 826, 828, 831) that Emergency Watershed Program funds shall be available for conservation technical and financial assistance for the Long Park Dam, UT; Kuhn Bayou, AR; Snake River Watershed Project, MN; DuPage County, IL; Camp Lejeune project in NC; and Princeville, NC.

Senate Section 2105 and House section 751.—The conference agreement includes language (section 827) that allows oyster farmers to keep payments made to them by USDA.

Senate Section 2107.—The conferees have addressed the issue of Sea Island Health Clinic in Johns Island, South Carolina eligibility for assistance and funding from the Rural Development Community facilities elsewhere in the Act.

The conference agreement includes language (section 829) regarding technical changes to subtitle G, section 262 of P.L. 106–224, The Agricultural

Risk Protection Act of 2000. The technical changes require obligations by a date certain rather than ''expended by'' the same date.

The conference agreement includes language (section 830) regarding the use of emergency conservation funds provided previously for the Cerro Grande fires.

The conference agreement includes language (section 832) regarding funding transfers for the Agricultural Credit Insurance Fund.

Senate Section 2106 and House section 748.—The conference agreement includes language (section 833) regarding emergency loans to poultry producers to rebuild chicken houses.

The conference agreement includes language (section 834) providing $10,000,000 for value-added agricultural product development grants.

The conference agreement includes language (section 835) providing an additional $10,000,000 for the cost of business and industry guaranteed loans.

The conference agreement includes language (section 836) regarding sugar nonrecourse loans.

The conference agreement includes language (section 837) regarding Loan Deficiency Payment limitations for crop year 2000.

The conferees note the importance of the role of loan deficiency payments in helping offset reductions in net farm income. The conferees direct the Secretary of Agriculture to take into account county production and prices of feed barley and malting barley in establishing county loan rates and loan repayment rates.

The conference agreement includes language (section 838) regarding date extention for marketing assistance loans and loan deficiency payments for rice.

The conference agreement includes a provision (section 839) that allows the Secretary to enter into agreements for the purpose of controlling the buildup of natural fuels that contribute to the threat of wildfires.

The conference agreement includes language (section 840) regarding publication of regulations for this title.

The conference agreement includes language (section 841) regarding tobacco.

The conference agreement includes language (section 842) regarding administrative offsets. The conferees note that the Secretary of Agriculture has in prior years used existing authorities to exempt farm payments from administrative offset, both within the Department of Agriculture and externally. In view of the significant economic hardships faced by farmers and ranchers this year, the third straight year of such hardships, the conferees urge the Secretary of Agriculture to exempt loan deficiency payments and marketing loan gains for year 2000 crops from internal and external administrative offset.

The conference agreement includes language (section 843) providing $20,000,000 to make payments to producers of tomatoes, pears, peaches, and apricots that were unable to market their crops because of agriculture cooperative losses in the state of California.

The conference agreement includes language (section 844) regarding burley tobacco.

The conference agreement includes language (section 845) regarding marketing assistance loans and deficiency loan payment eligibility.

The conference agreement includes language (section 846) regarding food stamp program excess shelter expenses.

The conference agreement includes language (section 847) regarding food stamp program vehicle allowances.

OFFSETS/RESCISSIONS

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement does not provide language that cancels funds in the Office of the Chief Information Officer account that were made available for Year 2000 conversion purposes.

TITLE IX—TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT

The conference agreement includes the ''Trade Sanctions Reform and Export Enhancement Act of 2000''.

TITLE X—CONTINUED DUMPING AND SUBSIDY OFFSET

The conference agreement includes the ''Continued Dumping and Subsidy Offset Act of 2000''.

TITLE XI—CONSERVATION OF FARMABLE WETLAND

The conference agreement includes language regarding a Conservation Reserve Program pilot in the prairie pothole region of the United States.

TITLE XII—HASS AVOCADO PROMOTION, RESEARCH, AND INFORMATION

The conference agreement includes language regarding avocado research and promotion program.

TITLE XIII—DEBT REDUCTION

The conference agreement includes language that reduces the public debt of the United States.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2000	$84,312,546
Budget estimates of new (obligational) authority, fiscal year 2001	76,785,597
House bill, fiscal year 2001	75,264,494
Senate bill, fiscal year 2001	75,356,809
Conference agreement, fiscal year 2001	78,139,809
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	−6,172,737
Budget estimates of new (obligational) authority, fiscal year 2001	+1,354,212
House bill, fiscal year 2001	+2,875,315
Senate bill, fiscal year 2001	+2,783,000

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
JO ANN EMERSON,
C.W. BILL YOUNG,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
HERB KOHL,
TOM HARKIN,
(except for Cuba and drug reimportation),
BYRON L. DORGAN,
DIANNE FEINSTEIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

□

ADJOURNMENT TO TUESDAY, OCTOBER 10, 2000

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, October 10, 2000.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

□

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

□

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. WATERS (at the request of Mr. GEPHARDT) for today on account of business in the district.

Ms. CARSON (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. MEEKS of New York (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. PASCRELL (at the request of Mr. GEPHARDT) for today after 1:30 p.m. on account of official business.

Mr. REYES (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. STARK (at the request of Mr. GEPHARDT) for today after 12:30 p.m. on account of medical reasons.

Mr. DIAZ-BALART (at the request of Mr. ARMEY) for today on account of touring flood damage with the director of the Federal Emergency Management Agency.

Mrs. FOWLER (at the request of Mr. ARMEY) for today after 1:00 p.m. on account of official business.

Mr. HEFLEY (at the request of Mr. ARMEY) for today and October 3 on account of illness.

□

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. GEJDENSON, for 5 minutes, today.

(The following Members (at the request of Mr. SMITH of Michigan) to revise and extend their remarks and include extraneous material:)

Mr. PORTER, for 5 minutes, October 10.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today.

□

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 134. An act to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area; to the Committee on Resources.

S. 1367. An act to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes; to the Committee on Resources.

S. 1534. An act to reauthorize the Coastal Zone Management Act, and for other purposes; to the Committee on Resources; in addition to the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1670. An act to revise the boundary of Fort Matanzas National Monument, and for other purposes; to the Committee on Resources.

S. 1972. An act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park; to the Committee on Resources.

S. 2069. An act to permit the conveyance of certain land in Powell, Wyoming; to the Committee on Resources.

S. 2273. An act to establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, and for other purposes; to the Committee on Resources.

S. 2300. An act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State; to the Committee on Resources.

S. 2345. An act to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes; to the Committee on Resources.

S. 2439. An act to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertic system, and for other purposes; to the Committee on Commerce.

S. 2478. An act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

S. 2485. An act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine; to the Committee on Resources.

S. 2499. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania; to the Committee on Commerce.

S. 2691. An act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes; to the Committee on Resources; in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2749. An act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of

development and use of trails in the settling of the western portion of the United States to the Committee on Resources.

S. 2865. An act to designate certain land of the National Forest System located in the State of Virginia as wilderness; to the Committee on Resources; in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2885. An act to establish the Jamestown 400th Commemoration Commission, and for other purposes; to the Committee on Government Reform.

S. 2942. An act to extend the deadline for commencement of construction of certain hydroelectric projects in the State of West Virginia; to the Committee on Commerce.

S. 2950. An act to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado; to the Committee on Resources.

□

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1143. An act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes.

H.R. 1162. An act to designate the bridge on United States Route 231 that crosses the Ohio river between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge''.

H.R. 1605. An act to designate the Federal building and United States courthouse located at 402 North Walnut Street in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse''.

H.R. 4318. An act to establish the Red River National Wildlife Refuge.

H.R. 4578. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4642. An act to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

H.R. 4806. An act to designate the Federal building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliott Federal Building''.

H.R. 5284. An act to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse.''.

□

ADJOURNMENT

Mr. YOUNG of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 01 minute p.m.), under its previous order, the House adjourned until Tuesday October 10, 2000, at 12:30 p.m., for morning hour debates.

□

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

10493. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of lieutenant general on the retired list of Lieutenant General Randolph W. House, United States Army; to the Committee on Armed Services.

10494. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of Admiral on the retirement list of Admiral Charles S, Abbot, United States Navy; to the Committee on Armed Services.

10495. A letter from the Secretary, Department of Health and Human Services, transmitting the biennial report on activities and progress toward the prevention and treatment of addictive and mental disorders prepared by the Substance Abuse and Mental Health Services Administration (SAMHSA), pursuant to 42 U.S.C. 290gg(f)(2); to the Committee on Commerce.

10496. A letter from the Secretary, Department of the Treasury, transmitting an annual report to the President and to the Congress on the audit of the Telecommunications Development Fund, pursuant to 47 U.S.C. 614; to the Committee on Commerce.

10497. A letter from the Director, International Cooperation, Acquisition and Technology, Department of Defense, transmitting a copy of Transmittal No. 21–00 which constitutes a Request for Final Approval for the of Agreement concerning the Unmanned Aerial Vehicle (UAV) Airborne Communications Node Demonstration Project, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10498. A letter from the Chief Executive Officer, Corporation For National Service, transmitting the Corporation's strategic plan for fiscal years 2000 to 2005; to the Committee on Government Reform.

10499. A letter from the Deputy Chief Financial Officer, Environmental Protection Agency, transmitting the Strategic Plan for FY 2000–2005; to the Committee on Government Reform.

10500. A letter from the Chairman, Federal Communications Commission, transmitting the Strategic Plan, entitled, ''A New FCC for the 21st Century''; to the Committee on Government Reform.

10501. A letter from the Executive Director, Federal Reserve Employee Benefits System, transmitting transmitting the annual report disclosing the financial condition of the Retirement Plan and Annual Report as required by Public Law 95–595, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

10502. A letter from the Director, National Gallery of Art, transmitting the Year 2000 Inventory's Annual Report On Agency Management of Commercial Activities; to the Committee on Government Reform.

10503. A letter from the Secretary of the Treasury, transmitting the strategic plan for fiscal years 2000 through 2005; to the Committee on Government Reform.

10504. A letter from the Chairman, Securities and Exchange Commission, transmitting the strategic plan for fiscal years 2000–2005; to the Committee on Government Reform.

10505. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30193; Amdt. No. 2011] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10506. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30192] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10507. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace; Gary, IN; and establishment of Class E Airspace; Gary, IN [Airspace Docket No. 00–AGL–16] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10508. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E airspace, Duchesne, UT [Airspace Docket No. 00–ANM–08] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10509. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airspace Designations; Incorporation By Reference [Docket No. 29334; Amendment No. 71–32] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10510. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 832 Discount Factors for 2000 [Rev. Proc. 2000–45] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10511. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rabbi Trust Notice [Notice 2000–56] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10512. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 846 Discount Factors for 2000 [Rev. Proc. 2000–44] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10513. A letter from the Director, Office of Thrift Supervision, transmitting the Annual Consumer Report to Congress; jointly to the Committees on Banking and Financial Services and Commerce.

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REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII; reports of committee were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 828. A bill to amend the Federal Water Pollution Control Act to require that discharges from combined storm and sanitary sewers conform to the Combined Sewer Overflow Control Policy of the Environmental Protection Agency, and for other purposes; with an amendment (Rept. 106–943). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 964 An act to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes (Rept. 106–944). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of Conference. Conference report on H.R. 4205. A bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes (Rept. 106–945). Ordered to be printed.

Mr. BLILEY: Committee on Commerce. H.R. 2592. A bill to amend the Consumer

Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act: with an amendment (Rept. 106–946). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1288. An act to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes (Rept. 106–947 Pt. 1). Ordered to be printed.

Mr. SKEEN: Committee of Conference. Conference report on H.R. 4461. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–948). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Ways and Means discharged. H.R. 3673 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

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TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 13, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 13, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 13, 2000.

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PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SPENCE:

H.R. 5408. A bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Commerce, Education and the Workforce, Government Reform, International Relations, the Judiciary, Resources, Science, Transportation and Infrastructure, Veterans' Affairs, Ways and Means, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 5409. A bill to extend for 9 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. THOMAS (for himself, Mr. HOYER, Mr. BOEHNER, Mr. EHLERS, Mr. NEY, Mr. MICA, Mr. LINDER, and Mr. FATTAH):

H.R. 5410. A bill to establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes; to the Committee on House Administration.

By Mr. COOK:

H.R. 5411. A bill to direct the Secretary of Transportation to permit the State of Utah to construct a hook ramp as part of the highway project to reconstruct the interchange at Interstate Route 15 and University Parkway in Orem, Utah; to the Committee on Transportation and Infrastructure.

By Mr. DEAL of Georgia:

H.R. 5412. A bill to amend the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5413. A bill to require the Secretary of Transportation to issue regulations addressing safety concerns in minimizing delay for automobile traffic at railroad grade crossings; to the Committee on Transportation and Infrastructure.

By Mr. FILNER:

H.R. 5414. A bill to promote global efforts to protect biological diversity by protecting the Tongass Rain Forest, the United States' largest temperate rain forest, and for other purposes; to the Committee on Resources.

By Mr. FILNER (for himself and Mr. KUCINICH):

H.R. 5415. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on wholesale electric energy sold in the Western System Coordinating Council; to the Committee on Ways and Means.

By Mr. HOUGHTON:

H.R. 5416. A bill to promote economic development and stability in Southeast Europe by providing countries in that region with additional trade benefits; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. GEPHARDT, Mr. FRANK of Massachusetts, Mr. LEACH, Mr. KANJORSKI, Ms. WATERS, Mr. SANDERS, Mrs. ROUKEMA, Mr. BAKER, Mr. LAZIO, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. VELAZQUEZ, Mr. WATT of North Carolina, Mr. ACKERMAN, Mr. BENTSEN, Mr. MALONEY of Connecticut, Ms. HOOLEY of Oregon, Ms. CARSON, Mr. WEYGAND, Mr. SHERMAN, Mr. SANDLIN, Mr. MEEKS of New York, Ms. LEE, Mr. MASCARA, Mr. INSLEE, Ms. SCHAKOWSKY, Mr. MOORE, Mr. GONZALEZ, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. FORBES, Mr. CASTLE, Mr. CAMPBELL, Mr. NEY, Mrs. KELLY, Mr. PAUL, Mr. LATOURETTE, Mrs. BIGGERT, Mr. TOOMEY, Mr. OBERSTAR, Mr. SABO, Mr. MINGE, Mr. WISE, Mr. NADLER, Mr. DAVIS of Illinois, Mr. TIERNEY, Mr. WAXMAN, Mrs. TAUSCHER, Mr. GREEN of Texas, Mr. EVANS, Mrs. MINK of Hawaii, Mr. SPRATT, Ms. BALDWIN, Mr. NEAL of Massachusetts, Mr. MEEHAN, Ms. ROYBAL-ALLARD, Ms. DANNER, Mr. DIXON, Mr. BROWN of Ohio, Mr. BOSWELL, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, and Mr. LUCAS of Oklahoma):

H.R. 5417. A bill to rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act''; to the Committee on Banking and Financial Services.

By Mr. PITTS (for himself, Mr. SHUSTER, Mr. MURTHA, Mr. GEKAS, Mr. GOODLING, Mr. PETERSON of Pennsylvania, Mr. TOOMEY, Mr. GREENWOOD, Mr. BORSKI, Mr. SHERWOOD, Mr. FATTAH, Mr. HOLDEN, Mr. ENGLISH, Mr. KANJORSKI, Mr. KLINK, Mr. BRADY of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. HOEFFEL, and Mr. MASCARA):

H.R. 5418. A bill to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''; to the Committee on Government Reform.

By Ms. PRYCE of Ohio (for herself and Mrs. CAPPS):

H.R. 5419. A bill to amend the Public Health Service Act to establish a demonstration project at the National Cancer Institute to provide funding for research concerning the prevention, diagnosis, treatment, and cure for cancer; to the Committee on Commerce.

By Mr. ROYCE:

H.R. 5420. A bill to establish a National Commission to Eliminate Waste in Government; to the Committee on Government Reform.

By Mr. SHAW (for himself and Mr. STARK):

H.R. 5421. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on persons who acquire structured settlement payments in factoring transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. STUPAK, Mr. BOEHLERT, and Mr. METCALF):

H.R. 5422. A bill to require the Administrator of the Environmental Protection Agency to establish an integrated environmental reporting program; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON (for himself, Mr. ABERCROMBIE, Mr. BAKER, Mr. BARCIA, Mr. BARRETT of Nebraska, Mrs. CHENOWETH-HAGE, Mr. COMBEST, Mrs. CUBIN, Mr. FOLEY, Mr. HASTINGS of Florida, Mr. HASTINGS of Washington, Mr. JEFFERSON, Mr. JOHN, Ms. KAPTUR, Mr. MINGE, Mrs. MINK of Hawaii, Mr. NETHERCUTT, Mr. POMEROY, Mr. SCHAFFER, Mr. TAUZIN, and Mrs. THURMAN):

H.R. 5423. A bill to amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas; to the Committee on Ways and Means.

By Mr. WELDON of Pennsylvania:

H.R. 5424. A bill to amend the Housing and Community Development Act of 1974 to authorize communities receiving community development block grants to use grant amounts to provide assistance to local firefighting, emergency medical, and rescue services; to the Committee on Banking and Financial Services.

By Mr. WELDON of Pennsylvania:

H.R. 5425. A bill to amend the National and Community Service Act of 1990 to include participation in a volunteer firefighting agency as one of the national service programs specifically authorized to receive assistance under the AmeriCorps program; to the Committee on Education and the Workforce.

By Mr. SKEEN:

H.R. 5426. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Programs for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. STUMP (for himself and Mr. HYDE):

H. Con. Res. 419. Concurrent resolution expressing the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capitol; to the Committee on Resources.

By Mr. ACKERMAN (for himself and Mr. GEJDENSON):

H. Res. 614. A resolution condemning the Government of Iran for the continued imprisonment of 10 Jews and 2 Muslims on false

charges of espionage and urging the President to sustain United States sanctions against Iran, including opposition to assistance provided by international institutions, and for other purposes; to the Committee on International Relations.

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ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. CUMMINGS.

H.R. 352: Mr. WALDEN of Oregon.

H.R. 453: Ms. SCHAKOWSKY and Mr. GALLEGLY.

H.R. 455: Mr. BACA.

H.R. 531: Mr. LEACH.

H.R. 762: Mr. LOBIONDO.

H.R. 1194: Mr. MINGE.

H.R. 1228: Mr. CONYERS, Mrs. CLAYTON, Mr. KUCINICH, and Mr. PRICE of North Carolina.

H.R. 1640: Mr. KENNEDY of Rhode Island.

H.R. 1870: Mr. GEJDENSON.

H.R. 2341: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Washington, Mr. SMITH of Michigan, Mr. WALDEN of Oregon, and Mr. BASS.

H.R. 2457: Mr. CRAMER, Mr. WEXLER, Mr. COOK, Mr. HASTINGS of Florida, Mr. LARSON, Mr. LAMPSON, Mr. BURTON of Indiana, Mrs. JONES of Ohio, Mr. BLUMENAUER, Mr. LOBIONDO, Mr. DEFAZIO, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mrs. NAPOLITANO, Mr. SCOTT, Mr. LAZIO, Mr. KLECZKA, and Mr. TIERNEY.

H.R. 2505: Mr. KLINK.

H.R. 2738: Mr. BLAGOJEVICH.

H.R. 2774: Ms. NORTON.

H.R. 2907: Mr. CAPUANO, Mr. BONIOR, Mr. BERMAN, and Ms. CARSON.

H.R. 3004: Mr. LEWIS of Georgia and Mr. INSLEE.

H.R. 3249: Mr. UDALL of Colorado and Mr. HYDE.

H.R. 3377: Mr. GEJDENSON.

H.R. 3700: Ms. DELAURO, Mr. WU, and Mr. SNYDER.

H.R. 3905: Mr. HOBSON.

H.R. 4025: Mr. BOEHLERT.

H.R. 4178: Mr. SISISKY.

H.R. 4257: Mr. JONES of North Carolina.

H.R. 4390: Mr. WEXLER.

H.R. 4415: Mr. BONIOR.

H.R. 4434: Mr. WALSH.

H.R. 4453: Mrs. TAUSCHER.

H.R. 4467: Mr. THUNE.

H.R. 4493: Mr. HINCHEY.

H.R. 4501: Mr. LEWIS of California, Mr. COX, and Mr. CAMPBELL.

H.R. 4506: Mr. MCHUGH, Ms. DANNER, and Mr. WEYGAND.

H.R. 4570: Mr. LATHAM and Mr. ISAKSON.

H.R. 4571: Mr. WAMP, Mrs. MORELLA, Mr. BILBRAY, Mr. KILDEE, Ms. SCHAKOWSKY, Mr. BENTSEN, Mr. BOEHNER, Ms. CARSON, Mr. MCINTYRE, Mr. WELLER, and Mr. BLAGOJEVICH.

H.R. 4614: Mr. HOEFFEL.

H.R. 4707: Ms. MILLENDER-MCDONALD, Mr. PAYNE, and Mr. MCCOLLUM.

H.R. 4715: Mr. KLECZKA.

H.R. 4728: Mr. LUCAS of Kentucky, Mr. TANNER, Mr. CANNON, Mr. DAVIS of Illinois, Mr. WEINER, Mr. OWENS, Mr. DAVIS of Virginia, Mr. ISAKSON, and Mr. ALLEN.

H.R. 4740: Ms. NORTON, Mrs. CAPPS, and Mr. PRICE of North Carolina.

H.R. 4792: Mr. DEFAZIO.

H.R. 4794: Ms. DELAURO.

H.R. 4802: Mr. GREEN of Texas, Mr. BUYER, and Mr. BONILLA.

H.R. 4857: Mr. BILBRAY.

H.R. 4927: Mr. HOEFFEL.

H.R. 5027: Mr. KOLBE.

H.R. 5099: Mr. MINGE.

H.R. 5110: Mr. GARY MILLER of California.

H.R. 5121: Mr. WEXLER and Mr. BLAGOJEVICH.

H.R. 5132: Mr. PRICE of North Carolina, Mr. WELDON of Pennsylvania, and Mr. BERMAN.

H.R. 5137: Mr. BILBRAY, Mr. BACHUS, and Mr. LEVIN.

H.R. 5151: Mr. BONIOR.

H.R. 5152: Mr. DICKS.

H.R. 5163: Mr. ANDREWS, Mr. MORAN of Kansas, and Ms. WOOLSEY.

H.R. 5164: Mr. GILLMOR.

H.R. 5172: Mr. DEUTSCH, Mr. MCINTYRE, Ms. DANNER, Mr. DOOLEY of California, Mr. WELLER, Ms. STABENOW and Ms. CARSON.

H.R. 5232: Ms. SCHAKOWSKY.

H.R. 5247: Mr. DEFAZIO.

H.R. 5265: Mr. GOODE, Mr. GILLMOR, and Mr. STUMP.

H.R. 5275: Ms. RIVERS, Mr. THORNBERRY, and Mr. ISAKSON.

H.R. 5277: Mr. BALDACCI, Mr. SABO, Mr. TURNER, Mr. SISISKY, Ms. LOFGREN, Ms. RIVERS, and Mr. WEXLER.

H.R. 5314: Mr. POMBO, Mr. KOLBE, Mrs. NORTHUP, Mr. GOODE, Mr. BILBRAY, Mr. NADLER, Mr. ROYCE, Mr. SHAYS, Mr. GILCHREST, Mr. WELDON of Pennsylvania, Mr. EHRLICH, Mr. FROST, Mr. SMITH of Washington, Mr. NETHERCUTT, Mr. TAYLOR of Mississippi, Mr. BLILEY, Mr. KUCINICH, Mr. SANDERS, Mr. CONYERS, Mr. JACKSON of Illinois, Mr. ABERCROMBIE, Mr. LOBIONDO, Mr. CLEMENT, Mr. MEEHAN, Mr. STUMP, Mr. WICKER, Mr. COBURN, Mr. DOOLITTLE, Mr. REYES, Mr. GIBBONS, Mr. PITTS, Mr. KINGSTON, Mr. JONES of North Carolina, Mr. CHABOT, Mr. YOUNG of Florida, Mr. HYDE, Mr. TRAFICANT, and Mr. BACA.

H.R. 5345: Mrs. CAPPS, Mr. THOMPSON of California, Ms. PELOSI, Mrs. BONO, Mr. WYNN, and Mr. OSE.

H.R. 5356: Mr. SHERWOOD and Mr. KANJORSKI.

H.R. 5371: Mr. UDALL of Colorado.

H.R. 5375: Ms. SLAUGHTER and Mrs. KELLY.

H.R. 5392: Mr. ENGLISH.

H.R. 5397: Mr. BERMAN, Mr. HINOJOSA, Mr. PASTOR, Mr. BISHOP, Mr. BOYD, Mr. MARKEY, Mr. LANTOS, and Mr. RAMSTAD.

H. J. Res. 107: Mr. TIERNEY and Ms. CARSON.

H. Con. Res. 337: Mr. ISAKSON, Mr. HOLT, and Mr. POMBO.

H. Res. 146: Mr. INSLEE.

H. Res. 187: Ms. SLAUGHTER.

H. Res. 420: Mr. ORTIZ.

H. Res. 461: Mr. PETERSON of Pennsylvania, Mr. MEEHAN, Ms. LEE, and Mr. WEYGAND.

H. Res. 605: Mr. OSE and Mrs. FOWLER.