at 9:30 a.m., to conduct a hearing to receive testimony on the environmental benefits and impacts of ethanol under the Clean Air Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Communications be authorized to meet on Wednesday, June 14, 2000, at 9:30 a.m. on wireless high-speed Internet access for rural areas.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Mandy Sams of Senator Hutchinson’s staff be granted floor privileges for the duration of today’s debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that Denise Matthews, a fellow on the staff of the Appropriations Committee, be granted the privilege of the floor during debate on the Fiscal Year 2001 Transportation Appropriations bill and the conference report thereon.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

On June 13, the Senate amended and passed H.R. 4576, as follows:

Resolved, That the bill from the House of Representatives (H.R. 4576) entitled “An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.”, do pass with the following amendments:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for the fiscal year ending September 30, 2001, for military functions administered by the Department of Defense, and for other purposes, namely:

TITe I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of the Reserve on active duty, aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund, $17,877,215,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund, $18,110,764,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund, $10,116,761,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers’ Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,158,921,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under sections 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $446,586,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers’ Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $963,752,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard on active duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,274,595,000.

NATIONAL GUARD PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211 of title 10, United States Code, or while serving on duty under section 12301(d) of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,634,181,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

INCLUDING TRANSFER OF FUNDS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $10,616,000,000 may be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for conventional military purposes, $19,049,881,000, and, in addition, $90,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That the funds appropriated in this paragraph, not less than $355,000,000 shall be made available only for conventional ammunition and maintenance.

OPERATION AND MAINTENANCE, NAVY

INCLUDING TRANSFER OF FUNDS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $5,146,000,000 may be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be...
CONGRESSIONAL RECORD—SENATE

June 14, 2000

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For operation and maintenance of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things, hire of passenger, personnel, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment; procurement of aircraft, $3,330,535,000.

ENVIRONMENTAL RESTORATION, NAVY

For the Department of the Navy, $294,038,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, NAVY

For the Department of the Navy, $376,300,000, to remain available until transferred: Provided, That the Secretary of the Navy may transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

For the Department of the Defense, $21,412,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

For the Department of Defense, $376,300,000, to remain available until transferred: Provided, That the Secretary of Defense may transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

For the Department of Defense, $21,412,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.
Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred; Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided therein, such amounts may be transferred back to this appropriation.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2547, and 2551 of title 10, United States Code), $55,900,000, to remain available until September 30, 2002.

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimina- tion and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, $458,400,000, to remain available until September 30, 2003: Provided, That of the amounts provided under this heading, $25,000,000 shall be available only to support the dismantling and disposal of nuclear submarines and submarine reactor components in the Russian Far East.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories thereof; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,166,574,000, to remain available for obligation until September 30, 2003.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessori- es thereof; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities author- ized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,212,149,000, to remain available for obli- gation until September 30, 2003.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of not to exceed 35 passenger motor vehicles for replacement only; and the purchase of 12 vehicles required for physical security of personnel, notwithstanding price limitations applica- ble to passenger vehicles but not to exceed $90,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories thereof; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,090,729,000, to remain available for obligation until September 30, 2003.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories thereof; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,329,781,000, to remain available for obligation until September 30, 2003.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, tor- pedoes, other weapons, and related support equipment including spare parts, ordnance, and acces- sories thereof; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and ma- chine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $1,571,650,000, to remain available for obligation until September 30, 2003.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessori- es thereof; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities author- ized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $471,749,000, to remain available for obli- gation until September 30, 2003.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses necessary for the construction, acquisition, or conversion of vessels as author- ized by law, including armor and armament thereof; plant equipment, appliances, and ma- chine tools; installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime compo- nents and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $4,053,653,000; Navy Shipbuilding and Conversion Program (AP), $21,869,000; NSNS, $1,201,012,000; NSSM (AP), $898,222,000; CVN Refuelings, $703,441,000; CVN Refuelings (AP), $25,000,000; Submarine Refuelings, $239,414,000; Submarine Refuelings (AP), $77,000; DDG-51 destroyer program, $2,713,599,000; DDG-51 destroyer program (AP), $590,000,000; LPD-17 Program Cost Growth, $283,000,000; LPD-17 (AP), $200,000,000; LHD-8 (AP), $460,000,000; ADCX, $338,951,000; LCAC landing craft air cushion program, $15,615,000; and

For craft, outfitting, post delivery, conver- sions, and first destination transportation, $391,977,000.

In all: $11,612,090,000, to remain available for obligation until September 30, 2005: Provided, That additional obligations may be incurred after September 30, 2005, for engineering services, tests, evaluation, and other such background work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign fa- cilities until the Secretary of the Navy has determined that the Secretary of the Navy is hereby granted the au- thority to enter into contracts for an LHD-1 Amphibious Assault Ship and two LPD-17 Class Ships which shall be funded on an incremental basis.

OTHER PROCUREMENT, NAVY

For procurement, production, and moderniza- tion of support equipment and materials not
For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, space parts, and accessories therefor; plant equipment, appliances, and machine tools; and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,400,180,000, to remain available for obligation until September 30, 2003.

PROCUREMENT, AIR FORCE

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, space parts, and accessories therefor; plant equipment, appliances, and machine tools; and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,400,180,000, to remain available for obligation until September 30, 2003.

AIRCRAFT PROCUREMENT, AIR FORCE

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, space parts, and accessories therefor; plant equipment, appliances, and machine tools; and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,400,180,000, to remain available for obligation until September 30, 2003.

MISSILE PROCUREMENT, AIR FORCE

For expenses necessary for the procurement, manufacture, and modification of missiles, spacecraft, rockets, and related equipment; including special equipment and training devices, space parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction deceased therein prior to approval of title, $1,196,368,000, to remain available for obligation until September 30, 2003.

PROCUREMENT, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the procurement, manufacture, and modification of missiles, spacecraft, rockets, and related equipment; including special equipment and training devices, space parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction deceased therein prior to approval of title, $1,196,368,000, to remain available for obligation until September 30, 2003.

NATIONAL GUARD AND RESERVE EQUIPMENT

For expenses necessary for the procurement, manufacture, and modification of missiles, spacecraft, rockets, and related equipment; including special equipment and training devices, space parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction deceased therein prior to approval of title, $1,196,368,000, to remain available for obligation until September 30, 2003.

PROCUREMENT OF AMMUNITION, AIR FORCE

For expenses necessary for the procurement, manufacture, and modification of missiles, spacecraft, rockets, and related equipment; including special equipment and training devices, expansion of public and private plants, including ammunition facilities authorized by title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and inter-
NATIONAL DEFENSE AVALFUND

For National Defense Airlift Fund programs, projects, operations, and activities, $933,700,000, to remain available until expended: Provided, That these funds shall only be available for transfer to the appropriate C-17 program F–1 line items of Title III of the Act, for the purposes specified in this section: Provided further, That the funds transferred under the authority provided within this section shall be merged with and shall be available for the same purposes, and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority contained elsewhere in this Act.

TITLe VI
OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, $12,130,179,000, of which $11,437,283,000 shall be for Operation and maintenance of which $2,287,000,000 shall be for civilian personnel compensation and $2,890,000,000, to remain available until expended: Provided, That the funds appropriated under this heading shall be in addition to any other transfer authority contained elsewhere in this Act.

TITLe VII
RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to remain available until expended, $290,066,000: Provided, That the funds transferred under the authority provided within this section shall be merged with and shall be available for the same purposes, and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority contained elsewhere in this Act.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (30 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpiles, $897,400,000, of which $690,000,000 shall be for Operation and maintenance to remain available until September 30, 2002; of which $50,000,000 shall be for Research, development, test and evaluation; and of which $19,000,000 shall be available for the administration of chemical education activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted in Africa.

OTHER DEFENSE ACTIVITIES

For Research, development, test and evaluation, of which $114,245,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which, $3,300,000 to remain available until September 30, 2003, shall be forProcurement.

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, pro-

visions of law prohibiting the payment of com-
mensation to, or employment of, any person not a United States citizen to perform duties assigned to personnel of the Department of Defense: Pro-
vided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is based on the Federal employee pay rates as set by the Department of Defense.

The funds appropriated under this heading shall be available until expended for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

TITLe VIII
GENERAL PROVISIONS—DEPARTMENT OF DEFENSE

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, pro-

visions of law prohibiting the payment of com-
mensation to, or employment of, any person not a United States citizen to perform duties assigned to personnel of the Department of Defense: Pro-
vided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is based on the Federal employee pay rates as set by the Department of Defense.

The funds appropriated under this heading shall be available until expended for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General of the Department of Defense, as authorized by law, $147,545,000, of which $144,245,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General’s certificate of necessity for confidential military purposes; and of which, $3,300,000 to remain available until September 30, 2003, shall be for Procurement.

TITLe IX
RELATED PROGRAMS—CENTRAL INTELLIGENCE AGENCY

SEC. 9005. Upon determination by the Sec-

retary of Defense that such action is necessary in the national interest, with the approval or authority of the Inspector General, extraordinary expenses to be expended on the operation of the Central Intelligence Agency Retirement and Disability System, $235,000,000.

SEC. 9006. For payment to Kabo’olawe Island Conveyance, Remediation, and Environmental Restoration Fund, as authorized by law, $60,000,000, to remain available until September 30, 2003: Provided, That the authority provided in this section shall be merged with and shall be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless in higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are re-

quired has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogram-

ming of funds, unless in higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

TITLe XI
RELATED PROGRAMS—DEPARTMENT OF DEFENSE

SEC. 1101. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.
SEC. 8008. None of the funds provided in this Act shall be obligated to initiate a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any year unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award. Provided, That no part of any appropriation made in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government’s liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof under the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated prior to the notification of the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine the cost compared to an annual procurement.

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

Mk38 Bradley fighting vehicle; DDG-51 destroyer; C-17; and UH-60/CH-60 aircraft.

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 528 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 801 of chapter 20 of title 10, United States Code, and these obligations shall be reported to the Congress on September 30 of each year: Provided, That funds available for operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 2001, the civilian personnel of the Department of Defense may not be managed on the basis of any end strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end strength limitation) which is based on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2002 budget request for the Department of Defense shall include as justifications material and other documentation supporting the fiscal year 2002 Department of Defense budget request shall be prepared and submitted to the Committees on Appropriations of the House of Representatives and the Senate. Provided, That the subsection and sections (a), (b), and (c) of 10 U.S.C. 2461 shall not apply to a commercial or industrial type contract leading to a multiyear contract, prior to October 1, 1987: Provided further, That the Secretary of the Army, by executive agreement of law, during the current fiscal year, the Secretary of Defense may authorize the provision of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility, or provided pursuant to a waiver authorized by the Secretary of the Senate pursuant to section 2006(d) of title 10, United States Code: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the Senate pursuant to authority granted under such regulations as the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional that care.

SEC. 8011. None of the funds made available by this Act shall be used by the Department of Defense to exceed, outpace, the United States, its territories, and possessions in the operation and maintenance of the armed forces, as required by section 2006(d) of title 10, United States Code: Provided further, That the Secretary of Defense may authorize the provision of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional that care.

SEC. 8012. None of the funds made available by this Act shall be used by the Department of Defense to exceed, outpace, the United States, its territories, and possessions in the operation and maintenance of the armed forces, as required by section 2006(d) of title 10, United States Code: Provided further, That the Secretary of Defense may authorize the provision of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional that care.

SEC. 8013. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 2013(d) of title 10, United States Code, for any member of the armed forces who, on or after the date of enactment of this Act, enlisted in the armed forces for a period of active duty of less than 3 years, nor shall any amounts representing the normal cost for future benefits under section 2013(d) of title 10, United States Code, be transferred from the Fund by the Secretary of Defense to the Secretary of Veterans Affairs pursuant to the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 not applicable to a commercial or industrial type contract leading to a multiyear contract, prior to October 1, 1987: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine the cost compared to an annual procurement.

(b) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 2013(d) of title 10, United States Code, for any member of the armed forces who, on or after the date of enactment of this Act, enlisted in the armed forces for a period of active duty of less than 3 years, nor shall any amounts representing the normal cost for future benefits under section 2013(d) of title 10, United States Code, be transferred from the Fund by the Secretary of Defense to the Secretary of Veterans Affairs pursuant to the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 not applicable to a commercial or industrial type contract leading to a multiyear contract, prior to October 1, 1987: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine the cost compared to an annual procurement.

SEC. 8014. None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees until a sufficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That this subsection and sections (a), (b), and (c) of 10 U.S.C. 2461 shall not apply to a commercial or industrial type contract leading to a multiyear contract; provided further, That any legislation or appropriation matters pending under such regulations as the Secretary of Defense may prescribe.

SEC. 8015. Funds appropriated in title III of this Act shall be used to make contributions to the Department of Defense Pilot-Mentor-Progize Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Progize Program designed pursuant to authority granted under section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 not applicable to a commercial or industrial type contract leading to a multiyear contract, prior to October 1, 1987: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine the cost compared to an annual procurement.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of small engine parts or of metallic scrap, in excess of $20,000,000 in any one year, unless the two systems or component thereof if the value of the multiyear contract exceeds $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation made in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government’s liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof under the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated prior to the notification of the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine the cost compared to an annual procurement.

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

Mk38 Bradley fighting vehicle; DDG-51 destroyer; C-17; and UH-60/CH-60 aircraft.

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 528 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 801 of chapter 20 of title 10, United States Code, and these obligations shall be reported to the Congress on September 30 of each year: Provided, That funds available for operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 2001, the civilian personnel of the Department of Defense may not be managed on the basis of any end strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end strength limitation) which is based on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2002 budget request for the Department of Defense shall include as justifications material and other documentation supporting the fiscal year 2002 Department of Defense budget request shall be prepared and submitted to the Committees on Appropriations of the House of Representatives and the Senate. Provided, That the subsection and sections (a), (b), and (c) of 10 U.S.C. 2461 shall not apply to a commercial or industrial type contract leading to a multiyear contract, prior to October 1, 1987: Provided further, That any legislation or appropriation matters pending under such regulations as the Secretary of Defense may prescribe.

SEC. 8019. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by executive agreement, establish with host nation governments in
NATO member states a separate account into which any amount of funds appropriated in the return of United States military installation projects for the pay, allowances, and benefits of an employee is otherwise entitled to such annual leave:

Provided, That any employee who requests leave with pay pursuant to the provisions of sections 5519 and 6332(b) of title 5, United States Code, if such employee is otherwise entitled to such annual leave:

SEC. 8024. None of the funds appropriated by this Act shall be used for any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of 24 months after initiation of such study with a single function activity or 48 months after initiation of such study for a multi-function activity.

SEC. 8025. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8026. Notwithstanding any other provision of law or secretaries of the Department of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8027. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8028. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any subcontracting to a qualified nonprofit agency for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46-48).

SEC. 8029. During the current fiscal year, net receipts pursuant to sections from third party payers pursuant to section 6041 of title 10, United States Code, shall be available to the local facility of the uniformed services responsible for the collections and shall be over and above the normal payment level for any paraplegic, spinal cord injury, other severe injury, or development.

SEC. 8030. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $300,000,000 for purchase of new Government-owned assorted armor steel plates: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society for Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy, or armor steel plate: Provided further, That the Secretary of the Department of Defense responsible for the acquisition of this equipment may waive this requirement when engaged in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available at reasonable prices.

SEC. 8031. Of the funds made available in this Act, not less than $19,417,000 shall be available for Civil Air Patrol Corporation operation and maintenance to support National Air Patrolling activities which includes $2,000,000 for the Civil Air Patrol counterdrug program: Provided, That funds identified for "Civil Air Patrol" under this section are intended for and shall be for the exclusive use of the Civil Air Patrol Corporation and not for the Air Force or any unit thereof.

SEC. 8032. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity within an existing military installation, or managing an existing FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Vesting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such board or group, or as a paid consultant to more than one FFRDC in a fiscal year provided, That a member of any such entity referred to previously in this subsection shall be allowed per diem expenses and travel reimbursement under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2001 may be used by a defense FFRDC, through a fee or other payment mechanism, for the construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain change orders, not to include employee participation in community service and or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2001, not more than 6,227 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the funds appropriated or made available in this Act, that amount contributed for the fiscal year 2002 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

SEC. 8033. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society for Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy, or armor steel plate: Provided further, That the Secretary of the Department of Defense responsible for the procurement may waive this requirement when in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available at reasonable prices.

SEC. 8034. Federal agencies are required to withhold funding for contracts which are in being as of the date of the enactment of this Act.

CONGRESSIONAL RECORD—SENATE
June 14, 2000
For the purposes of this Act, the term "Buy American Act" means the enactment of law, funds made available in this Act for programs of the Central Intelligence Agency Central Services Working Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 102–510; 10 U.S.C. 2667 note) shall be available until expended for the purposes specified by section 2921(c)(2) of that Act: Provided, That none of the funds made available for expenditure under this section may be transferred or obligated until 30 days after the Secretary of Defense submits a report which details the balance available in the Overseas Military Facility Investment Recovery Account, all projected and actual obligations for fiscal years 2001 and 2002, and the specific expenditures to be made using funds transferred from this account during fiscal year 2001.

SEC. 8042. (a) The fiscal year 2002 budget request for the Department of Defense for operation and maintenance may be used to purchase items having an investment of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Operations Budget. The Secretary of Defense may use such funds for the purchase or lease of equipment for use in the defense of the United States: Provided, That such funds may be used only for the mitigation of environmental impacts associated with the procurement of such equipment.

SEC. 8043. The amounts deposited during the current fiscal year shall be available until the current fiscal year to appropriations made in this Act, it is the sense of the Congress that any procurement contract in an amount of less than $25,000, contracted with the Department of Defense, who has been confirmed by the Senate, if the person should be debarred from contracting with the Department of Defense.

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. 8044. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year for the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Operations Budget. 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.

The purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted by one source.

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted by one source.

The purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted by one source.

(3) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted by one source.

The purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted by one source.
determines that the award of such contract is in the interest of the Department of Defense.

SEC. 8051. (a) Except as provided in subsection (b) and (c), none of the funds made available by this Act may be used—

(1) to operate or maintain any headquarters agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters agency if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations of this subsection if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

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

SEC. 8052. Funds appropriated by this Act, or made available by the transfer of funds in this Act for the use of any department or agency specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2001 until funds are made available by the Intelligence Authorization Act for Fiscal Year 2001.

SEC. 8053. Notwithstanding section 303 of Public Law 96-487 or any other provision of law, the Secretary of the Navy is authorized to lease real and personal property at Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C. 267(f), for commercial, industrial or other purposes. Provided, That notwithstanding any other provision of law, the Secretary of the Navy may remove hazardous materials from facilities, buildings, and structures at Adak, Alaska, and may demolish or otherwise dispose of such facilities, buildings, and structures.

(RECISIONS)

SEC. 8054. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded as of the date of the enactment of this Act or October 1, 2000, whichever is later, from the following accounts and programs in the fiscal year 2000:

""Weapons and Tracked Combat Vehicles, 2000/2002", $9,000,000;

"Aircraft Procurement, Air Force, 2000/2002", $24,000,000;

"Other Procurement, Navy, 2000/2002", $29,300,000;

"Missile Procurement, Air Force, 2000/2002", $30,000,000; and

"Research, Development, Test and Evaluation, Army, 2000/2001", $27,000,000.

SEC. 8055. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8056. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea, unless specifically appropriated for that purpose.

SEC. 8057. During the current fiscal year, funds appropriated in this Act are available to provide, on a case-by-case basis, funds for immediate assistance for the purpose of facilitating the transition of outposts in Afghanistan to the control of the government of Afghanistan.

SEC. 8058. Funds appropriated in this Act for the operation of the unified, specified, Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence services and Specified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Foreign Intelligence Program (NFIP), to the Joint Military Intelligence Program (JMIIP), and the Tactical Intelligence and Related Activities (TIARA) aggregate: Provided, That nothing in this section authorizes the use of National Guard funds for National Guard personnel and training procedures.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8059. None of the funds appropriated in this Act may be obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies to the Committees on Appropriations of the House of Representatives and Senate that the contemplated planning and design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed $1,222,000,000.

SEC. 8060. (a) None of the funds made available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds made available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(TRANSFER OF FUNDS)

SEC. 8061. Appropriations available in this Act under the heading "Operation and Maintenance, Defense-Wide" for increasing energy and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency with funds made available to the Department of Defense and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8062. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8063. Notwithstanding any other provision of law, funds available to the Department of Defense for the procurement of non-reimbursable equipment and transportation of medical supplies and equipment, on a non-reimbursable basis, to American Samoa, and funds available to the Department of Defense for the procurement of non-reimbursable equipment and transportation of medical supplies and equipment, to non-reimbursable basis, to the Indian Health Service when it is in conjunction with a Department of Defense military installation.

SEC. 8064. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8065. Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any program extending extensions in financed by funds appropriated in this Act or any other Act.

SEC. 8066. Notwithstanding any other provision of law, each contract, the Department of Defense during the current fiscal year for construction or service performed in whole or in part in a State (as defined in section 381(d) of title 10, United States Code) which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: Provided, That the award of any of the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8067. During the current fiscal year, the Army shall use the former George Air Force Base as the airhead for the National Training Center at Fort Irwin: Provided, That none of the funds available under this Act shall be obligated or expended to transport Army personnel into Edwards Air Force Base for training rotations at the National Training Center.

SEC. 8068. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Senate Committee on Foreign Relations are notified 15 days in advance of such transfer.

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

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

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

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

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

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

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been fulfilled;

(B) a statement of the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide for the replacement.

SEC. 8069. To the extent authorized by subchapter VI of chapter 148 of title 10, United States Code, the Secretary of Defense may issue regulations or directives to implement this section.

SEC. 8069-A. Supplies of defense articles and defense exports not otherwise provided for: Provided, That the total contingent liability of the
United States for guarantees issued under the authority of this Act, any section may not exceed $15,000,000,000: Provided, further, that the exposure fees charged and collected by the Secretary for each guarantee, shall be paid by the country involved and shall be considered as further loan guarantees by the United States: Provided further, that the Secretary shall provide quarterly reports to the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate and the Committees on Appropriations, Armed Services, and International Relations in the House of Representatives on the implementation of this Act. Provided further, That amounts charged for administrative fees and deposited to the special account provided for under section 2540(c)(1) of title 10, shall be available for paying the costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program established under chapter VI of chapter 146 of title 10, United States Code.

SEC. 8070. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract for the construction of any military installation, if such costs of any amount paid by the contractor to an employee when—

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

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8071. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions or agents to the Johnston Atoll for the purpose of storing or depositing such munitions or agents.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munitions or agents that are located in the United States pursuant to the World War II Pacific Theater of Operations. (c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8072. None of the funds provided in title II of this Act for “Former Soviet Union Threat Reduction” may be obligated or expended to finance the removal of any individual who is not a member of the military forces of the Soviet Union or for any individual who is or was a member of the military forces of the Russian Federation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with Increase Use/Reserve support to the Operational Commanders-Chiefs and with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8074. For purposes of section 155(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading “Shipbuilding and Conversion, Navy” shall be considered as the same purpose as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior year, and the 1 percent limitation shall apply to such subdivisions as if they were contained in the appropriation.

SEC. 8075. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability has expired, and has been closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation shall be considered as an appropriation, and may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the amount transferred is chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation transferred is chargeable to any current appropriation account of the Department of Defense under the provisions of section 1403(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the amount transferred to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8076. Upon the enactment of this Act, the Secretary of Defense shall make the following transfers of funds: Provided, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: Provided further, That amounts shall be transferred between the following appropriations in the amount specified:


SSN–21 attack submarine program, $74,000,000:


For SSN–21 development, $74,000,000.

SEC. 8077. The Under Secretary of Defense (Comptroller) shall submit to the congressional appropriations committees the following data, broken down by program, project, subproject, and activity, any activity for which the fiscal year 2002 budget request was reduced because the Congress appropriated funds above the President’s budget request for that specific activity for fiscal year 2001.

SEC. 8078. Funds appropriated in title II of this Act and for the Defense Health Program in section VI of this Act for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: Provided, That for the purpose of this section, supervision and administration costs includes all in-house Government costs.

SEC. 8079. During the current fiscal year, the Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States: Provided, That costs for which reimbur- sement is waived pursuant to this subsection shall be paid from appropriations available for the Army, the Navy, the Marine Corps, the Air Force, or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That the Secretary of the Air Force, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8082. Notwithstanding 31 U.S.C. 3902, during the current fiscal year, interest penalties may be paid by the Department of Defense from funds financing the operation of the military department or defense agency with which the invoice or contract payment is associated.

SEC. 8083. Of the funds provided in the Department of Defense Appropriations Act, 2000 (Public Law 106–79), $319,688,000, to reflect savings and need as the result of revised economic assumptions, is hereby rescinded as of the date of the enactment of this Act, or October 1, 2000, whichever is later, from the following accounts in the specified amounts:

“Air Force Procurement, $7,000,000;

“Missile Procurement, $6,000,000;

“Procurement of Weapons and Tracked Combat Vehicles, $1,463,000;

“Procurement of Ammunition, $5,000,000;

“Other Procurement, $16,000,000;

“Procurement of Aircraft, $24,125,000;

“Weapons Procurement, $3,653,000;

“Procurement of Ammunition, Navy and Marine Corps, $1,463,000;

“Shipbuilding and Conversion, Navy, $19,644,000;

“Other Procurement, $12,032,000;

“Procurement, Marine Corps, $3,623,000;

“Procurement, Air Force, $3,743,000;

“Missile Procurement, Air Force, $5,500,000;

“Procurement of Ammunition, Air Force, $1,352,000;

“Other Procurement, Air Force, $19,902,000;

“Procurement, Defense-Wide, $6,683,000;

“Procurement of Agents and Munitions Destruction, $1,103,000;

“Defense Health Program, $808,000;

“Research, Development, Test and Evaluation, Army, $20,592,000;

“Research, Development, Test and Evaluation, Navy, $35,621,000;

“Research, Development, Test and Evaluation, Air Force, $5,878,000;

“Research, Development, Test and Evaluation, Defense-Wide, $36,297,000;

Provided, That these reductions shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within each appropriation account.
SEC. 8084. The budget of the President for fiscal year 2002 submitted to the Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request there- after, shall include budget activity groups (known as ‘‘subaccounts’’) in all appropriations accounts provided for in this Act, the Defense Management Network, and each subsequent fiscal year, shall provide complete, detailed estimates for all such costs.

SEC. 8085. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would violate cooperative programs entered into between the Department of Defense and the foreign country, or that waive would facilitate military programs for the purpose of providing defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

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

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

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule of the United States, extraordinary circumstances, the purpose and duration of the training program, the United States defense forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8089. The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental equipment of the Department of Defense, to Indian health service facilities and to federally-qualified health centers (within the meaning of section 1905(c)(2)(B) of the Social Security Act) to support delivery of dental care, to the Secretary of Defense, at no cost to the Department of Defense, for the purpose of establishing all medically necessary services or charity based care.

SEC. 8091. Notwithstanding any other provision in this Act, the amount appropriated in this Act is hereby reduced by $56,200,000 to reflect savings from the medical care of a civilian personnel, to be distributed as follows:

- Operation and Maintenance, Army, $4,600,000;
- Operation and Maintenance, Navy, $49,600,000; and
- Operation and Maintenance, Defense-Wide, $2,000,000.

SEC. 8092. None of the funds appropriated or otherwise made available in this Act to the Department of the Navy shall be used to develop, lease or procure the ADC(X) class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense shall include in the FY 2002 budget request for fiscal year 2002 amounts sufficient to maintain a B–52 force totaling 94 aircraft.
and civilian employees of the Department of Defense may waive this restriction on a case-by-case basis for goods or services for the personal consumption of such employees or their dependents. Provided further, That such local procurement may be made only in a State in which the installation is located; Provided further, that such local procurement may be made only in one State, purchases may be made in more than one State, purchases may be made in any State in which the installation is located:

SEC. 8108. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided under a contract or agreement on an irremovable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonirremovable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8109. None of the funds provided in this Act may be used to transfer to any nongovernmental entity any ammunition held by the Department of Defense that has a center-fire cartridge and a high-explosive incendiary armor-piercing, armor-piercing incendiary (armor penetrator), “armor piercing (AP)”, “armor piercing incendiary (API)”, “armor-piercing incendiary-tracer (APIT)”, except to any entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that any armor-piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense to manufacture ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8110. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act may be obligated for projects or programs of construction in the United States unless such malt beverages and wine shall be purchased in the State in which the installation is located: Provided further, That such local procurement may be made only in a State in which the installation is located; Provided further, That such local procurement may be made only in one State, purchases may be made in more than one State, purchases may be made in any State in which the installation is located:

SEC. 8104. During the current fiscal year, under regulations prescribed by the Secretary of Defense, the Center of Excellence for Disaster Management Operations may also pay, or authorize payment for, the expenses of providing or facilitating education and training for appropriate military and civilian personnel of foreign countries in disaster response: Provided, That not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report regarding the training of foreign personnel conducted under this authority during the preceding fiscal year for which expenses were paid under this section: Provided further, That the report shall specify the countries in which the training was conducted, the type of training conducted, and the foreign personnel trained.

SEC. 8112. The Secretary of Defense is authorized to enter into agreements with the Veterans Administration and federally-funded health agencies providing services to Native Hawaiians for the purpose of establishing a partnership similar to the Alaska Federal Health Care Partnership, in order to maximize Federal resources in the provision of health services that are available through early adoption and utilization of telemedicine technologies. For the purpose of this partnership, Native Hawaiians shall have the same status as other Native Americans who are eligible for the health care services provided by the Indian Health Service.

(b) The Department of Defense is authorized to develop a consultation policy, consistent with Executive Order No. 13084 (issued May 14, 1998), with Native Hawaiians for the purpose of assuring maximum Native Hawaiian participation in the direction and administration of government services that are more responsive to the needs of the Native Hawaiian community.

(c) For purposes of this section, the term ‘Native Hawaiian’ means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii.

SEC. 8106. None of the funds appropriated or otherwise made available by this Act or any other Act may be used for the construction activities in the Republic of Serbia (excluding the province of Kosovo) as long as Slobodan Milosevic remains the President of the Federal Republic of Yugoslavia (Serbia and Montenegro).

SEC. 8107. In addition to the amounts provided elsewhere in this Act, the amount of $10,000,000 is hereby appropriated for ‘Operation and Maintenance, Defense-Wide’, to be available, notwithstanding any other provision of law, only for a grant to the United Service Organizations Incorporated, a federally chartered corporation that is exempt from taxation under United States Code. The grant provided for by this section is in addition to any grant provided for under any other provision of law.

SEC. 8113. Of the amounts appropriated in this Act under the heading “Operation and Maintenance, Defense-Wide,” $15,000,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Department of Defense is authorized to transfer such funds to other activities of the Federal Government.

SEC. 8114. OPERATIONAL SUPPORT AIRCRAFT LEASING AUTHORITY. (a) The Secretary of the Army and the Secretary of the Navy may establish a multi-year pilot program for leasing aircraft for utility and operational support airlift that may be used to test the cost-effectiveness of such programs. The respective Secretaries may deem appropriate, consistent with this section.
(6) Sections 2401 and 2401a of title 10, United States Code, apply to any aircraft lease authorized by this section.

(c) Under the aircraft lease program authorized by this section:

(1) The Secretary of the Army and the Secretary of the Navy may include terms and conditions in lease agreements that are customary in aircraft leases by a non-Government lessor to a non-Government lessee.

(2) The term of any individual lease agreement into which a service Secretary enters under this section shall not exceed 10 years.

(3) The Secretary of the Army and the Secretary of the Navy may provide for special payments to a lessor if either the respective Secretary terminates or cancels the lease prior to the expiration of its term or aircraft are damaged or destroyed prior to the expiration of the term of the lease. Such special payments shall not exceed an amount equal to the value of one year’s lease payment under the lease. The amount of special payments shall be subject to negotiation between the Army or Navy and lessors.

(4) Notwithstanding any other provision of law, any payments required under a lease under this section, and any payments made pursuant to subsection (3) above may be made from:

(A) funds appropriated for the operation and maintenance of the aircraft at the time which the payment is due; and

(B) appropriations for the operation and maintenance of the aircraft at the time which the lease takes effect.

(f) Funds appropriated for those payments.

(5) The Secretary of the Army and the Secretary of the Navy may lease aircraft, on such terms and conditions as they may deem appropriate, consistent with this section, through an operating lease consistent with OMB Circular A-41.

(6) The Secretary of the Army and the Secretary of the Navy may exchange or sell existing aircraft and apply the exchange allowance or sale proceeds in whole or in part toward the cost of leasing replacement aircraft under this section.

(7) No lease of operational support aircraft may be entered into under this section after September 30, 2004.

(8) The authority granted to the Secretary of the Army and the Secretary of the Navy by this section shall not be construed to impair or otherwise affect, the authority of the respective Secretaries to procure transportation or enter into leases under a provision of law other than this section.

(9) The Secretary authorized under this section may use to lease not more than a total of:

(3) Navy aircraft, and

(3) Marine Corps aircraft for the purposes of providing operational support.

SEC. 8115. Notwithstanding any other provision in this Act, the total amount appropriated in this Act under Title IV for the Ballistic Missile Defense Organization (BMDO) is hereby reduced by $25,154,000 to reflect a reduction in system engineering, program management, and other support costs.

SEC. 8116. The Ballistic Missile Defense Organization and its subordinate offices and associated contractors, including the Lead Systems Integrator, will notify the congressional defense committees 30 days prior to issuing any type of information or proposal solicitation under the NMD program.

Sec. 8125. In addition to amounts appropriated elsewhere in this Act, $10,000,000 is hereby appropriated for ‘‘Operation and Maintenance, Navy’’ in this Act for the Pacific Missile Range Facility may be available to contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems critical to base operations.

SEC. 8126. In addition to amounts appropriated elsewhere in this Act, $10,000,000 is hereby appropriated to the Department of Defense: Provided, That the Secretary of Defense shall make a grant in the amount of $30,000,000 to the National Center for the Preservation of Democracy.

SEC. 8119. Of the funds made available under the heading ‘‘Operation and Maintenance, Air Force’’, not less than $7,000,000 shall be made available by grant or otherwise, to the North Slope Borough, to provide assistance for health care, monitoring and related issues associated with research conducted to 1957 by the former Arctic Aeromedical Laboratory.

SEC. 8120. None of the funds appropriated in this Act under the heading ‘‘Overseas Contingency Operations Transfer Fund’’ may be transferred or obligated for expenses not directly related to the conduct of overseas contingencies:

Provided, That the Secretary of Defense shall submit a report no later than thirty days after the end of each fiscal quarter to the Committees on Appropriations of the Senate and House of Representatives that details any transfer of funds under the heading ‘‘Overseas Contingency Operations Transfer Fund’’: Provided further, That the report shall explain any transfer for the maintenance of real property, pay of civilian personnel, support, and weapon, vehicle or equipment maintenance.

SEC. 8121. In addition to amounts made available elsewhere in this Act, $1,000,000 is hereby appropriated for ‘‘Operation and Maintenance, Navy’’ in this Act for the purposes of providing services for reimbursement for mandatory pet quarantines as authorized by law.

SEC. 8122. The Secretary of the Navy may transfer from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary ship cost changes for previous ship construction programs appropriated in law: Provided, That the Secretary may transfer no more than $300,000,000 under the authority provided within this section: Provided further, That the funding transferred shall be available for the same time period as the appropriation from which transferred: Provided further, that the funding transferred shall not be subject to any transfer authority contained elsewhere in this Act.

SEC. 8123. In addition to amounts appropriated elsewhere in the Act, $2,100,000 is hereby appropriated to the Department of Defense: Provided, That the Secretary of Defense shall make a grant in the amount of $2,100,000 to the National D-Day Museum.

SEC. 8124. In addition to amounts appropriated elsewhere in this Act, $5,000,000 is hereby appropriated to the Department of Defense: Provided, That the Secretary of the Army shall make available a grant of $5,000,000 only to the Chicago Public Schools for conversion and expansion of the former Eighth Regiment National Guard Armory (Bronzeville).

SEC. 8125. In addition to the amounts provided elsewhere in this Act, the amount of $10,000,000 is hereby appropriated for ‘‘Operation and Transportation’’ by the Secretary of Transportation in the Department of Transportation to reduce the disposal and scrapping of ships of the Navy Inactive Fleet and Maritime Administration National Defense Reserve Fleet: Provided, That the Secretary of Transportation shall develop criteria for selecting ships for scrapping or disposal based on their potential for causing pollution, creating an environmental hazard, or otherwise affecting public safety: Provided further, That the Secretary of the Navy and the Secretary of Transportation shall report to the congressional defense committees no later than January 30, 2001 regarding the total number of ships currently designated for scrapping, and the schedule and costs for scrapping these vessels.

SEC. 8126. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111) shall, in effect, apply to disbursements that are made by the Department of Defense in fiscal year 2001.

SEC. 8127. SENSE OF THE SENATE ON BRINGING PEACE TO CHECHNYA. (a) FINDINGS.—The Senate finds that—

(1) the Senate of the United States unanimously passed Senate Resolution 262 on February 24, 2000, which condemned the indiscriminate use of force by the Government of the Russian Federation against the people of Chechnya and called for peace negotiations between the Government of the Russian Federation and the democratically elected Government of Chechnya led by President Aslan Maskhadov;

(2) the Committee on Foreign Relations of the Senate received credible evidence reporting that Russian forces in Chechnya caused the deaths of innocent civilians and the displacement of over 250,000 other Chechens and committed widespread atrocities, including summary executions, torture, and rape;

(3) the Government of the Russian Federation continues its military campaign in Chechnya, including using indiscriminate force, causing further dislocation of people from their homes, the deaths of noncombatants, and widespread suffering;

(4) the Government of the Russian Federation refuses to participate in peace negotiations with the democratically elected Government of Chechnya;

(5) the war in Chechnya contributes to ethnic hatred and religious intolerance within the Russian Federation, jeopardizes prospects for the establishment of democracy in the Russian Federation, and is a threat to the peace in the region;

(6) it is in the interests of the United States to promote a cease-fire in Chechnya and negotiations between the Government of the Russian Federation and the democratically elected Government of Chechnya that result in a just and lasting peace;

(7) representatives of the democratically elected President of Chechnya, including his foreign ministers, have traveled to the United States to facilitate an immediate cease-fire to the conflict in Chechnya and the initiation of peace negotiations between Russian and Chechen forces;

(8) the Secretary of State and other senior United States Government officials have refused to meet with representatives of the democratically elected President of Chechnya to discuss proposals for an immediate cease-fire between Chechen and Russian forces and for peace negotiations; and

(9) the Senate expresses its concern over the war and the humanitarian tragedy in Chechnya and its desire for a peaceful and durable settlement to the conflict.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Government of the Russian Federation should immediately—

(A) cease its military operations in Chechnya and participate in negotiations toward a just peace with the leadership of the Chechen Government led by President Aslan Maskhadov;

(B) engage into and around Chechnya international missions to monitor and report on the situation there and to investigate alleged atrocities and war crimes; and

(C) allow into and around Chechnya inter- national humanitarian agencies full and unimpeded access to Chechen civilians, including those in refugee, detention, and
so-called “filtration camps”, or any other facility when the final ver- 
(2) the Secretary of State should meet with repre-
resentatives of the Government of Chechnya led by President Aslan Maskhadov to discuss its proposals to cease the host-
ilities in Chechnya and to facilitate the provision of hu-
mankind to the victims of this tragic 
(3) the President of the United States, in 
structuring United States policy toward the Russian Federation, should take into consider-
ation the refusal of the Government of the Rus-
sian Federation to allow its military installations in Chechnya and to participate in peace nego-
tiations with the Government of Chechnya.

SEC. 8128. In addition to funds made available in title IV of this Act under the heading “RE-
SEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE”, $20,000,000 is hereby appro-
priated for Information Technology Center.

SEC. 8129. PRIVACY OF INDIVIDUAL MEDICAL 
RECORDS. None of the funds provided in this Act 
shall be used to transfer, release, disclose, or 
otherwise make available to any individual or 
entity outside of the Department of Defense for any non-national security or non-law enforce-
ment purposes an individual’s medical records 
without the consent of the individual.

SEC. 8130. Of the amount appropriated 
by this Act for the Air Force for research, 
development, test and evaluation, up to $24,000,000 may be made available for contin-
ed design and analysis under the reentry 
systems applications program for the advanced technology reentry systems vehicle program 
of the Air Force.

SEC. 8131. Of the funds made available in 
title IV of this Act under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, up to $5,000,000 may be made available for the extended range 
conventional air-launched cruise missile pro-
gram of the Air Force.

SEC. 8132. Of the funds made available in 
title III of this Act under the heading “MISSILE 
PROCUREMENT, AIR FORCE”, up to $5,000,000 may be made available for the conversion of Maverick 
missiles in the AGM–65B and AGM–65C configu-
rations to Maverick missiles in the AGM–65H and AGM–65K configurations.

SEC. 8133. Of the funds made available under 
the heading “WEAPONS AND TRACKED COM-
BAT VEHICLES, ARMY” in title III of this Act, up 
to $10,000,000 may be made available for Carrier 
Modification Center.

SEC. 8134. Of the funds made available under 
the heading “RESEARCH, DEVELOPMENT, TEST AND 
EVALUATION, ARMY” in title IV of this Act, 
under “Ess Item Industrial Preparedness” up to 
$5,000,000 may be made available for the 
Printed Wiring Board Manufacturing Tech-
ology Center.

SEC. 8135. Of the funds made available in 
title IV of this Act under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY”, up to $3,000,000 may be made available for the Display Performance and Environmental Eval-
uation Laboratory Project of the Army Research 
Laboratory.

SEC. 8136. Of the funds made available in 
title IV of this Act under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, up to $4,500,000 may be made available for the Innovative Stand-Off Door Breaching Munition.

SEC. 8137. Of the amount appropriated 
title II under the heading “OPERATION AND 
MAINTENANCE, AIR FORCE”, up to $2,000,000
may be available for advanced three-dimen-
sional visualization software with the currently-
active Skills Trainer.

SEC. 8138. Of the funds appropriated in 
title IV under the heading “RESEARCH, DEVELO-
PMENT, TEST AND EVALUATION, DEFENSE-
WIDE”, up to $5,000,000 may be available for the 
Environmental Security Technical Certification Program (PE 603851D) to develop and test tech-
nologies to detect unexploded ordnance at sites 
where the detection and possible remediation of unexploded ordnance from live-fire activities is 
undesirable.

SEC. 8140. Of the amount appropriated under 
title IV under the heading “RESEARCH, DEVELO-
PMENT, TEST AND EVALUATION, DEFENSE-
WIDE”, up to $5,000,000 may be available for the 
Strategic Environmental Research and Develop-
ment Program (PE 6034716D) for continuing development by the Navy of the AC synchronous high-temperature superconductor electric motor.

SEC. 8144. Of the funds provided in title II 
under the heading “OPERATION AND MAIN-
TENANCE, NAVY”, up to $1,000,000 may be available to continue the Public Service Initiative.

SEC. 8153. Of the funds provided in title IV of 
this Act under the heading “RESEARCH, DEVELO-
PMENT, TEST AND EVALUATION, ARMY”, up to 
$2,000,000 may be available for the Chemical Biological Defense Scholarship Pro-
gram of the Department of Defense.

SEC. 8154. Of the funds appropriated in 
the Act under the heading “OPERATION AND MAIN-
TENANCE, DEFENSE-WIDE”, up to $5,000,000 may be available to the American Red Cross for Arm-
ies Forces Emergency Operations.

SEC. 8155. Of the amount appropriated by title 
IV under the heading “RESEARCH, DEVELO-
PMENT, TEST AND EVALUATION, NAVY”, up to 
$3,000,000 may be available for the XSS–10 micro-
missile technology program.

SEC. 8156. Of the funds made available in 
title IV of this Act under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, up to $3,000,000 may be made available for the development of a chemical agent warning net-
work to benefit the chemical incident response force of the Marine Corps.

SEC. 8157. Of the amounts appropriated under 
title II under the heading “OPERATION AND 
MAINTENANCE, DEFENSE-WIDE”, $2,000,000 may be made available for the Bosque Redondo Mem-
orial as authorized under the provisions of the bill S. 964 of the 106th Congress, as adopted by the Senate.

SEC. 8158. (a) INCREASE IN AMOUNT.—Of the 
amount appropriated under title IV under the 
heading “RESEARCH, DEVELOPMENT, TEST AND 
EVALUATION, DEFENSE-WIDE”, $300,000 shall be 
available for Generic Logistics Research and De-
velopment Program (CPUP).

(b) OFFSET.—Of the amount appropriated 
title IV under the heading referred to in 
subsection (a), the amount available for Com-
puter Professional Training, Development and 
technology (PE 602301E) is hereby decreased by 
$300,000.
SEC. 8159. (a) INCREASE IN AMOUNT.—Of the amounts appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", $5,000,000 shall be available for Explosives Demilitarization Technology (PE 602104D) for research into ammunitions systems and into methods to decommission or otherwise transfer or convey nuclear weapons and other weapon systems.

(b) OFFSET.—Of the amount appropriated under title IV under the heading referred to in subsection (a), the amount available for Compu-
gate Systems and Communications Technology (PE 602201E) is hereby decreased by $5,000,000.

SEC. 8160. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE", $92,530,000 may be available for C-5 aircraft modernization, including the C-5 Reliability Enhancement and Reengineering Program.

SEC. 8161. Of the total amount appropriated by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to $4,000,000 may be made available for the Ballistic Missile Defense Organization International Cooperative Programs for the Arrow Missile Defense System in order to enhance the interoperability of the system between the United States and Israel.

SEC. 8164. PROHIBITION ON USE OF FUNDS FOR PREVENTIVE APPLICATION OF PESTICIDES IN DEPARTMENT OF DEFENSE AREAS THAT MAY BE USED BY CHILDREN. (a) DEFINITION OF PESTICIDE.—In this section, the term "pesticide" has the meaning given to the term in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

(b) PROHIBITION ON USE OF FUNDS.—None of the funds appropriated under this Act may be used for the preventive application of a pesticide containing a known or probable carcinogen or a category 1 or 2 acute nerve toxin, or a pesticide containing and extinguishing a fire in the Bass River State Forest, New Jersey, in May 1999, which fire was caused by an errant bomb from an Air National Guard unit during a training exercise at Warren Grove Testing Range, New Jersey.

(b) SOURCE OF FUNDS.—Funds for the payment referred to in subsection (a) should be derived from amounts appropriated by title II of this Act under the heading "OPERATION AND MAINTENANCE, NAVY National Guard".

SEC. 8165. Of the funds appropriated in title III under the heading "PROCUREMENT, DEFENSE-WIDE", up to 7,000,000 may be made available for the procurement of the integrated bridge system for special warfare rigid inflatable boats under the Special Operations Forces Combatant Craft Systems program.

SEC. 8166. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE", up to $5,000,000 may be made available under Advanced Technology for the LaserSpark countermeasures program.

SEC. 8167. Of the amount appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE" for Logistics Research and Development Technology, $56,500,000 plus in addition to the amounts appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE", $5,200,000 may be available for the initial production of units of the ALGL / STRIKER to special operations forces.

term in section 2536(c)(1) of title 10, United States Code.

(2) VETERANS MEMORIAL OBJECT.—The term "veterans memorial object" means any object, including a physical structure or portion there-
of, that—

(a) is located in a cemetery of the National Cemetery System, war memorial, or military in-

(b) was dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(c) was brought to the United States from abroad as a memorial of combat abroad.

SEC. 8175. Of the total amount appropriated by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY" for the Navy technical information presentation system, $5,200,000 may be available for the digitization of FA-18 aircraft technical manual.

SEC. 8176. Of the amount appropriated under title II under the heading "OPERATION AND MAINTENANCE, ARMY" for Industrial Mobilization, $63,500,000 ($11,500,000 may be made available to address unutilized plant capacity in order to offset the effects of low utilization of plant capacity on overhead charges at the production line for the C–5 Reliability Modernization, including for the C–5 Reliability Modernization, $56,500,000 plus in addition to the amounts appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to $6,000,000 may be made available for Logistics Research and Development Technology, $56,500,000 plus in addition to the amounts appropriated under title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE", $5,200,000 may be available for the initial production of units of the ALGL / STRIKER to special operations forces.
Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 563, S. 2593, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

CERTIFIED DEVELOPMENT COMPANY PROGRAM IMPROVEMENTS ACT OF 1999

Mr. ALLARD. Mr. President, I ask unanimous consent that Calendar No. 563, S. 2593, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECTION I. SHORT TITLE.

This Act may be cited as the “Certified Development Company Program Improvements Act of 2000”.

SEC. 2. WOMEN-OWNED BUSINESSES.


SEC. 3. MAXIMUM DEBENTURE SIZE.

Section 502(2) of the Small Business Investment Act of 1958 (15 U.S.C. 692(2)) is amended by adding after the period “commercially accepted practices, pursuant to a workout plan approved by the Administration in conjunction with qualified State and local development companies to which the Administration delegates authority under subsection (a) may, with respect to any loan described in subsection (a)—

(a) perform all liquidation and foreclosure functions, including the purchase in accordance with this subsection of any other indebtedness secured by the property securing the loan, in a reasonable and sound manner, according to commercially acceptable practices, pursuant to a liquidation plan approved in advance by the Administration under paragraph (2)(A); and

(b) litigate any matter relating to the performance of the functions described in subparagraph (A), except that the Administration may—

(I) defend or bring any action in its own name; or

(II) the Administration is entitled to legal remedies not available to a qualified State or local development company, and such remedies will benefit either the Administration or the qualified State or local development company; or

(ii) oversee the conduct of any such litigation;

(C) take other appropriate actions to mitigate loan losses in lieu of total liquidation or foreclosure, including the restructuring of a loan in accordance with prudent loan servicing practices and pursuant to a workout plan approved in advance by the Administration under paragraph (2)(C).

(2) ADMINISTRATION APPROVAL.—

(A) LIQUIDATION PLAN.—Title V of the Small Business Investment Act of 1958 (15 U.S.C. 685 et seq.) is amended by adding at the end the following:

“SEC. 310. FORECLOSURE AND LIQUIDATION OF GUARANTEED LOANS.

(a) DELEGATION OF AUTHORITY.—In accordance with this section, the Administration shall delegate to any qualified State or local development company (as defined in section 503(c)) that meets the eligibility requirements of subsection (b)(2) of this section the authority to foreclose the loan and liquidate, or to otherwise treat in accordance with prudent loan servicing practices and pursuant to a workout plan approved in advance by the Administration under paragraph (2)(C), a qualified State or local development company described in subsection (a) to the extent authorized by paragraph (1).”

(B) ELIGIBILITY FOR DELEGATION.—

(1) REQUIREMENTS.—A qualified State or local development company shall be eligible for delegation of authority under subsection (a) if—

(A) the company—

(i) has participated in the loan liquidation pilot program established by the Small Business Development Company Program Improvement Act of 1996 (15 U.S.C. 695 note), as in effect on the day before the date of issuance of final regulations by the Administration implementing this section;

(ii) is participating in the Premier Certified Lenders Program under section 508; or

(III) during the 3 fiscal years immediately preceding each fiscal year, the company has made an average of not fewer than 10 loans per year that are funded with the proceeds of debentures guaranteed under section 503; and

(IV) the company—

(i) has 1 or more employees—

(i) with not less than 2 years of substantive, decision-making experience in administering the liquidation and workout of problem loans secured in a manner substantially similar to loans funded with the proceeds of debentures guaranteed under section 503; and

(ii) who have completed a training program on loan liquidation developed by the Administration in conjunction with qualified State and local development companies that meet the requirements of this paragraph; or

(ii) submits to the Administration documentation demonstrating that the company has contracted with a qualified third-party to perform liquidation activities and secures the approval of the contract by the Administration with respect to the qualifications of the contractor and the terms and conditions of liquidation activities.

(2) CONFIRMATION.—On request, the Administration shall examine the qualifications of any company described in subparagraph (A) to determine if such company is eligible for the delegation of authority under this section. If the Administration determines that a company is not eligible, the Administration shall provide the company with the reasons for such ineligibility.

(c) SCOPE OF DELEGATED AUTHORITY.—

(1) IN GENERAL.—Each qualified State or local development company to which the Administration delegates authority under subsection (a) may, with respect to any loan described in subsection (a)—

A. perform all liquidation and foreclosure functions, including the purchase in accordance with this subsection of any other indebtedness secured by the property securing the loan, in a reasonable and sound manner, according to commercially acceptable practices, pursuant to a liquidation plan approved in advance by the Administration under paragraph (2)(A); and

B. litigate any matter relating to the performance of the functions described in subparagraph (A), except that the Administration may—

(I) defend or bring any action in its own name; or

(II) the Administration is entitled to legal remedies not available to a qualified State or local development company, and such remedies will benefit either the Administration or the qualified State or local development company; or

(ii) oversee the conduct of any such litigation; and

(C) take other appropriate actions to mitigate loan losses in lieu of total liquidation or foreclosure, including the restructuring of a loan in accordance with prudent loan servicing practices and pursuant to a workout plan approved in advance by the Administration under paragraph (2)(C).

(2) ADMINISTRATION ACTION ON PLAN.—

(I) TIMING.—Not later than 15 business days after a liquidation plan is received by the Administration under clause (i), the Administration shall approve or reject the plan.

(II) NOTICE OF NO DECISION.—With respect to any liquidation plan that cannot be approved or