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**NATIONAL DEFENSE
AUTHORIZATION AND APPROPRIATIONS ACTS
FOR FISCAL YEAR 2000**



Prepared by

**Business Operations Law Division
Office of the Command Counsel
HQ, U.S. Army Materiel Command**

Introduction

This summary was prepared by the HQ AMC Office of the Command Counsel and highlights many of the important provisions contained in the National Defense Authorization and Appropriations Acts for Fiscal Year 2000. Although both Acts consist of several hundred pages, we selected only those sections we believed would be of most interest to our clients. The summary contains a brief explanation of each section; it is not intended as a detailed explanation of every requirement. If more information is desired about a section, HQ AMC personnel should contact the attorney listed at the end of the entry; other personnel should contact their supporting legal office.

Summary

1. Military Benefits.

a. Military Pay (Authorization Act, Sec. 601). Increases basic pay for active duty members and drill pay for reservists by 4.8 percent effective 1 Jan 00. Targeted basic pay increases will become effective 1 Jul 00. (Beauchamp, 617-9022)

b. Bonuses and Special and Incentive Pays (Authorization Act, Secs. 611-629). Authorizes and increases various bonuses and special and incentive pays to boost enlistment and retention of personnel, including, for the first time, continuation pay for judge advocate officers. (Beauchamp, 617-9022)

c. Retirement Pay (Authorization Act, Sec. 641). After 15 years of service, military members may choose between two retirement plans: (1) retired pay calculated at 50% of basic pay for the first 20 years of service (2.5% for each additional year up to 75%); or (2) a cash payment bonus at the 15th year of service and reduced retirement benefits (40% for first 20 years) with a promise to stay until retirement. (Beauchamp, 617-9022)

d. Thrift Savings Plan (Authorization Act, Sec. 661). Authorizes service members to participate in the Thrift Savings Plan. They may invest up to five percent of pay, with a maximum of \$10,000 per year. Implementation is contingent upon the development of regulations. (Beauchamp, 617-9022)

e. Dual Compensation (Authorization Act, Sec. 651). Repeals the requirement to cap federal employees' military retirement pay. (Beauchamp, 617-9022)

f. Deployments (Authorization Act, Sec. 991). Adds various General Officer management and approval requirements for deployment of individual service members where the deployment exceeds certain specified numbers of days. Authorizes additional per diem of \$100 per day where service members are deployed in excess of 251 out of the preceding 365 days. (Beauchamp, 617-9022)

g. Uniform Code of Military Justice (Authorization Act, Sec. 577). Increases the maximum punishment that Special Courts Martial may impose to confinement and forfeiture of pay from six months to one year -- pending the issuance of a Presidential Executive Order. (Beauchamp, 617-9022)

h. War College Degree (Authorization Act, Sec. 542). The U.S. Army War College may confer the degree of Master of Strategic Studies. (Beauchamp, 617-9022)

2. Department of Defense Workforce Provisions.

a. Major Department of Defense Headquarters Activities Personnel Limitation (Authorization Act, Sec. 921). Effective 1 Oct 02, the number of major DoD headquarters activities personnel (e.g., HQ AMC and most MSC military and civilian personnel) may not exceed 85 percent of the 1999 baseline number, with phased-in reductions for 1 Oct 00 (95 percent) and 1 Oct 01 (90 percent). Functions cannot be reassigned in order to evade the requirements of this section. (Johnson, 617-8050)

b. Defense Acquisition Workforce Reductions (Authorization Act, Sec. 922). Directs the Secretary of Defense to reduce the acquisition and support workforce during FY00 by a number not less than the number programmed for reduction in the President's budget, unless there are changed circumstances with national security implications. Also directs the Secretary to report to Congress on the proposed acquisition and support workforce reductions for FY00 and FY01. (Johnson, 617-8050)

c. Nondisclosure of Information on Personnel of Overseas, Sensitive, or Routinely Deployable Units (Authorization Act, Sec. 1044). Exempts from disclosure under the Freedom of Information Act personally identifying information regarding any member of the armed forces or a DoD employee assigned to an overseas, sensitive, or routinely deployable unit. (Medsger, 617-2556)

d. Emergency Essential Employees (Authorization Act, Sec. 1103). Allows the Secretary of Defense to designate any DoD employee as an "emergency essential employee" if it is necessary for the employee to perform combat support duties in a combat zone and it is impracticable to convert the employee's position to a military member position. (Medsger, 617-2556)

e. Civilian Work-Years Limitation (Appropriations Act, Sec. 8011). DoD cannot exceed 125,000 civilian work-years outside of the United States, its territories, and the District of Columbia. The Dependent Student Hiring Program for Disadvantaged Youths is not included in this limitation. (Johnson, 617-8050)

3. Performance of Functions by Private Sector Sources.

a. Reduced Threshold for Consideration of Effect on Local Community of Changing Defense Functions to Private Sector Performance (Authorization Act, Sec. 341). Modifies 10 USC 2461 to require an analysis of the impact on local economies when functions being performed by 50 or more federal employees (rather than 75) are changed to private sector performance. (Travers, 617-7571)

b. Congressional Notification of A-76 Cost Comparison Waivers (Authorization Act, Sec. 342). Requires that Congress be notified not later than 10 days after a decision is made to waive the cost comparison study required by OMB Circular A-76. Notification must include the rationale for the waiver, the total number of employees affected, a description of the competitive procedures used to award the contract, and the anticipated savings from the waiver and conversion to contract performance. (Travers, 617-7571)

c. Report on Use of Non-Federal Entities to Provide Services to DoD (Authorization Act, Sec. 343). Requires the Secretary of Defense to report to Congress on the use of non-federal entities providing services to DoD during the previous fiscal year. The report must include work-year equivalents by federal supply class or service code, the appropriation used to fund the services, and the major organizational element procuring the services. (Travers, 617-7571)

d. Sense of Congress Regarding LOGMOD (Authorization Act, Sec. 345). Describes the uncodified sense of Congress on the LOGMOD program, including that the goal should be sustainment of military readiness. Other recommendations are that any contract should require standard industry integration practices, that the proposed modernization solution should be tested prior to implementation, that implementation should be monitored by the government, and that partnering should be used on the contract. (Travers, 617-7571)

e. Requirement to Conduct Most Efficient Organization Analysis (Appropriations Act, Sec. 8014). Reenacts annual provision requiring certification to Congress of a most efficient and cost-effective organization analysis prior to converting a function being performed by

more than 10 DoD civilians to contractor performance, with limited exceptions. (Travers, 617-7571)

f. Time Limits on A-76 Studies (Appropriations Act, Sec. 8026). Reenacts annual provision that prohibits the use of appropriated funds to perform any OMB Circular A-76 cost study exceeding a period of 24 months for a single function study or 48 months for a multi-function study. (Travers, 617-7571)

g. Savings for Contracting-Out and Related Restrictions (Appropriations Act, Sec. 8108). Reduces appropriations by \$100,000,000 to reflect savings resulting from A-76 studies. Also prohibits contracting-out functions related to the award, oversight, or payment of DoD contracts. (Travers, 617-7571)

h. Report on OMB Circular A-76 Reviews (Appropriations Act, Sec. 8109). Requires the Secretary of Defense to submit a report of all A-76 studies performed since 1995, including whether they resulted in converting work to or from contractor performance. (Travers, 617-7571)

4. Major Weapons Acquisition Programs.

a. Multiyear Procurement Authority for Certain Army Programs (Authorization Act, Sec. 111 and Appropriations Act, Sec. 8144). Authorizes multiyear procurement contracts for: (1) the Javelin missile system and (2) AH-64D Apache Longbow attack helicopter. Additionally authorizes a multiyear procurement contract for the M1A2 Abrams main battle tank upgrade program; however the Appropriations Act requires that the Army first submit a report to Congress detailing efforts to reduce program costs -- prior to the use of FY00 funds for the contract. (Medsger, 617-2556)

b. Procurement Requirements for the Family of Medium Tactical Vehicles (Authorization Act, Sec. 112). Mandates the use of competitive procedures for the procurement of vehicles under the Family of Medium Tactical Vehicles program after completion of the current multiyear procurement contract. The second source certification requirement in last year's authorization act is repealed. (Medsger, 617-2556)

c. Army Aviation Modernization (Authorization Act, Sec. 113). Requires the Secretary of the Army to submit a comprehensive plan to Congress for the modernization of the Army's helicopter forces. The Army may not obligate more than 90 percent of

funds authorized for the procurement of Army aviation until 30 days after the Secretary of the Army submits the plan to Congress. (Medsger, 617-2556)

d. Multiple Launch Rocket System (Authorization Act, Sec. 114). Authorizes funds to complete the development of reuse and demilitarization tools and technologies for use in the demilitarization of Army Multiple Launch Rocket System rockets. (Medsger, 617-2556)

e. Starstreak/Stinger Competition (Appropriations Act, Sec. 8138). Directs the Army to conduct a live fire, side-by-side operational test of the air-to-air Starstreak and Stinger missiles from the AH-64D Longbow helicopter. Requires the use of full and open competition, which must include a live fire, side-by-side test as a source selection factor, for the development, procurement or integration of any air-to-air missile for the AH-64 or RAH-64. (Medsger, 617-2556)

5. **Arsenals, Depots, and Ammunition Plants.**

a. Extension of Pilot Program on Sales of Manufactured Articles and Services of Certain Army Industrial Facilities without Regard to Availability from Domestic Sources (Authorization Act, Sec. 115). Extends the current pilot program through FY01 that allows Watervliet Arsenal, Rock Island Arsenal, and McAlester Army Ammunition Plant to sell manufactured articles and services to private industry for incorporation into weapons systems being procured by DoD, regardless of the availability of a domestic commercial source for the articles or services. (Harrington, 617-7570)

b. Extension of Authority to Carry out Armament Retooling and Manufacturing Support Initiative (Authorization Act, Sec. 116). Extends the Army's Armament Retooling and Manufacturing Support Initiative (ARMS) through FY01. Under the ARMS Initiative, the Army may permit commercial firms to use facilities located at Army GOCO ammunition plants for commercial purposes. (Harrington, 617-7570)

c. Sales of Articles and Services of Defense Industrial Facilities to Purchasers outside the Department of Defense (Authorization Act, Sec. 331). Permits the Secretary of Defense to waive several statutory conditions for industrial facility subcontracts and for industrial facility sales to non-DoD customers. The waivers must be for reasons of national security, and Congress must be notified. (Harrington, 617-7570)

d. Contracting Authority for Defense Working Capital Funded Facilities (Authorization Act, Sec. 332). Broadens the authority of working capital funded activities to be subcontractors on defense contracts. Activities may now perform

engineering services, as well as manufacturing services. In addition, they may now act as a subcontractor at any tier, provided other legal requirements are met.

(Harrington, 617-7570)

e. Annual Reports on Expenditures for Performance of Depot Level Maintenance and Repair Workloads by Public and Private Sectors (Authorization Act, Sec. 333).

Requires the Secretary of Defense to submit an annual report detailing the percentage of funds spent for depot-level maintenance in the public and private sectors for the two previous years, as well as an annual report projecting similar percentages for the next five years. Also directs the GAO to review the reports. (Harrington, 617-7570)

f. Treatment of Public Sector Winning Bidders for Contracts for Performance of Depot-Level Maintenance and Repair Workloads Formerly Performed at Certain Military Installations (Authorization Act, Sec. 335).

Oversight and reporting requirements for depot-level maintenance and repair workloads previously performed by a depot closed under BRAC that are awarded to a public sector entity after competition with the private sector may not be substantially different than requirements for other maintenance workloads performed by the entity unless the solicitation states otherwise.

(Harrington, 617-7570)

g. Additional Matters to be Reported Before Prime Vendor Support Contract for Depot-Level Maintenance and Repair Is Entered Into (Authorization Act, Sec. 336).

Adds compliance with the depot maintenance 50/50 rule and core logistics policies of 10 USC 2464 as subjects to be included in the report to Congress required before a prime vendor support contract for depot-level maintenance may be awarded. (Harrington, 617-7570)

h. Public/Private Competition (Appropriations Act, Sec. 8037). Permits competitions, which must include comparable estimates of all direct and indirect costs, between DoD depot maintenance activities and private firms during FY00 for the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other defense-related articles. Exempts these competitions from the requirements of OMB Cir. A-76. (Harrington, 617-7560)

i. Report on Recovering Costs at GOCO's (Appropriations Act, OM, A, p. 4).

Requires the Army to provide a report to Congress on recovering environmental restoration costs at GOCO facilities. (Harrington, 617-7570)

6. Military Readiness Reports.

a. Independent Study of Military Readiness Reporting System (Authorization Act, Sec. 361).

Directs the Secretary of Defense to conduct an independent study of the new DoD Readiness Reporting System established by the FY99 Authorization Act. This provision also increases the time period for reporting changes in the readiness status of

training establishments and defense infrastructure from 24 hours to 72 hours. Changes in the readiness of military units must still be reported within 24 hours.

(Medsger, 617-2556)

b. Independent Study of Department of Defense Secondary Inventory and Parts Shortages (Authorization Act, Sec. 362). Directs the Secretary of Defense to conduct an independent study of DoD spare parts and secondary item inventories, including wholesale and retail items. The study must also include a plan to address excessive inactive inventory and part shortages. (Medsger, 617-2556)

c. Report on Inventory and Control of Military Equipment (Authorization Act, Sec. 363). Directs the Secretary of Defense to prepare a report on inventory and control of military equipment as of the end of FY99. This is an extensive report that must include the quantity of each item on-hand at the beginning and end of the year and all acquisitions, disposals, and losses of each item during the year. (Medsger, 617-2556)

d. Comptroller General Study of Adequacy of Department Restructured Sustainment and Reengineered Logistics Product Support Practices (Authorization Act, Sec. 364). Directs the GAO to study the restructured sustainment and reengineered logistics product support practices within DoD. The purpose of the study is to determine whether current practices are adequate to provide sustainment supplies during execution of the National Military Strategy. (Medsger, 617-2556)

e. Comptroller General Review of Real Property Maintenance and Its Effect on Readiness (Authorization Act, Sec. 365). Directs the GAO to review the impact of real property maintenance funding shortfalls on readiness, quality of life, and infrastructure of military installations. (Medsger, 617-2556)

7. Acquisition Provisions.

a. Authority to Carry Out Certain Prototype Projects (Other Transactions) (Authorization Act, Sec. 801). Mandates that Section 845 Other Transactions over \$5,000,000 include a provision permitting the GAO to examine the records of any participant. (Medsger, 617-2556)

b. Streamlined Applicability of Cost Accounting Standards (Authorization Act, Sec. 802). Adds two categories of contracts and subcontracts to which cost accounting standards do not apply. Also permits agency heads to waive CAS, under certain circumstances, for contracts and subcontracts valued at less than \$15,000,000. (Simon, 617-2552)

c. Guidance on Task and Delivery Order Contract Use (Authorization Act, Sec. 804). Directs revision of the FAR to provide guidance on the use, award, and

administration of task order contracts, including guidance on information technology purchases, fairness of award criteria, and specificity of statements of work. Also tasks the GAO to report on the implementation of the guidance. (Beauchamp, 617-9022)

d. New Reporting Requirement for Certain Multiyear Contracts (Authorization Act, Sec. 809). Directs the Secretary of Defense to submit a funding report to Congress prior to entering into or extending a multiyear contract. In general, the report compares the amount of total obligation authority under the contract to applicable procurement accounts and agency procurement totals. Similar aggregate comparisons are required for all agency and DoD multiyear procurements. (Beauchamp, 617-9022)

e. Additional Notifications for Multiyear Contracts (Appropriations Act, Sec. 8008). Requires congressional notification for three things: (1) multiyear contracts (or an advance procurement leading to a multi-year contract) with an economic order quantity in excess of \$20,000,000 in any one year (or in the year of the contract); (2) multiyear contracts that include an unfunded contingent liability above \$20,000,000 and (3) all multiyear contract terminations. Additionally, prohibits multiyear contracts above \$500,000,000 unless specifically authorized by law, as well as multiyear contracts where the economic order quantity is not funded at least to the limits of the Government's liability. (Beauchamp, 617-9022)

f. Procurements from the Small Arms Production Industrial Base (Authorization Act, Sec. 815). Requires that all barrels, receivers, and bolts for M-2 and M-60 machine guns be purchased from certain designated firms, unless the Secretary of the Army determines otherwise. (Harrington, 617-7570)

g. Report on Options for Accelerated Acquisition of Precision Munitions (Authorization Act, Sec. 820). Directs the Secretary of Defense to prepare a report on current and required inventories of precision munitions and the dates on which the required inventories would be achieved at various funding levels and production rates. (Harrington, 617-7570)

h. Clarification of Definition of Commercial Services (Authorization Act, Sec. 805). Amends 41 USC 403 to clarify that services are commercial if they are procured in support of a commercial item and if the source of the services provides them contemporaneously to the general public under similar terms and conditions. (Travers, 617-7571)

i. Extension of Authority to Use Simplified Procedures for Purchases of Commercial Items up to \$5,000,000 Until 1 Jan 02 (Sec. 806). Requires GAO to submit an evaluation of the test program by 1 Mar 01. (Travers, 617-7571)

j. Pilot Programs for Commercial Services (Sec. 814). Authorizes the Secretary of Defense to conduct a pilot program to treat procurements of commercial services as procurements of commercial items in the areas of utilities and housekeeping services, education and training services, and medical services. (Travers, 617-7571)

k. Incremental Funding of Military Construction Projects (Authorization Act, Sec. 2807). Expresses the sense of Congress that DoD should not incrementally fund military construction projects, except, in limited circumstances, for large phased projects where consistent with previously established practices. (Simon, 617-2552)

l. Employee Penalties for Improper New Starts (Appropriations Act, Sec 8096). Prohibits compensating a DoD employee who initiates a new start program without first notifying OSD, OMB and congressional defense committees. (Johnson, 617-8050)

m. Registering IT Systems (Appropriations Act, Sec. 8121). Prohibits the use of FY00 funds for mission critical or mission essential information technology systems unless the system is registered with the DoD Chief Information Officer (CIO). No major automated information system may receive Milestone I - III approval during FY00 unless the DoD CIO certifies that the system is being developed in accordance with the Clinger-Cohen Act of 1996. (Medsger, 617-2556)

n. Foreign Source Waivers (Appropriations Act, Sec. 8093). Authorizes Secretary of Defense to waive limitations on the procurement of defense items from foreign sources. The Secretary must determine that: (1) the limitation would invalidate a cooperative program between DoD and a foreign country or would invalidate reciprocal trade agreements for the procurement of certain defense items; and (2) the country does not discriminate against the same or similar defense items produced in the United States. (Beauchamp, 617-9022)

o. NAF Funds and Alcoholic Beverages (Appropriations Act, Sec. 8132). Prohibits using appropriated funds to support NAF activities that use NAF funds to procure malt beverages and wine for resale on a military installation in the U.S. *unless* the malt beverage or wine is procured within the state(s) where the installation is located. For CONUS installations only, other types of alcoholic beverages shall be purchased from the most competitive source, price and other factors considered. (Beauchamp, 617-9022)

p. Progress Payment Timelines (Appropriations Act, Sec. 8175). Requires the DoD to make progress payments based on *progress* no less than 12 days after it receives a valid billing and to make progress payments based on *cost* no less than 19 days after it receives a valid billing. (Simon, 617-2552)

8. Financial Management Provisions.

a. Management of Credit Cards (Authorization Act, Sec. 933). Directs the DoD to establish regulations for improved management of Government-issued credit cards and convenience checks. The regulations must include certain safeguards and internal controls, including detailed record-keeping, prompt payment of credit card bills, and limited alteration of remittance addresses. (Simon, 617-2552)

b. Financial Management Improvement Plan (Authorization Act, Sec. 1007). Directs DoD to include the following information in its Biennial Financial Management Improvement Plan: (1) information about DoD finance systems, accounting systems, and data feeder systems; (2) plans for easy and reliable interface of those systems; and (3) a description of any major procurement action to replace or improve those systems. Also directs DoD to develop a "financial management competency plan," as well as a plan to improve certain DFAS processes. (Simon, 617-2552)

c. Waiver Authority for Electronic Funds Transfer (Authorization Act, Sec. 1008). Permits the Secretary of Defense to waive EFT payments to DoD employees in certain unusual circumstances. Previously this authority was limited to the Secretary of the Treasury. (Simon, 617-2552)

d. Working Capital Fund Investment Purchases (Appropriations Act, Sec. 8047). Establishes certain limitations for the purchase of investment items with working capital funds. Requires that the FY01 budget request fund equipment end items with procurement appropriations (not working capital funds) -- to the extent that those end items were funded with procurement appropriations in the FY00 Act. (Simon, 617-2552)

e. Negative Unliquidated Balances in Expired Funds (Appropriations Act, Sec. 8081). Provides that negative unliquidated or unexpended balances in expired or closed accounts may be charged to current appropriations under certain specified circumstances. (Simon, 617-2552)

f. Interest Penalties (Appropriations Act, Sec. 8088). Permits DoD to use operating funds during FY00 to pay interest penalties on an invoice or contract payment. (Simon, 617-2552)

g. Treatment of Credit Card Refunds (Appropriations Act, Sec. 8119). Permits DoD to credit travel card refunds to operating appropriations that are current when the refunds are received. Additionally permits DoD to credit IMPAC card refunds to

appropriations that are current when the refunds are received and that are available for the same purpose as the appropriation originally charged. (Simon, 617-2552)

h. Support to Delinquent Federal Agencies (Appropriations Act, Sec. 8122).

Prohibits DoD from using FY00 funds to support another agency that is more than 90 days late on its payment to DoD for goods or services. This prohibition does not apply where a law permits DoD to provide the goods or services on a non-reimbursable basis. Additionally, permits the Secretary of Defense to waive this prohibition with certification to Congress when in the interest of national security. (Simon, 617-2552)

i. Payment Timelines (Appropriations Act, Sec. 8176). Requires DoD to change payment procedures and policies so that all payments are made no less than 29 days after receipt of a proper invoice. (Simon, 617-2552)

9. Research, Development, Test and Evaluation Provisions.

a. Collaborative Program to Evaluate and Demonstrate Advanced Technologies for Advanced Capability Combat Vehicles (Authorization Act, Sec. 211). Establishes a collaborative Army/DARPA program for the evaluation and competitive demonstration of concepts for advanced capability combat vehicles for the Army. The program will identify the most promising technologies to develop combat vehicles significantly superior to the M1 Tank. (Medsger, 617-2556)

b. Sense of Congress Regarding Defense Science and Technology Program (Authorization Act, Sec. 212). Expresses the sense of Congress that the Services have under-funded their Science and Technology Programs. Congress suggests that the Services should increase their FY01-09 Science and Technology program budgets by at least two percent each year above the rate of inflation. (Medsger, 617-2556)

c. Micro-Satellite Technology Development Program (Authorization Act, Sec. 213). Authorizes funds for the continuation of the micro-satellite technology program. (Medsger, 617-2556)

d. Manufacturing Technology Program (Authorization Act, Sec. 216). Makes several changes to the Manufacturing Technology Program, including expanding the purpose of the program to focus on the development and application of advanced manufacturing technologies and processes for repair and re-manufacturing in support of the operations of systems commands, depots, air logistics centers, and shipyards. The provision also requires the Secretary of Defense to ensure the participation of the prospective technology users (i.e. program and project managers for defense weapon systems, systems commands, and depots) in establishing program requirements. (Medsger, 617-2556)

e. Efficient Utilization of Defense Laboratories (Authorization Act, Sec. 913). Requires the Secretary of Defense to analyze the resources and capabilities of defense laboratories and test and evaluation facilities in order to improve efficiency and reduce duplication of effort. Also requires the Secretary to develop a process to rate the quality and relevance of defense laboratory work. (Medsger, 617-2556)

10. Chemical Agents and Munitions.

a. Chemical Weapons Destruction (Authorization Act, Sec. 141). Individual states may now permit chemical weapons destruction facilities to be used for non-stockpile chemical materiel. After the weapons have been destroyed, the Army must dispose of the facilities in agreement with the governor of the state in which the facility is located. (Simon, 617-2552)

b. Reports: Chemical Weapons Destruction and Storage (Authorization Act, Secs. 141-142). The Secretary of Defense and the GAO are separately directed to assess the Chemical Demilitarization Program in order to reduce costs and meet the Treaty deadline. The GAO is directed to conduct an additional study on the impact of any workforce reductions and/or conversion to contractor performance at the chemical weapons storage sites. (Simon, 617-2552)

c. Additional Chemical Demilitarization Management Report (Appropriations Act, Sec. 8159). Directs the Secretary of Defense to assess the management structure of the chemical demilitarization program, including the management of the Assembled Chemical Weapons Assessment. Additionally directs the Secretary to assess the wisdom of appointing a management and oversight panel for the program. (Simon, 617-2552)

11. Real Property Provisions.

a. Enhancement of Utility Privatization Authority (Authorization Act, Sec. 2812). Permits DoD to enter into utility service contracts for up to fifty years as long as those contracts are in connection with a utility privatization effort. Additionally, under certain circumstances, DoD may contribute construction funds to a private entity to which a utility system will be transferred in order to facilitate the utility privatization. (Simon, 617-2552)

b. Economic Development Conveyances of Base Closure Property (Authorization Act, Sec. 2821). Authorizes the free transfer of certain BRAC property to a redevelopment authority if it agrees to use the proceeds from any sale or lease of the property to support the economic redevelopment of the installation. (Johnson, 617-8050)

c. Use of BRAC 1990 Funds (Authorization Act, Sec. 2822). Specifies that BRAC funds shall be the only funds available for environmental restoration, property management, or caretaker costs after 13 Jul 01 at any installation closed or realigned as a result of the BRAC 1990 legislation. (Johnson, 617-8050)

d. Land Conveyances at AMC Installations (Authorization Act, Secs. 2832, 2840, and 2842). Authorizes certain real estate transactions at Rock Island Arsenal (ramps for bridge), Twin Cities Army Ammunition Plant (town hall and maintenance facility), and Joliet Army Ammunition Plant (landfill). (Johnson, 617-8050)

e. Military Housing Maintenance and Repair Limitations (Appropriations Act, Sec. 8114). Prohibits using any funds other than those specifically appropriated for family housing accounts for repairs or maintenance to military family housing units -- even where

the units are used to conduct official DoD business (i.e., for Flag and General Officer quarters). Additionally requires the DoD IG to report on compliance with the funding rules for maintenance and repairs of Flag and General Officer quarters. (Beauchamp, 617-9022)

f. Prohibition on Payment of Environmental Fines (Appropriations Act, Sec. 8149). Prohibits using FY00 funds to pay any environmental fines or "supplemental environmental projects" unless the fine or project is specifically authorized by law. (Simon, 617-2552)

12. Miscellaneous.

a. Relocation into or within the National Capital Area (Appropriations Act, Sec. 8022). No more than \$500,000 can be used during a single fiscal year for a relocation of a DoD organization, unit, activity, or function into or within the National Capital Area. The Secretary of Defense can waive this restriction with Congressional notice and where in the Government's best interest. (Johnson, 617-8050)

b. Authority to Lend or Donate Obsolete or Condemned Rifles for Funeral and Other Ceremonies (Authorization Act, Sec. 381). Increases the number of M-1 rifles that the Secretary of the Army may lend to eligible organizations for ceremonial purposes from 10 to 15 and clarifies that the rifles, ammunition, and accoutrements *may* be provided without charge if they are used for funeral ceremonies of service members. Expands the list of eligible organizations to include law enforcement agencies and honor guards for national cemeteries. (Harrington, 617-7570)

c. Prohibition on Demilitarization of Certain Rifles (Appropriations Act, Sec. 8020). Prohibits the use of funds to demilitarize or dispose M-1 Carbines, M-1 Garand, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols. (Harrington, 617-7570)

d. Prohibition on Transfer of Certain Armor-Penetrating Ammunition (Appropriations Act, Sec. 8126). Prohibits the transfer of armor penetrating or piercing ammunition to a non-governmental entity except for (1) demilitarization or (2) manufacturing under a DoD contract or for export. (Harrington, 617-7570)

e. Recruiting Materials (Authorization Act, Sec. 574). Authorizes the Secretary of Defense to use recruiting materials for public relations purposes. Requires the Secretary to establish conditions for their use. (Beauchamp, 617-9022)