

1 (G) the expected annual cost to operate 16
2 U-28 aircraft as a Government-owned, con-
3 tractor operated program.

4 (c) EXCEPTION.—Subsection (a) does not apply to up
5 to 13 aircraft designated by the Secretary of the Air Force
6 to be transferred from the Air Force to the United States
7 Special Operations Command and flown by the Air Na-
8 tional Guard in support of special operations aviation for-
9 eign internal defense and intelligence, surveillance, and re-
10 connaissance requirements.

11 **Subtitle F—Other Matters**

12 **SEC. 351. CLARIFICATION OF AUTHORITY RELATING TO** 13 **PROVISION OF INSTALLATION-SUPPORT** 14 **SERVICES THROUGH INTERGOVERNMENTAL** 15 **SUPPORT AGREEMENTS.**

16 (a) TRANSFER OF SECTION 2336 TO CHAPTER
17 159.—

18 (1) TRANSFER AND REDESIGNATION.—Section
19 2336 of title 10, United States Code, is transferred
20 to chapter 159 of such title, inserted after section
21 2678, and redesignated as section 2679.

22 (2) REVISED SECTION HEADING.—The heading
23 of such section, as so transferred and redesignated,
24 is amended to read as follows:

1 **“§ 2679. Installation-support services: intergovern-**
2 **mental support agreements”.**

3 (b) CLARIFYING AMENDMENTS.—Such section, as so
4 transferred and redesignated, is further amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) by striking “The Secretary con-
8 cerned” and inserting “Notwithstanding
9 any other provision of law governing the
10 award of Federal government contracts for
11 goods and services, the Secretary con-
12 cerned”; and

13 (ii) by striking “a State or local” and
14 inserting “, on a sole source basis, with a
15 State or local”;

16 (B) in paragraph (2)—

17 (i) by striking “Notwithstanding any
18 other provision of law, an” and inserting
19 “An”;

20 (ii) by striking subparagraph (A); and

21 (iii) by redesignating subparagraphs
22 (B) and (C) as subparagraphs (A) and (B)
23 respectively; and

24 (C) by adding at the end the following new
25 paragraph:

1 “(4) Any contract for the provision of installation-
2 support services awarded by the Federal Government or
3 a State or local government pursuant to an intergovern-
4 mental support agreement provided in subsection (a) shall
5 be awarded on a competitive basis.”.

6 (2) by adding at the end of subsection (e) the
7 following new paragraph:

8 “(4) The term ‘intergovernmental support
9 agreement’ means a legal instrument reflecting a re-
10 lationship between the Secretary concerned and a
11 State or local government that contains such terms
12 and conditions as the Secretary concerned considers
13 appropriate for the purposes of this section and nec-
14 essary to protect the interests of the United
15 States.”.

16 (c) CLERICAL AMENDMENTS.—

17 (1) The table of sections at the beginning of
18 chapter 137 of such title is amended by striking the
19 item relating to section 2336.

20 (2) The table of sections at the beginning of
21 chapter 159 of such title is amended by inserting
22 after the item relating to section 2678 the following
23 new item:

“2679. Installation-support services: intergovernmental support agreements.”.