

In the Senate of the United States,

July 29, 1997.

Resolved, That the bill from the House of Representatives (H.R. 2266) entitled “An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *fiscal year ending September 30, 1998, for military func-*
4 *tions administered by the Department of Defense, and for*
5 *other purposes, namely:*

6

TITLE I

7

MILITARY PERSONNEL

8

MILITARY PERSONNEL, ARMY

9

For pay, allowances, individual clothing, subsistence,

10 *interest on deposits, gratuities, permanent change of station*

1 *travel (including all expenses thereof for organizational*
2 *movements), and expenses of temporary duty travel between*
3 *permanent duty stations, for members of the Army on active*
4 *duty (except members of reserve components provided for*
5 *elsewhere), cadets, and aviation cadets; and for payments*
6 *pursuant to section 156 of Public Law 97–377, as amended*
7 *(42 U.S.C. 402 note), to section 229(b) of the Social Secu-*
8 *rity Act (42 U.S.C. 429(b)), and to the Department of De-*
9 *fense Military Retirement Fund; \$20,426,457,000.*

10 *MILITARY PERSONNEL, NAVY*

11 *For pay, allowances, individual clothing, subsistence,*
12 *interest on deposits, gratuities, permanent change of station*
13 *travel (including all expenses thereof for organizational*
14 *movements), and expenses of temporary duty travel between*
15 *permanent duty stations, for members of the Navy on active*
16 *duty (except members of the Reserve provided for elsewhere),*
17 *midshipmen, and aviation cadets; and for payments pursu-*
18 *ant to section 156 of Public Law 97–377, as amended (42*
19 *U.S.C. 402 note), to section 229(b) of the Social Security*
20 *Act (42 U.S.C. 429(b)), and to the Department of Defense*
21 *Military Retirement Fund; \$16,508,218,000.*

22 *MILITARY PERSONNEL, MARINE CORPS*

23 *For pay, allowances, individual clothing, subsistence,*
24 *interest on deposits, gratuities, permanent change of station*
25 *travel (including all expenses thereof for organizational*

1 *movements), and expenses of temporary duty travel between*
2 *permanent duty stations, for members of the Marine Corps*
3 *on active duty (except members of the Reserve provided for*
4 *elsewhere); and for payments pursuant to section 156 of*
5 *Public Law 97–377, as amended (42 U.S.C. 402 note), to*
6 *section 229(b) of the Social Security Act (42 U.S.C. 429(b)),*
7 *and to the Department of Defense Military Retirement*
8 *Fund; \$6,148,899,000.*

9 *MILITARY PERSONNEL, AIR FORCE*

10 *For pay, allowances, individual clothing, subsistence,*
11 *interest on deposits, gratuities, permanent change of station*
12 *travel (including all expenses thereof for organizational*
13 *movements), and expenses of temporary duty travel between*
14 *permanent duty stations, for members of the Air Force on*
15 *active duty (except members of reserve components provided*
16 *for elsewhere), cadets, and aviation cadets; and for pay-*
17 *ments pursuant to section 156 of Public Law 97–377, as*
18 *amended (42 U.S.C. 402 note), to section 229(b) of the So-*
19 *cial Security Act (42 U.S.C. 429(b)), and to the Depart-*
20 *ment of Defense Military Retirement Fund;*
21 *\$17,206,056,000.*

22 *RESERVE PERSONNEL, ARMY*

23 *For pay, allowances, clothing, subsistence, gratuities,*
24 *travel, and related expenses for personnel of the Army Re-*
25 *serve on active duty under sections 10211, 10302, and 3038*

1 *of title 10, United States Code, or while serving on active*
2 *duty under section 12301(d) of title 10, United States Code,*
3 *in connection with performing duty specified in section*
4 *12310(a) of title 10, United States Code, or while under-*
5 *going reserve training, or while performing drills or equiva-*
6 *lent duty or other duty, and for members of the Reserve*
7 *Officers' Training Corps, and expenses authorized by sec-*
8 *tion 16131 of title 10, United States Code; and for pay-*
9 *ments to the Department of Defense Military Retirement*
10 *Fund; \$2,037,046,000.*

11 *RESERVE PERSONNEL, NAVY*

12 *For pay, allowances, clothing, subsistence, gratuities,*
13 *travel, and related expenses for personnel of the Navy Re-*
14 *serve on active duty under section 10211 of title 10, United*
15 *States Code, or while serving on active duty under section*
16 *12301(d) of title 10, United States Code, in connection with*
17 *performing duty specified in section 12310(a) of title 10,*
18 *United States Code, or while undergoing reserve training,*
19 *or while performing drills or equivalent duty, and for mem-*
20 *bers of the Reserve Officers' Training Corps, and expenses*
21 *authorized by section 16131 of title 10, United States Code;*
22 *and for payments to the Department of Defense Military*
23 *Retirement Fund; \$1,374,901,000.*

1 *RESERVE PERSONNEL, MARINE CORPS*

2 *For pay, allowances, clothing, subsistence, gratuities,*
3 *travel, and related expenses for personnel of the Marine*
4 *Corps Reserve on active duty under section 10211 of title*
5 *10, United States Code, or while serving on active duty*
6 *under section 12301(d) of title 10, United States Code, in*
7 *connection with performing duty specified in section*
8 *12310(a) of title 10, United States Code, or while under-*
9 *going reserve training, or while performing drills or equiva-*
10 *lent duty, and for members of the Marine Corps platoon*
11 *leaders class, and expenses authorized by section 16131 of*
12 *title 10, United States Code; and for payments to the De-*
13 *partment of Defense Military Retirement Fund;*
14 *\$384,770,000.*

15 *RESERVE PERSONNEL, AIR FORCE*

16 *For pay, allowances, clothing, subsistence, gratuities,*
17 *travel, and related expenses for personnel of the Air Force*
18 *Reserve on active duty under sections 10211, 10305, and*
19 *8038 of title 10, United States Code, or while serving on*
20 *active duty under section 12301(d) of title 10, United States*
21 *Code, in connection with performing duty specified in sec-*
22 *tion 12310(a) of title 10, United States Code, or while un-*
23 *dergoing reserve training, or while performing drills or*
24 *equivalent duty or other duty, and for members of the Air*
25 *Reserve Officers' Training Corps, and expenses authorized*

1 *by section 16131 of title 10, United States Code; and for*
2 *payments to the Department of Defense Military Retire-*
3 *ment Fund; \$815,745,000.*

4 *NATIONAL GUARD PERSONNEL, ARMY*

5 *For pay, allowances, clothing, subsistence, gratuities,*
6 *travel, and related expenses for personnel of the Army Na-*
7 *tional Guard while on duty under section 10211, 10302,*
8 *or 12402 of title 10 or section 708 of title 32, United States*
9 *Code, or while serving on duty under section 12301(d) of*
10 *title 10 or section 502(f) of title 32, United States Code,*
11 *in connection with performing duty specified in section*
12 *12310(a) of title 10, United States Code, or while under-*
13 *going training, or while performing drills or equivalent*
14 *duty or other duty, and expenses authorized by section*
15 *16131 of title 10, United States Code; and for payments*
16 *to the Department of Defense Military Retirement Fund;*
17 *\$3,446,867,000.*

18 *NATIONAL GUARD PERSONNEL, AIR FORCE*

19 *For pay, allowances, clothing, subsistence, gratuities,*
20 *travel, and related expenses for personnel of the Air Na-*
21 *tional Guard on duty under section 10211, 10305, or 12402*
22 *of title 10 or section 708 of title 32, United States Code,*
23 *or while serving on duty under section 12301(d) of title 10*
24 *or section 502(f) of title 32, United States Code, in connec-*
25 *tion with performing duty specified in section 12310(a) of*

1 *title 10, United States Code, or while undergoing training,*
2 *or while performing drills or equivalent duty or other duty,*
3 *and expenses authorized by section 16131 of title 10, United*
4 *States Code; and for payments to the Department of Defense*
5 *Military Retirement Fund; \$1,334,712,000.*

6

TITLE II

7

OPERATION AND MAINTENANCE

8

OPERATION AND MAINTENANCE, ARMY

9

(INCLUDING TRANSFER OF FUNDS)

10 *For expenses, not otherwise provided for, necessary for*
11 *the operation and maintenance of the Army, as authorized*
12 *by law; and not to exceed \$11,437,000 can be used for emer-*
13 *gencies and extraordinary expenses, to be expended on the*
14 *approval or authority of the Secretary of the Army, and*
15 *payments may be made on his certificate of necessity for*
16 *confidential military purposes, as follows:*

17 *Budget Activity 1, Operating Forces,*
18 *\$8,394,122,000;*

19 *Budget Activity 2, Mobilization, \$566,444,000;*

20 *Budget Activity 3, Training and Recruiting,*
21 *\$3,280,148,000; and*

22 *Budget Activity 4, Administration and*
23 *Servicewide Activities, \$5,029,759,000:*

24 *Provided, That a reduction of \$357,000,000 shall be made*
25 *to the total of these budget activities; in all; \$16,913,473,000*

1 *and, in addition, \$50,000,000 shall be derived by transfer*
2 *from the National Defense Stockpile Transaction Fund.*

3 *OPERATION AND MAINTENANCE, NAVY*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For expenses, not otherwise provided for, necessary for*
6 *the operation and maintenance of the Navy and the Marine*
7 *Corps, as authorized by law; and not to exceed \$5,500,000,*
8 *can be used for emergencies and extraordinary expenses, to*
9 *be expended on the approval or authority of the Secretary*
10 *of the Navy, and payments may be made on his certificate*
11 *of necessity for confidential military purposes, as follows:*

12 *Budget Activity 1, Operating Forces,*
13 *\$15,345,257,000, of which not less than*
14 *\$2,040,690,000 shall be obligated for ship depot main-*
15 *tenance;*

16 *Budget Activity 2, Mobilization, \$1,226,985,000;*

17 *Budget Activity 3, Training and Recruiting,*
18 *\$1,681,931,000; and*

19 *Budget Activity 4, Administration and*
20 *Servicewide Activities, \$3,568,246,000:*

21 *Provided, That a reduction of \$246,000,000 shall be made*
22 *to the total of these budget activities; in all; \$21,576,419,000*
23 *and, in addition, \$50,000,000 shall be derived by transfer*
24 *from the National Defense Stockpile Transaction Fund.*

1 *OPERATION AND MAINTENANCE, MARINE CORPS*

2 *For expenses, not otherwise provided for, necessary for*
3 *the operation and maintenance of the Marine Corps, as au-*
4 *thorized by law, as follows:*

5 *Budget Activity 1, Operating Forces,*
6 *\$1,670,747,000;*

7 *Budget Activity 3, Training and Recruiting,*
8 *\$388,282,000; and*

9 *Budget Activity 4, Administration and*
10 *Servicewide Activities, \$278,506,000:*

11 *Provided, That a reduction of \$9,000,000 shall be made to*
12 *the total of these budget activities; in all; \$2,328,535,000.*

13 *OPERATION AND MAINTENANCE, AIR FORCE*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For expenses, not otherwise provided for, necessary for*
16 *the operation and maintenance of the Air Force, as author-*
17 *ized by law; and not to exceed \$8,362,000 can be used for*
18 *emergencies and extraordinary expenses, to be expended on*
19 *the approval or authority of the Secretary of the Air Force,*
20 *and payments may be made on her certificate of necessity*
21 *for confidential military purposes, as follows:*

22 *Budget Activity 1, Operating Forces,*
23 *\$9,877,438,000;*

24 *Budget Activity 2, Mobilization, \$3,122,848,000;*

1 *Budget Activity 3, Training and Recruiting,*
2 *\$1,613,047,000; and*

3 *Budget Activity 4, Administration and*
4 *Servicewide Activities, \$4,210,052,000:*

5 *Provided, That a reduction of \$231,000,000 shall be made*
6 *to the total of these budget activities; in all; \$18,592,385,000*
7 *and, in addition, \$50,000,000 shall be derived by transfer*
8 *from the National Defense Stockpile Transaction Fund.*

9 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For expenses, not otherwise provided for, necessary for*
12 *the operation and maintenance of activities and agencies*
13 *of the Department of Defense (other than the military de-*
14 *partments), as authorized by law; and not to exceed*
15 *\$28,850,000 can be used for emergencies and extraordinary*
16 *expenses, to be expended on the approval or authority of*
17 *the Secretary of Defense, and payments may be made on*
18 *his certificate of necessity for confidential military pur-*
19 *poses, as follows:*

20 *Budget Activity 1, Operating Forces,*
21 *\$454,007,000, of which not to exceed \$25,000,000 may*
22 *be available for the CINC initiative fund account;*

23 *Budget Activity 2, Mobilization, \$27,260,000;*

24 *Budget Activity 3, Training and Recruiting,*
25 *\$159,155,000;*

1 *Budget Activity 4, Administration and*
2 *Servicewide Activities, \$8,716,689,000; and*
3 *Budget Activity 5, Special Operations,*
4 *\$1,123,527,000:*
5 *Provided, That a reduction of \$81,000,000 shall be made*
6 *to the total of these budget activities; in all;*
7 *\$10,399,638,000.*

8 *OPERATION AND MAINTENANCE, ARMY RESERVE*

9 *For expenses, not otherwise provided for, necessary for*
10 *the operation and maintenance, including training, organi-*
11 *zation, and administration, of the Army Reserve; repair of*
12 *facilities and equipment; hire of passenger motor vehicles;*
13 *travel and transportation; care of the dead; recruiting; pro-*
14 *curement of services, supplies, and equipment; and commu-*
15 *nications; \$1,212,891,000.*

16 *OPERATION AND MAINTENANCE, NAVY RESERVE*

17 *For expenses, not otherwise provided for, necessary for*
18 *the operation and maintenance, including training, organi-*
19 *zation, and administration, of the Navy Reserve; repair of*
20 *facilities and equipment; hire of passenger motor vehicles;*
21 *travel and transportation; care of the dead; recruiting; pro-*
22 *curement of services, supplies, and equipment; and commu-*
23 *nications; \$834,211,000.*

1 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

2 *For expenses, not otherwise provided for, necessary for*
3 *the operation and maintenance, including training, organi-*
4 *zation, and administration, of the Marine Corps Reserve;*
5 *repair of facilities and equipment; hire of passenger motor*
6 *vehicles; travel and transportation; care of the dead; recruit-*
7 *ing; procurement of services, supplies, and equipment; and*
8 *communications; \$110,366,000.*

9 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

10 *For expenses, not otherwise provided for, necessary for*
11 *the operation and maintenance, including training, organi-*
12 *zation, and administration, of the Air Force Reserve; repair*
13 *of facilities and equipment; hire of passenger motor vehicles;*
14 *travel and transportation; care of the dead; recruiting; pro-*
15 *curement of services, supplies, and equipment; and commu-*
16 *nications; \$1,631,200,000.*

17 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

18 *For expenses of training, organizing, and administer-*
19 *ing the Army National Guard, including medical and hos-*
20 *pital treatment and related expenses in non-Federal hos-*
21 *pitals; maintenance, operation, and repairs to structures*
22 *and facilities; hire of passenger motor vehicles; personnel*
23 *services in the National Guard Bureau; travel expenses*
24 *(other than mileage), as authorized by law for Army person-*
25 *nel on active duty, for Army National Guard division, regi-*

1 *mental, and battalion commanders while inspecting units*
2 *in compliance with National Guard Bureau regulations*
3 *when specifically authorized by the Chief, National Guard*
4 *Bureau; supplying and equipping the Army National*
5 *Guard as authorized by law; and expenses of repair, modi-*
6 *fication, maintenance, and issue of supplies and equipment*
7 *(including aircraft); \$2,449,932,000: Provided, That not*
8 *later than March 15, 1998, the Director of the Army Na-*
9 *tional Guard shall provide a report to the congressional de-*
10 *fense committees identifying the allocation, by installation*
11 *and activity, of all base operations funds appropriated*
12 *under this heading.*

13 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

14 *For operation and maintenance of the Air National*
15 *Guard, including medical and hospital treatment and relat-*
16 *ed expenses in non-Federal hospitals; maintenance, oper-*
17 *ation, repair, and other necessary expenses of facilities for*
18 *the training and administration of the Air National Guard,*
19 *including repair of facilities, maintenance, operation, and*
20 *modification of aircraft; transportation of things, hire of*
21 *passenger motor vehicles; supplies, materials, and equip-*
22 *ment, as authorized by law for the Air National Guard;*
23 *and expenses incident to the maintenance and use of sup-*
24 *plies, materials, and equipment, including such as may be*
25 *furnished from stocks under the control of agencies of the*

1 *Department of Defense; travel expenses (other than mileage)*
2 *on the same basis as authorized by law for Air National*
3 *Guard personnel on active Federal duty, for Air National*
4 *Guard commanders while inspecting units in compliance*
5 *with National Guard Bureau regulations when specifically*
6 *authorized by the Chief, National Guard Bureau;*
7 *\$3,010,282,000.*

8 *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*
9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For expenses directly relating to Overseas Contingency*
11 *Operations by United States military forces;*
12 *\$1,889,000,000: Provided, That the Secretary of Defense*
13 *may transfer these funds only to operation and mainte-*
14 *nance accounts within this title: Provided further, That the*
15 *funds transferred shall be merged with and shall be avail-*
16 *able for the same purposes and for the same time period,*
17 *as the appropriation to which transferred: Provided further,*
18 *That the transfer authority provided in this paragraph is*
19 *in addition to any other transfer authority contained else-*
20 *where in this Act.*

21 *UNITED STATES COURT OF APPEALS FOR THE ARMED*
22 *FORCES*

23 *For salaries and expenses necessary for the United*
24 *States Court of Appeals for the Armed Forces; \$6,952,000,*

1 *of which not to exceed \$2,500 can be used for official rep-*
2 *resentation purposes.*

3 *ENVIRONMENTAL RESTORATION, ARMY*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For the Department of the Army, \$375,337,000, to re-*
6 *main available until transferred: Provided, That the Sec-*
7 *retary of the Army shall, upon determining that such funds*
8 *are required for environmental restoration, reduction and*
9 *recycling of hazardous waste, removal of unsafe buildings*
10 *and debris of the Department of the Army, or for similar*
11 *purposes, transfer the funds made available by this appro-*
12 *priation to other appropriations made available to the De-*
13 *partment of the Army, to be merged with and to be available*
14 *for the same purposes and for the same time period as the*
15 *appropriations to which transferred: Provided further, That*
16 *upon a determination that all or part of the funds trans-*
17 *ferred from this appropriation are not necessary for the*
18 *purposes provided herein, such amounts may be transferred*
19 *back to this appropriation: Provided further, That not more*
20 *than twenty-five per centum of funds provided under this*
21 *heading may be obligated for environmental remediation by*
22 *the Corps of Engineers under total environmental remedi-*
23 *ation contracts.*

1 *ENVIRONMENTAL RESTORATION, NAVY*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For the Department of the Navy, \$275,500,000, to re-*
4 *main available until transferred: Provided, That the Sec-*
5 *retary of the Navy shall, upon determining that such funds*
6 *are required for environmental restoration, reduction and*
7 *recycling of hazardous waste, removal of unsafe buildings*
8 *and debris of the Department of the Navy, or for similar*
9 *purposes, transfer the funds made available by this appro-*
10 *priation to other appropriations made available to the De-*
11 *partment of the Navy, to be merged with and to be available*
12 *for the same purposes and for the same time period as the*
13 *appropriations to which transferred: Provided further, That*
14 *upon a determination that all or part of the funds trans-*
15 *ferred from this appropriation are not necessary for the*
16 *purposes provided herein, such amounts may be transferred*
17 *back to this appropriation.*

18 *ENVIRONMENTAL RESTORATION, AIR FORCE*19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For the Department of the Air Force, \$376,900,000,*
21 *to remain available until transferred: Provided, That the*
22 *Secretary of the Air Force shall, upon determining that*
23 *such funds are required for environmental restoration, re-*
24 *duction and recycling of hazardous waste, removal of unsafe*
25 *buildings and debris of the Department of the Air Force,*

1 *or for similar purposes, transfer the funds made available*
2 *by this appropriation to other appropriations made avail-*
3 *able to the Department of the Air Force, to be merged with*
4 *and to be available for the same purposes and for the same*
5 *time period as the appropriations to which transferred:*
6 *Provided further, That upon a determination that all or*
7 *part of the funds transferred from this appropriation are*
8 *not necessary for the purposes provided herein, such*
9 *amounts may be transferred back to this appropriation.*

10 *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For the Department of the Defense, \$26,900,000, to re-*
13 *main available until transferred: Provided, That the Sec-*
14 *retary of Defense shall, upon determining that such funds*
15 *are required for environmental restoration, reduction and*
16 *recycling of hazardous waste, removal of unsafe buildings*
17 *and debris of the Department of Defense, or for similar pur-*
18 *poses, transfer the funds made available by this appropri-*
19 *ation to other appropriations made available to the Depart-*
20 *ment of Defense, to be merged with and to be available for*
21 *the same purposes and for the same time period as the ap-*
22 *propriations to which transferred: Provided further, That*
23 *upon a determination that all or part of the funds trans-*
24 *ferred from this appropriation are not necessary for the*

1 *purposes provided herein, such amounts may be transferred*
2 *back to this appropriation.*

3 *ENVIRONMENTAL RESTORATION, FORMERLY USED*

4 *DEFENSE SITES*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the Department of the Army, \$242,300,000, to re-*
7 *main available until transferred: Provided, That the Sec-*
8 *retary of the Army shall, upon determining that such funds*
9 *are required for environmental restoration, reduction and*
10 *recycling of hazardous waste, removal of unsafe buildings*
11 *and debris at sites formerly used by the Department of De-*
12 *fense, transfer the funds made available by this appropri-*
13 *ation to other appropriations made available to the Depart-*
14 *ment of the Army, to be merged with and to be available*
15 *for the same purposes and for the same time period as the*
16 *appropriations to which transferred: Provided further, That*
17 *upon a determination that all or part of the funds trans-*
18 *ferred from this appropriation are not necessary for the*
19 *purposes provided herein, such amounts may be transferred*
20 *back to this appropriation.*

21 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

22 *For expenses relating to the Overseas Humanitarian,*
23 *Disaster, and Civic Aid programs of the Department of De-*
24 *fense (consisting of the programs provided under sections*
25 *401, 402, 404, 2547, and 2551 of title 10, United States*

1 Code); \$40,130,000, to remain available until September
2 30, 1999.

3 *FORMER SOVIET UNION THREAT REDUCTION*

4 *For assistance to the republics of the former Soviet*
5 *Union, including assistance provided by contract or by*
6 *grants, for facilitating the elimination and the safe and se-*
7 *cur transportation and storage of nuclear, chemical and*
8 *other weapons; for establishing programs to prevent the pro-*
9 *liferation of weapons, weapons components, and weapon-*
10 *related technology and expertise; for programs relating to*
11 *the training and support of defense and military personnel*
12 *for demilitarization and protection of weapons, weapons*
13 *components and weapons technology and expertise;*
14 *\$382,200,000, to remain available until expended: Pro-*
15 *vided, That of the amounts provided under this heading,*
16 *\$35,000,000 shall be available only to support the disman-*
17 *ting and disposal of nuclear submarines and submarine*
18 *reactor components in the Russian Far East.*

19 *QUALITY OF LIFE ENHANCEMENTS, DEFENSE*

20 *For expenses, not otherwise provided for, resulting*
21 *from unfunded shortfalls in the repair and maintenance of*
22 *real property of the Department of Defense (including*
23 *military housing and barracks); \$100,000,000, for the*
24 *maintenance of real property of the Department of Defense*
25 *(including minor construction and major maintenance*

1 *and repair), which shall remain available for obligation*
2 *until September 30, 1998, as follows:*

3 *Army, \$100,000,000.*

4 *TITLE III*

5 *PROCUREMENT*

6 *AIRCRAFT PROCUREMENT, ARMY*

7 *For construction, procurement, production, modifica-*
8 *tion, and modernization of aircraft, equipment, including*
9 *ordnance, ground handling equipment, spare parts, and ac-*
10 *cessories therefor; specialized equipment and training de-*
11 *vices; expansion of public and private plants, including the*
12 *land necessary therefor, for the foregoing purposes, and such*
13 *lands and interests therein, may be acquired, and construc-*
14 *tion prosecuted thereon prior to approval of title; and pro-*
15 *curement and installation of equipment, appliances, and*
16 *machine tools in public and private plants; reserve plant*
17 *and Government and contractor-owned equipment layaway;*
18 *and other expenses necessary for the foregoing purposes;*
19 *\$1,356,959,000, to remain available for obligation until*
20 *September 30, 2000.*

21 *MISSILE PROCUREMENT, ARMY*

22 *For construction, procurement, production, modifica-*
23 *tion, and modernization of missiles, equipment, including*
24 *ordnance, ground handling equipment, spare parts, and ac-*
25 *cessories therefor; specialized equipment and training de-*

1 *vices; expansion of public and private plants, including the*
2 *land necessary therefor, for the foregoing purposes, and such*
3 *lands and interests therein, may be acquired, and construc-*
4 *tion prosecuted thereon prior to approval of title; and pro-*
5 *curement and installation of equipment, appliances, and*
6 *machine tools in public and private plants; reserve plant*
7 *and Government and contractor-owned equipment layaway;*
8 *and other expenses necessary for the foregoing purposes;*
9 *\$1,173,081,000, to remain available for obligation until*
10 *September 30, 2000.*

11 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

12 *VEHICLES, ARMY*

13 *For construction, procurement, production, and modi-*
14 *fication of weapons and tracked combat vehicles, equipment,*
15 *including ordnance, spare parts, and accessories therefor;*
16 *specialized equipment and training devices; expansion of*
17 *public and private plants, including the land necessary*
18 *therefor, for the foregoing purposes, and such lands and in-*
19 *terests therein, may be acquired, and construction pros-*
20 *ecuted thereon prior to approval of title; and procurement*
21 *and installation of equipment, appliances, and machine*
22 *tools in public and private plants; reserve plant and Gov-*
23 *ernment and contractor-owned equipment layaway; and*
24 *other expenses necessary for the foregoing purposes;*

1 \$1,156,506,000, to remain available for obligation until
2 September 30, 2000.

3 *PROCUREMENT OF AMMUNITION, ARMY*

4 *For construction, procurement, production, and modi-*
5 *fication of ammunition, and accessories therefor; specialized*
6 *equipment and training devices; expansion of public and*
7 *private plants, including ammunition facilities authorized*
8 *by section 2854, title 10, United States Code, and the land*
9 *necessary therefor, for the foregoing purposes, and such*
10 *lands and interests therein, may be acquired, and construc-*
11 *tion prosecuted thereon prior to approval of title; and pro-*
12 *curement and installation of equipment, appliances, and*
13 *machine tools in public and private plants; reserve plant*
14 *and Government and contractor-owned equipment layaway;*
15 *and other expenses necessary for the foregoing purposes;*
16 \$1,042,602,000, to remain available for obligation until
17 September 30, 2000.

18 *OTHER PROCUREMENT, ARMY*

19 *For construction, procurement, production, and modi-*
20 *fication of vehicles, including tactical, support, and non-*
21 *tracked combat vehicles; communications and electronic*
22 *equipment; other support equipment; spare parts, ordnance,*
23 *and accessories therefor; specialized equipment and training*
24 *devices; expansion of public and private plants, including*
25 *the land necessary therefor, for the foregoing purposes, and*

1 *such lands and interests therein, may be acquired, and con-*
2 *struction prosecuted thereon prior to approval of title; and*
3 *procurement and installation of equipment, appliances,*
4 *and machine tools in public and private plants; reserve*
5 *plant and Government and contractor-owned equipment*
6 *layaway; and other expenses necessary for the foregoing*
7 *purposes; \$2,783,735,000, to remain available for obligation*
8 *until September 30, 2000: Provided, That of the amount*
9 *appropriated under this heading, \$15,708,000 is available*
10 *for the Information System Security Program, of which*
11 *\$5,500,000 is available for procurement of Airterm KY-100*
12 *devices.*

13 *AIRCRAFT PROCUREMENT, NAVY*

14 *For construction, procurement, production, modifica-*
15 *tion, and modernization of aircraft, equipment, including*
16 *ordnance, spare parts, and accessories therefor; specialized*
17 *equipment; expansion of public and private plants, includ-*
18 *ing the land necessary therefor, and such lands and inter-*
19 *ests therein, may be acquired, and construction prosecuted*
20 *thereon prior to approval of title; and procurement and in-*
21 *stallation of equipment, appliances, and machine tools in*
22 *public and private plants; reserve plant and Government*
23 *and contractor-owned equipment layaway; \$6,312,937,000,*
24 *to remain available for obligation until September 30,*
25 *2000.*

1 *and Government and contractor-owned equipment layaway;*
2 *and other expenses necessary for the foregoing purposes;*
3 *\$344,797,000, to remain available for obligation until Sep-*
4 *tember 30, 2000.*

5 *SHIPBUILDING AND CONVERSION, NAVY*

6 *For expenses necessary for the construction, acquisi-*
7 *tion, or conversion of vessels as authorized by law, includ-*
8 *ing armor and armament thereof, plant equipment, appli-*
9 *ances, and machine tools and installation thereof in public*
10 *and private plants; reserve plant and Government and con-*
11 *tractor-owned equipment layaway; procurement of critical,*
12 *long leadtime components and designs for vessels to be con-*
13 *structed or converted in the future; and expansion of public*
14 *and private plants, including land necessary therefor, and*
15 *such lands and interests therein, may be acquired, and con-*
16 *struction prosecuted thereon prior to approval of title, as*
17 *follows:*

18 *For continuation of the SSN-21 attack sub-*
19 *marine program, \$153,440,000;*

20 *NSSN, \$2,314,903,000;*

21 *NSSN (AP), \$284,859,000;*

22 *CVN-77 (AP), \$345,000,000;*

23 *CVN Refuelings, \$1,615,003,000;*

24 *CVN Refuelings (AP), \$92,855,000;*

25 *DDG-51 destroyer program, \$3,385,767,000;*

1 *DDG-51 destroyer program (AP), \$157,806,000;*
2 *Oceanographic ship program, \$73,000,000;*
3 *LCAC landing craft air cushion program,*
4 *\$17,300,000; and*
5 *For craft, outfitting, post delivery, conversions,*
6 *and first destination transportation, \$83,177,000.*

7 *In all: \$8,510,458,000, to remain available for obligation*
8 *until September 30, 2004: Provided, That additional obli-*
9 *gations may be incurred after September 30, 2004, for engi-*
10 *neering services, tests, evaluations, and other such budgeted*
11 *work that must be performed in the final stage of ship con-*
12 *struction.*

13 *None of the funds provided under this heading for the*
14 *construction or conversion of any naval vessel to be con-*
15 *structed in shipyards in the United States shall be expended*
16 *in foreign facilities for the construction of major compo-*
17 *nents of such vessel: Provided, That none of the funds pro-*
18 *vided under this heading shall be used for the construction*
19 *of any naval vessel in foreign shipyards.*

20 *OTHER PROCUREMENT, NAVY*

21 *For procurement, production, and modernization of*
22 *support equipment and materials not otherwise provided*
23 *for, Navy ordnance (except ordnance for new aircraft, new*
24 *ships, and ships authorized for conversion); the purchase*
25 *of not to exceed 194 passenger motor vehicles for replace-*

1 *ment only; and the purchase of one vehicle required for*
2 *physical security of personnel, notwithstanding price limi-*
3 *tations applicable to passenger vehicles but not to exceed*
4 *\$232,340 per vehicle; expansion of public and private*
5 *plants, including the land necessary therefor, and such*
6 *lands and interests therein, may be acquired, and construc-*
7 *tion prosecuted thereon prior to approval of title; and pro-*
8 *curement and installation of equipment, appliances, and*
9 *machine tools in public and private plants; reserve plant*
10 *and Government and contractor-owned equipment layaway;*
11 *\$2,832,800,000, to remain available for obligation until*
12 *September 30, 2000.*

13 *PROCUREMENT, MARINE CORPS*

14 *For expenses necessary for the procurement, manufac-*
15 *ture, and modification of missiles, armament, military*
16 *equipment, spare parts, and accessories therefor; plant*
17 *equipment, appliances, and machine tools, and installation*
18 *thereof in public and private plants; reserve plant and Gov-*
19 *ernment and contractor-owned equipment layaway; vehicles*
20 *for the Marine Corps, including the purchase of not to ex-*
21 *ceed 40 passenger motor vehicles for replacement only; and*
22 *expansion of public and private plants, including land nec-*
23 *essary therefor, and such lands and interests therein, may*
24 *be acquired, and construction prosecuted thereon prior to*

1 approval of title; \$440,106,000, to remain available for obli-
2 gation until September 30, 2000.

3 *AIRCRAFT PROCUREMENT, AIR FORCE*

4 *For construction, procurement, and modification of*
5 *aircraft and equipment, including armor and armament,*
6 *specialized ground handling equipment, and training de-*
7 *vices, spare parts, and accessories therefor; specialized*
8 *equipment; expansion of public and private plants, Govern-*
9 *ment-owned equipment and installation thereof in such*
10 *plants, erection of structures, and acquisition of land, for*
11 *the foregoing purposes, and such lands and interests therein,*
12 *may be acquired, and construction prosecuted thereon prior*
13 *to approval of title; reserve plant and Government and con-*
14 *tractor-owned equipment layaway; and other expenses nec-*
15 *essary for the foregoing purposes including rents and trans-*
16 *portation of things; \$6,390,847,000 to remain available for*
17 *obligation until September 30, 2000.*

18 *MISSILE PROCUREMENT, AIR FORCE*

19 *For construction, procurement, and modification of*
20 *missiles, spacecraft, rockets, and related equipment, includ-*
21 *ing spare parts and accessories therefor, ground handling*
22 *equipment, and training devices; expansion of public and*
23 *private plants, Government-owned equipment and installa-*
24 *tion thereof in such plants, erection of structures, and ac-*
25 *quisition of land, for the foregoing purposes, and such lands*

1 *and interests therein, may be acquired, and construction*
2 *prosecuted thereon prior to approval of title; reserve plant*
3 *and Government and contractor-owned equipment layaway;*
4 *and other expenses necessary for the foregoing purposes in-*
5 *cluding rents and transportation of things; \$2,411,741,000,*
6 *to remain available for obligation until September 30,*
7 *2000.*

8 *PROCUREMENT OF AMMUNITION, AIR FORCE*

9 *For construction, procurement, production, and modi-*
10 *fication of ammunition, and accessories therefor; specialized*
11 *equipment and training devices; expansion of public and*
12 *private plants, including ammunition facilities authorized*
13 *by section 2854, title 10, United States Code, and the land*
14 *necessary therefor, for the foregoing purposes, and such*
15 *lands and interests therein, may be acquired, and construc-*
16 *tion prosecuted thereon prior to approval of title; and pro-*
17 *curement and installation of equipment, appliances, and*
18 *machine tools in public and private plants; reserve plant*
19 *and Government and contractor-owned equipment layaway;*
20 *and other expenses necessary for the foregoing purposes;*
21 *\$400,984,000, to remain available for obligation until Sep-*
22 *tember 30, 2000.*

23 *OTHER PROCUREMENT, AIR FORCE*

24 *For procurement and modification of equipment (in-*
25 *cluding ground guidance and electronic control equipment,*

1 *and ground electronic and communication equipment), and*
2 *supplies, materials, and spare parts therefor, not otherwise*
3 *provided for; the purchase of not to exceed 196 passenger*
4 *motor vehicles for replacement only; the purchase of one ve-*
5 *hicle required for physical security of personnel, notwith-*
6 *standing price limitations applicable to passenger vehicles*
7 *but not to exceed \$232,340 per vehicle; and expansion of*
8 *public and private plants, Government-owned equipment*
9 *and installation thereof in such plants, erection of struc-*
10 *tures, and acquisition of land, for the foregoing purposes,*
11 *and such lands and interests therein, may be acquired, and*
12 *construction prosecuted thereon, prior to approval of title;*
13 *reserve plant and Government and contractor-owned equip-*
14 *ment layaway; \$6,653,053,000, to remain available for obli-*
15 *gation until September 30, 2000.*

16 *PROCUREMENT, DEFENSE-WIDE*

17 *For expenses of activities and agencies of the Depart-*
18 *ment of Defense (other than the military departments) nec-*
19 *essary for procurement, production, and modification of*
20 *equipment, supplies, materials, and spare parts therefor,*
21 *not otherwise provided for; the purchase of not to exceed*
22 *381 passenger motor vehicles for replacement only; expan-*
23 *sion of public and private plants, equipment, and installa-*
24 *tion thereof in such plants, erection of structures, and ac-*
25 *quisition of land for the foregoing purposes, and such lands*

1 *and interests therein, may be acquired, and construction*
2 *prosecuted thereon prior to approval of title; reserve plant*
3 *and Government and contractor-owned equipment layaway;*
4 *\$1,753,285,000, to remain available for obligation until*
5 *September 30, 2000.*

6 *NATIONAL GUARD AND RESERVE EQUIPMENT*

7 *For procurement of aircraft, missiles, tracked combat*
8 *vehicles, ammunition, other weapons, and other procure-*
9 *ment for the reserve components of the Armed Forces;*
10 *\$653,000,000, to remain available for obligation until Sep-*
11 *tember 30, 2000: Provided, That the Chiefs of the Reserve*
12 *and National Guard components shall, not later than 30*
13 *days after the enactment of this Act, individually submit*
14 *to the congressional defense committees the modernization*
15 *priority assessment for their respective Reserve or National*
16 *Guard component.*

17 *TITLE IV*

18 *RESEARCH, DEVELOPMENT, TEST, AND*

19 *EVALUATION*

20 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,*

21 *ARMY*

22 *For expenses necessary for basic and applied scientific*
23 *research, development, test and evaluation, including main-*
24 *tenance, rehabilitation, lease, and operation of facilities*
25 *and equipment; \$4,984,083,000 to remain available for obli-*

1 gation until September 30, 1999: Provided, That, of the
2 amount appropriated under this heading, \$4,500,000 is
3 available for a joint Department of Defense-Department of
4 Veterans Affairs program of cooperative clinical trials at
5 multiple sites to assess the effectiveness of protocols for treat-
6 ing Persian Gulf veterans who suffer from ill-defined or
7 undiagnosed conditions.

8 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY*

9 *For expenses necessary for basic and applied scientific*
10 *research, development, test and evaluation, including main-*
11 *tenance, rehabilitation, lease, and operation of facilities*
12 *and equipment; \$7,532,846,000, to remain available for ob-*
13 *ligation until September 30, 1999: Provided, That funds*
14 *appropriated in this paragraph which are available for the*
15 *V-22 may be used to meet unique requirements of the Spe-*
16 *cial Operations Forces.*

17 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR*
18 *FORCE*

19 *For expenses necessary for basic and applied scientific*
20 *research, development, test and evaluation, including main-*
21 *tenance, rehabilitation, lease, and operation of facilities*
22 *and equipment; \$14,127,873,000, to remain available for*
23 *obligation until September 30, 1999.*

1 *RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,*
2 *DEFENSE-WIDE*

3 *For expenses of activities and agencies of the Depart-*
4 *ment of Defense (other than the military departments), nec-*
5 *essary for basic and applied scientific research, develop-*
6 *ment, test and evaluation; advanced research projects as*
7 *may be designated and determined by the Secretary of De-*
8 *fense, pursuant to law; maintenance, rehabilitation, lease,*
9 *and operation of facilities and equipment; \$9,608,689,000,*
10 *to remain available for obligation until September 30,*
11 *1999: Provided, That of the funds appropriated under this*
12 *heading \$5,000,000 shall be available for a facial recogni-*
13 *tion technology program: Provided further, That,*
14 *\$2,000,000 shall be made available only for a joint service*
15 *core research project to develop a prototype hybrid inte-*
16 *grated sensor array for chemical and biological point detec-*
17 *tion: Provided further, That of the funds appropriated*
18 *under this heading, \$6,000,000 shall be available for a con-*
19 *ventional munitions demilitarization demonstration pro-*
20 *gram.*

21 *DEVELOPMENTAL TEST AND EVALUATION, DEFENSE*

22 *For expenses, not otherwise provided for, of independ-*
23 *ent activities of the Director, Test and Evaluation in the*
24 *direction and supervision of developmental test and evalua-*
25 *tion, including performance and joint developmental testing*

1 *and evaluation; and administrative expenses in connection*
2 *therewith; \$251,183,000, to remain available for obligation*
3 *until September 30, 1999.*

4 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

5 *For expenses, not otherwise provided for, necessary for*
6 *the independent activities of the Director, Operational Test*
7 *and Evaluation in the direction and supervision of oper-*
8 *ational test and evaluation, including initial operational*
9 *test and evaluation which is conducted prior to, and in sup-*
10 *port of, production decisions; joint operational testing and*
11 *evaluation; and administrative expenses in connection*
12 *therewith; \$31,384,000, to remain available for obligation*
13 *until September 30, 1999.*

14 *TITLE V*

15 *REVOLVING AND MANAGEMENT FUNDS*

16 *DEFENSE WORKING CAPITAL FUNDS*

17 *For the Defense Working Capital Funds; \$871,952,000.*

18 *NATIONAL DEFENSE SEALIFT FUND*

19 *For National Defense Sealift Fund programs, projects,*
20 *and activities, and for expenses of the National Defense Re-*
21 *serve Fleet, as established by section 11 of the Merchant*
22 *Ship Sales Act of 1946 (50 U.S.C. App. 1744);*
23 *\$516,126,000, to remain available until expended: Pro-*
24 *vided, That none of the funds provided in this paragraph*
25 *shall be used to award a new contract that provides for the*

1 *acquisition of any of the following major components unless*
2 *such components are manufactured in the United States:*
3 *auxiliary equipment, including pumps, for all ship-board*
4 *services; propulsion system components (that is; engines, re-*
5 *duction gears, and propellers); shipboard cranes; and*
6 *spreaders for shipboard cranes: Provided further, That the*
7 *exercise of an option in a contract awarded through the ob-*
8 *ligation of previously appropriated funds shall not be con-*
9 *sidered to be the award of a new contract: Provided further,*
10 *That the Secretary of the military department responsible*
11 *for such procurement may waive these restrictions on a*
12 *case-by-case basis by certifying in writing to the Commit-*
13 *tees on Appropriations of the House of Representatives and*
14 *the Senate, that adequate domestic supplies are not avail-*
15 *able to meet Department of Defense requirements on a time-*
16 *ly basis and that such an acquisition must be made in order*
17 *to acquire capability for national security purposes.*

18

*TITLE VI*19 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

20

DEFENSE HEALTH PROGRAM

21 *For expenses, not otherwise provided for, for medical*
22 *and health care programs of the Department of Defense, as*
23 *authorized by law; \$10,317,675,000, of which*
24 *\$10,043,607,000 shall be for Operation and maintenance,*
25 *of which not to exceed one per centum shall remain avail-*

1 *able until September 30, 1999, and of which \$274,068,000,*
2 *to remain available for obligation until September 30,*
3 *2000, shall be for Procurement.*

4 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*
5 *DEFENSE*

6 *For expenses, not otherwise provided for, necessary for*
7 *the destruction of the United States stockpile of lethal chem-*
8 *ical agents and munitions in accordance with the provi-*
9 *sions of section 1412 of the Department of Defense Author-*
10 *ization Act, 1986 (50 U.S.C. 1521), and for the destruction*
11 *of other chemical warfare materials that are not in the*
12 *chemical weapon stockpile, \$609,700,000, of which*
13 *\$467,200,000 shall be for Operation and maintenance,*
14 *\$73,200,000 shall be for Procurement to remain available*
15 *until September 30, 2000, and \$69,300,000 shall be for Re-*
16 *search, development, test and evaluation to remain avail-*
17 *able until September 30, 1999: Provided, That of the funds*
18 *available under this heading, \$1,000,000 shall be available*
19 *until expended each year only for a Johnston Atoll off-is-*
20 *land leave program: Provided further, That the Secretaries*
21 *concerned shall, pursuant to uniform regulations, prescribe*
22 *travel and transportation allowances for travel by partici-*
23 *pants in the off-island leave program.*

1 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*
2 *DEFENSE*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For drug interdiction and counter-drug activities of*
5 *the Department of Defense, for transfer to appropriations*
6 *available to the Department of Defense for military person-*
7 *nel of the reserve components serving under the provisions*
8 *of title 10 and title 32, United States Code; for Operation*
9 *and maintenance; for Procurement; and for Research, devel-*
10 *opment, test and evaluation; \$691,482,000: Provided, That*
11 *the funds appropriated under this head shall be available*
12 *for obligation for the same time period and for the same*
13 *purpose as the appropriation to which transferred: Pro-*
14 *vided further, That the transfer authority provided in this*
15 *paragraph is in addition to any transfer authority con-*
16 *tained elsewhere in this Act.*

17 *OFFICE OF THE INSPECTOR GENERAL*

18 *For expenses and activities of the Office of the Inspec-*
19 *tor General in carrying out the provisions of the Inspector*
20 *General Act of 1978, as amended; \$135,380,000, of which*
21 *\$133,380,000 shall be for Operation and maintenance, of*
22 *which not to exceed \$500,000, is available for emergencies*
23 *and extraordinary expenses to be expended on the approval*
24 *or authority of the Inspector General, and payments may*
25 *be made on his certificate of necessity for confidential mili-*

1 *tary purposes; and of which \$2,000,000, to remain available*
2 *until September 30, 2000, shall be for Procurement.*

3 *TITLE VII*

4 *RELATED AGENCIES*

5 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

6 *DISABILITY SYSTEM FUND*

7 *For payment to the Central Intelligence Agency Retire-*
8 *ment and Disability System Fund, to maintain proper*
9 *funding level for continuing the operation of the Central*
10 *Intelligence Agency Retirement and Disability System;*
11 *\$196,900,000.*

12 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

13 *For necessary expenses of the Intelligence Community*
14 *Management Account; \$122,580,000.*

15 *PAYMENT TO KAHO'OLAWA ISLAND CONVEYANCE,*

16 *REMEDICATION, AND ENVIRONMENTAL RESTORATION FUND*

17 *For payment to Kaho'olawe Island Conveyance, Reme-*
18 *diation, and Environmental Restoration Fund, as author-*
19 *ized by law; \$35,000,000, to remain available until ex-*
20 *pended.*

21 *NATIONAL SECURITY EDUCATION TRUST FUND*

22 *For the purposes of title VIII of Public Law 102-183,*
23 *\$2,000,000, to be derived from the National Security Edu-*
24 *cation Trust Fund, to remain available until expended.*

TITLE VIII

GENERAL PROVISIONS

1
2
3 *SEC. 8001. No part of any appropriation contained*
4 *in this Act shall be used for publicity or propaganda pur-*
5 *poses not authorized by the Congress.*

6 *SEC. 8002. During the current fiscal year, provisions*
7 *of law prohibiting the payment of compensation to, or em-*
8 *ployment of, any person not a citizen of the United States*
9 *shall not apply to personnel of the Department of Defense:*
10 *Provided, That salary increases granted to direct and indi-*
11 *rect hire foreign national employees of the Department of*
12 *Defense funded by this Act shall not be at a rate in excess*
13 *of the percentage increase authorized by law for civilian*
14 *employees of the Department of Defense whose pay is com-*
15 *puted under the provisions of section 5332 of title 5, United*
16 *States Code, or at a rate in excess of the percentage increase*
17 *provided by the appropriate host nation to its own employ-*
18 *ees, whichever is higher: Provided further, That this section*
19 *shall not apply to Department of Defense foreign service*
20 *national employees serving at United States diplomatic*
21 *missions whose pay is set by the Department of State under*
22 *the Foreign Service Act of 1980: Provided further, That the*
23 *limitations of this provision shall not apply to foreign na-*
24 *tional employees of the Department of Defense in the Re-*
25 *public of Turkey.*

1 *nied by Congress: Provided further, That the Secretary of*
2 *Defense shall notify the Congress promptly of all transfers*
3 *made pursuant to this authority or any other authority in*
4 *this Act: Provided further, That no part of the funds in*
5 *this Act shall be available to prepare or present a request*
6 *to the Committees on Appropriations for reprogramming*
7 *of funds, unless for higher priority items, based on unfore-*
8 *seen military requirements, than those for which originally*
9 *appropriated and in no case where the item for which re-*
10 *programming is requested has been denied by the Congress:*
11 *Provided further, That of the authority provided under this*
12 *section, not to exceed \$20,000,000 shall be available to meet*
13 *requirements for termination of the Reserve Mobilization*
14 *Insurance Program, notwithstanding Chapter 1214 of Title*
15 *10 of the United States Code.*

16 *(TRANSFER OF FUNDS)*

17 *SEC. 8006. During the current fiscal year, cash bal-*
18 *ances in working capital funds of the Department of De-*
19 *fense established pursuant to section 2208 of title 10, United*
20 *States Code, may be maintained in only such amounts as*
21 *are necessary at any time for cash disbursements to be made*
22 *from such funds: Provided, That transfers may be made be-*
23 *tween such funds: Provided further, That transfers may be*
24 *made between working capital funds and the “Foreign Cur-*
25 *rency Fluctuations, Defense” appropriation and the “Oper-*
26 *ation and Maintenance” appropriation accounts in such*

1 amounts as may be determined by the Secretary of Defense,
2 with the approval of the Office of Management and Budget,
3 except that such transfers may not be made unless the Sec-
4 retary of Defense has notified the Congress of the proposed
5 transfer. Except in amounts equal to the amounts appro-
6 priated to working capital funds in this Act, no obligations
7 may be made against a working capital fund to procure
8 or increase the value of war reserve material inventory, un-
9 less the Secretary of Defense has notified the Congress prior
10 to any such obligation.

11 *SEC. 8007. Funds appropriated by this Act may not*
12 *be used to initiate a special access program without prior*
13 *notification 30 calendar days in session in advance to the*
14 *congressional defense committees.*

15 *SEC. 8008. None of the funds contained in this Act*
16 *available for the Civilian Health and Medical Program of*
17 *the Uniformed Services shall be available for payments to*
18 *physicians and other non-institutional health care provid-*
19 *ers in excess of the amounts allowed in fiscal year 1996*
20 *for similar services, except that: (a) for services for which*
21 *the Secretary of Defense determines an increase is justified*
22 *by economic circumstances, the allowable amounts may be*
23 *increased in accordance with appropriate economic index*
24 *data similar to that used pursuant to title XVIII of the*
25 *Social Security Act; and (b) for services the Secretary deter-*

1 mines are overpriced based on allowable payments under
2 title XVIII of the Social Security Act, the allowable
3 amounts shall be reduced by not more than 15 per centum
4 (except that the reduction may be waived if the Secretary
5 determines that it would impair adequate access to health
6 care services for beneficiaries). The Secretary shall solicit
7 public comment prior to promulgating regulations to imple-
8 ment this section. Such regulations shall include a limita-
9 tion, similar to that used under title XVIII of the Social
10 Security Act, on the extent to which a provider may bill
11 a beneficiary an actual charge in excess of the allowable
12 amount.

13 *SEC. 8009. None of the funds provided in this Act shall*
14 *be available to initiate (1) a multiyear contract that em-*
15 *plloys economic order quantity procurement in excess of*
16 *\$20,000,000 in any one year of the contract or that includes*
17 *an unfunded contingent liability in excess of \$20,000,000,*
18 *or (2) a contract for advance procurement leading to a*
19 *multiyear contract that employs economic order quantity*
20 *procurement in excess of \$20,000,000 in any one year, un-*
21 *less the congressional defense committees have been notified*
22 *at least thirty days in advance of the proposed contract*
23 *award: Provided, That no part of any appropriation con-*
24 *tained in this Act shall be available to initiate a multiyear*
25 *contract for which the economic order quantity advance*

1 *procurement is not funded at least to the limits of the Gov-*
2 *ernment's liability: Provided further, That no part of any*
3 *appropriation contained in this Act shall be available to*
4 *initiate multiyear procurement contracts for any systems*
5 *or component thereof if the value of the multiyear contract*
6 *would exceed \$500,000,000 unless specifically provided in*
7 *this Act: Provided further, That no multiyear procurement*
8 *contract can be terminated without 10-day prior notifica-*
9 *tion to the congressional defense committees: Provided fur-*
10 *ther, That the execution of multiyear authority shall require*
11 *the use of a present value analysis to determine lowest cost*
12 *compared to an annual procurement.*

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

15 *Apache Longbow radar;*

16 *T-45 aircraft; and*

17 *AV-8B aircraft.*

18 *SEC. 8010. Within the funds appropriated for the oper-*
19 *ation and maintenance of the Armed Forces, funds are here-*
20 *by appropriated pursuant to section 401 of title 10, United*
21 *States Code, for humanitarian and civic assistance costs*
22 *under chapter 20 of title 10, United States Code. Such funds*
23 *may also be obligated for humanitarian and civic assist-*
24 *ance costs incidental to authorized operations and pursuant*
25 *to authority granted in section 401 of chapter 20 of title*

1 10, *United States Code*, and these obligations shall be re-
2 ported to Congress on September 30 of each year: Provided,
3 That funds available for operation and maintenance shall
4 be available for providing humanitarian and similar assist-
5 ance by using *Civic Action Teams in the Trust Territories*
6 of the Pacific Islands and freely associated states of Micro-
7 nesia, pursuant to the *Compact of Free Association* as au-
8 thorized by *Public Law 99-239*: Provided further, That
9 upon a determination by the Secretary of the Army that
10 such action is beneficial for graduate medical education
11 programs conducted at Army medical facilities located in
12 Hawaii, the Secretary of the Army may authorize the pro-
13 vision of medical services at such facilities and transpor-
14 tation to such facilities, on a nonreimbursable basis, for ci-
15 vilian patients from American Samoa, the Commonwealth
16 of the Northern Mariana Islands, the Marshall Islands, the
17 Federated States of Micronesia, Palau, and Guam.

18 SEC. 8011. (a) During fiscal year 1998, the civilian
19 personnel of the Department of Defense may not be man-
20 aged on the basis of any end-strength, and the management
21 of such personnel during that fiscal year shall not be subject
22 to any constraint or limitation (known as an end-strength)
23 on the number of such personnel who may be employed on
24 the last day of such fiscal year.

1 (b) *The fiscal year 1999 budget request for the Depart-*
2 *ment of Defense as well as all justification material and*
3 *other documentation supporting the fiscal year 1999 De-*
4 *partment of Defense budget request shall be prepared and*
5 *submitted to the Congress as if subsections (a) and (b) of*
6 *this provision were effective with regard to fiscal year 1999.*

7 (c) *Nothing in this section shall be construed to apply*
8 *to military (civilian) technicians.*

9 SEC. 8012. *Notwithstanding any other provision of*
10 *law, none of the funds made available by this Act shall be*
11 *used by the Department of Defense to exceed, outside the*
12 *fifty United States, its territories, and the District of Co-*
13 *lumbia, 125,000 civilian workyears: Provided, That*
14 *workyears shall be applied as defined in the Federal Person-*
15 *nel Manual: Provided further, That workyears expended in*
16 *dependent student hiring programs for disadvantaged*
17 *youths shall not be included in this workyear limitation.*

18 SEC. 8013. *None of the funds made available by this*
19 *Act shall be used in any way, directly or indirectly, to in-*
20 *fluence congressional action on any legislation or appro-*
21 *priation matters pending before the Congress.*

22 SEC. 8014. (a) *None of the funds appropriated by this*
23 *Act shall be used to make contributions to the Department*
24 *of Defense Education Benefits Fund pursuant to section*
25 *2006(g) of title 10, United States Code, representing the*

1 normal cost for future benefits under section 3015(c) of title
2 38, United States Code, for any member of the armed serv-
3 ices who, on or after the date of enactment of this Act—

4 (1) enlists in the armed services for a period of
5 active duty of less than three years; or

6 (2) receives an enlistment bonus under section
7 308a or 308f of title 37, United States Code,

8 nor shall any amounts representing the normal cost of such
9 future benefits be transferred from the Fund by the Sec-
10 retary of the Treasury to the Secretary of Veterans Affairs
11 pursuant to section 2006(d) of title 10, United States Code;
12 nor shall the Secretary of Veterans Affairs pay such benefits
13 to any such member: Provided, That in the case of a mem-
14 ber covered by clause (1), these limitations shall not apply
15 to members in combat arms skills or to members who enlist
16 in the armed services on or after July 1, 1989, under a
17 program continued or established by the Secretary of De-
18 fense in fiscal year 1991 to test the cost-effective use of spe-
19 cial recruiting incentives involving not more than nineteen
20 noncombat arms skills approved in advance by the Sec-
21 retary of Defense: Provided further, That this subsection ap-
22 plies only to active components of the Army.

23 (b) None of the funds appropriated by this Act shall
24 be available for the basic pay and allowances of any mem-
25 ber of the Army participating as a full-time student and

1 *receiving benefits paid by the Secretary of Veterans Affairs*
2 *from the Department of Defense Education Benefits Fund*
3 *when time spent as a full-time student is credited toward*
4 *completion of a service commitment: Provided, That this*
5 *subsection shall not apply to those members who have reen-*
6 *listed with this option prior to October 1, 1987: Provided*
7 *further, That this subsection applies only to active compo-*
8 *nents of the Army.*

9 *SEC. 8015. None of the funds appropriated by this Act*
10 *shall be available to convert to contractor performance an*
11 *activity or function of the Department of Defense that, on*
12 *or after the date of enactment of this Act, is performed by*
13 *more than ten Department of Defense civilian employees*
14 *until a most efficient and cost-effective organization analy-*
15 *sis is completed on such activity or function and certifi-*
16 *cation of the analysis is made to the Committees on Appro-*
17 *priations of the House of Representatives and the Senate:*
18 *Provided, That this section shall not apply to a commercial*
19 *or industrial type function of the Department of Defense*
20 *that: (1) is included on the procurement list established pur-*
21 *suant to section 2 of the Act of June 25, 1938 (41 U.S.C.*
22 *47), popularly referred to as the Javits-Wagner-O'Day Act;*
23 *(2) is planned to be converted to performance by a qualified*
24 *nonprofit agency for the blind or by a qualified nonprofit*
25 *agency for other severely handicapped individuals in ac-*

1 *cordance with that Act; or (3) is planned to be converted*
2 *to performance by a qualified firm under 51 per centum*
3 *Native American ownership.*

4 *(TRANSFER OF FUNDS)*

5 *SEC. 8016. Funds appropriated in title III of this Act*
6 *for the Department of Defense Pilot Mentor-Protege Pro-*
7 *gram may be transferred to any other appropriation con-*
8 *tained in this Act solely for the purpose of implementing*
9 *a Mentor-Protege Program developmental assistance agree-*
10 *ment pursuant to section 831 of the National Defense Au-*
11 *thorization Act for Fiscal Year 1991 (Public Law 101-510;*
12 *10 U.S.C. 2301 note), as amended, under the authority of*
13 *this provision or any other transfer authority contained in*
14 *this Act.*

15 *SEC. 8017. None of the funds in this Act may be avail-*
16 *able for the purchase by the Department of Defense (and*
17 *its departments and agencies) of welded shipboard anchor*
18 *and mooring chain 4 inches in diameter and under unless*
19 *the anchor and mooring chain are manufactured in the*
20 *United States from components which are substantially*
21 *manufactured in the United States: Provided, That for the*
22 *purpose of this section manufactured will include cutting,*
23 *heat treating, quality control, testing of chain and welding*
24 *(including the forging and shot blasting process): Provided*
25 *further, That for the purpose of this section substantially*
26 *all of the components of anchor and mooring chain shall*

1 *be considered to be produced or manufactured in the United*
2 *States if the aggregate cost of the components produced or*
3 *manufactured in the United States exceeds the aggregate*
4 *cost of the components produced or manufactured outside*
5 *the United States: Provided further, That when adequate*
6 *domestic supplies are not available to meet Department of*
7 *Defense requirements on a timely basis, the Secretary of the*
8 *service responsible for the procurement may waive this re-*
9 *striction on a case-by-case basis by certifying in writing*
10 *to the Committees on Appropriations that such an acquisi-*
11 *tion must be made in order to acquire capability for na-*
12 *tional security purposes.*

13 *SEC. 8018. None of the funds appropriated by this Act*
14 *available for the Civilian Health and Medical Program of*
15 *the Uniformed Services (CHAMPUS) shall be available for*
16 *the reimbursement of any health care provider for inpatient*
17 *mental health service for care received when a patient is*
18 *referred to a provider of inpatient mental health care or*
19 *residential treatment care by a medical or health care pro-*
20 *fessional having an economic interest in the facility to*
21 *which the patient is referred: Provided, That this limitation*
22 *does not apply in the case of inpatient mental health serv-*
23 *ices provided under the program for the handicapped under*
24 *subsection (d) of section 1079 of title 10, United States*
25 *Code, provided as partial hospital care, or provided pursu-*

1 ant to a waiver authorized by the Secretary of Defense be-
2 cause of medical or psychological circumstances of the pa-
3 tient that are confirmed by a health professional who is not
4 a Federal employee after a review, pursuant to rules pre-
5 scribed by the Secretary, which takes into account the ap-
6 propriate level of care for the patient, the intensity of serv-
7 ices required by the patient, and the availability of that
8 care.

9 SEC. 8019. Funds available in this Act may be used
10 to provide transportation for the next-of-kin of individuals
11 who have been prisoners of war or missing in action from
12 the Vietnam era to an annual meeting in the United States,
13 under such regulations as the Secretary of Defense may pre-
14 scribe.

15 SEC. 8020. Notwithstanding any other provision of
16 law, during the current fiscal year, the Secretary of Defense
17 may, by Executive Agreement, establish with host nation
18 governments in NATO member states a separate account
19 into which such residual value amounts negotiated in the
20 return of United States military installations in NATO
21 member states may be deposited, in the currency of the host
22 nation, in lieu of direct monetary transfers to the United
23 States Treasury: Provided, That such credits may be uti-
24 lized only for the construction of facilities to support United
25 States military forces in that host nation, or such real prop-

1 erty maintenance and base operating costs that are cur-
2 rently executed through monetary transfers to such host na-
3 tions: Provided further, That the Department of Defense's
4 budget submission for fiscal year 1999 shall identify such
5 sums anticipated in residual value settlements, and identify
6 such construction, real property maintenance or base oper-
7 ating costs that shall be funded by the host nation through
8 such credits: Provided further, That all military construc-
9 tion projects to be executed from such accounts must be pre-
10 viously approved in a prior Act of Congress: Provided fur-
11 ther, That each such Executive Agreement with a NATO
12 member host nation shall be reported to the congressional
13 defense committees, the Committee on International Rela-
14 tions of the House of Representatives and the Committee
15 on Foreign Relations of the Senate thirty days prior to the
16 conclusion and endorsement of any such agreement estab-
17 lished under this provision.

18 SEC. 8021. None of the funds available to the Depart-
19 ment of Defense may be used to demilitarize or dispose of
20 M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber
21 rifles, .30 caliber rifles, or M-1911 pistols.

22 SEC. 8022. Notwithstanding any other provision of
23 law, none of the funds appropriated by this Act shall be
24 available to pay more than 50 per centum of an amount

1 *paid to any person under section 308 of title 37, United*
2 *States Code, in a lump sum.*

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

15 *SEC. 8024. In addition to funds provided elsewhere in*
16 *this Act, \$8,000,000 is appropriated only for incentive pay-*
17 *ments authorized by section 504 of the Indian Financing*
18 *Act of 1974, 25 U.S.C. 1544: Provided, That these payments*
19 *shall be available only to contractors which have submitted*
20 *subcontracting plans pursuant to 15 U.S.C. 637(d), and ac-*
21 *cording to regulations which shall be promulgated by the*
22 *Secretary of Defense within 90 days of the passage of this*
23 *Act.*

24 *SEC. 8025. Notwithstanding any other provision of*
25 *law, of the revenue collected by the Department of Defense*

1 *Working Capital Funds, such amounts as may be required*
2 *shall be made available for obligation and expenditure for*
3 *indemnification of the leasing entity or entities to accom-*
4 *plish the lease of aircraft for the VC-137 mission: Provided,*
5 *That the funds made available pursuant to this section shall*
6 *remain available until expended.*

7 *SEC. 8026. During the current fiscal year, none of the*
8 *funds available to the Department of Defense may be used*
9 *to procure or acquire (1) defensive handguns unless such*
10 *handguns are the M-9 or M-11 9 mm Department of De-*
11 *fense standard handguns, or (2) offensive handguns except*
12 *for the Special Operations Forces: Provided, That the fore-*
13 *going shall not apply to handguns and ammunition for*
14 *marksmanship competitions.*

15 *SEC. 8027. No more than \$500,000 of the funds appro-*
16 *priated or made available in this Act shall be used during*
17 *a single fiscal year for any single relocation of an organiza-*
18 *tion, unit, activity or function of the Department of Defense*
19 *into or within the National Capital Region: Provided, That*
20 *the Secretary of Defense may waive this restriction on a*
21 *case-by-case basis by certifying in writing to the congres-*
22 *sional defense committees that such a relocation is required*
23 *in the best interest of the Government.*

24 *SEC. 8028. During the current fiscal year, funds ap-*
25 *propriated or otherwise available for any Federal agency,*

1 *the Congress, the judicial branch, or the District of Colum-*
2 *bia may be used for the pay, allowances, and benefits of*
3 *an employee as defined by section 2105 of title 5 or an indi-*
4 *vidual employed by the government of the District of Co-*
5 *lumbia, permanent or temporary indefinite, who—*

6 (1) *is a member of a Reserve component of the*
7 *Armed Forces, as described in section 261 of title 10,*
8 *or the National Guard, as described in section 101 of*
9 *title 32;*

10 (2) *performs, for the purpose of providing mili-*
11 *tary aid to enforce the law or providing assistance to*
12 *civil authorities in the protection or saving of life or*
13 *property or prevention of injury—*

14 (A) *Federal service under sections 331, 332,*
15 *333, or 12406 of title 10, or other provision of*
16 *law, as applicable, or*

17 (B) *full-time military service for his or her*
18 *State, the District of Columbia, the Common-*
19 *wealth of Puerto Rico, or a territory of the Unit-*
20 *ed States; and*

21 (3) *requests and is granted—*

22 (A) *leave under the authority of this section;*
23 *or*

24 (B) *annual leave, which may be granted*
25 *without regard to the provisions of sections 5519*

1 *and 6323(b) of title 5, if such employee is other-*
2 *wise entitled to such annual leave:*

3 *Provided, That any employee who requests leave under sub-*
4 *section (3)(A) for service described in subsection (2) of this*
5 *section is entitled to such leave, subject to the provisions*
6 *of this section and of the last sentence of section 6323(b)*
7 *of title 5, and such leave shall be considered leave under*
8 *section 6323(b) of title 5.*

9 *SEC. 8029. None of the funds appropriated by this Act*
10 *shall be available to perform any cost study pursuant to*
11 *the provisions of OMB Circular A-76 if the study being*
12 *performed exceeds a period of twenty-four months after ini-*
13 *tiation of such study with respect to a single function activ-*
14 *ity or forty-eight months after initiation of such study for*
15 *a multi-function activity.*

16 *SEC. 8030. Funds appropriated by this Act for the*
17 *American Forces Information Service shall not be used for*
18 *any national or international political or psychological ac-*
19 *tivities.*

20 *SEC. 8031. Notwithstanding any other provision of*
21 *law or regulation, the Secretary of Defense may adjust wage*
22 *rates for civilian employees hired for certain health care*
23 *occupations as authorized for the Secretary of Veterans Af-*
24 *fairs by section 7455 of title 38, United States Code.*

1 *SEC. 8032. None of the funds appropriated or made*
2 *available in this Act shall be used to reduce or disestablish*
3 *the operation of the 53rd Weather Reconnaissance Squad-*
4 *ron of the Air Force Reserve, if such action would reduce*
5 *the WC-130 Weather Reconnaissance mission below the lev-*
6 *els funded in this Act.*

7 *SEC. 8033. (a) Of the funds for the procurement of sup-*
8 *plies or services appropriated by this Act, qualified non-*
9 *profit agencies for the blind or other severely handicapped*
10 *shall be afforded the maximum practicable opportunity to*
11 *participate as subcontractors and supplies in the perform-*
12 *ance of contracts let by the Department of Defense.*

13 *(b) During the current fiscal year, a business concern*
14 *which has negotiated with a military service or defense*
15 *agency a subcontracting plan for the participation by small*
16 *business concerns pursuant to section 8(d) of the Small*
17 *Business Act (15 U.S.C. 637(d)) shall be given credit to-*
18 *ward meeting that subcontracting goal for any purchases*
19 *made from qualified nonprofit agencies for the blind or*
20 *other severely handicapped.*

21 *(c) For the purpose of this section, the phrase “quali-*
22 *fied nonprofit agency for the blind or other severely handi-*
23 *capped” means a nonprofit agency for the blind or other*
24 *severely handicapped that has been approved by the Com-*
25 *mittee for the Purchase from the Blind and Other Severely*

1 *Handicapped under the Javits-Wagner-O'Day Act (41*
2 *U.S.C. 46–48).*

3 *SEC. 8034. During the current fiscal year, net receipts*
4 *pursuant to collections from third party payers pursuant*
5 *to section 1095 of title 10, United States Code, shall be*
6 *made available to the local facility of the uniformed services*
7 *responsible for the collections and shall be over and above*
8 *the facility's direct budget amount.*

9 *SEC. 8035. During the current fiscal year, the Depart-*
10 *ment of Defense is authorized to incur obligations of not*
11 *to exceed \$350,000,000 for purposes specified in section*
12 *2350j(c) of title 10, United States Code, in anticipation of*
13 *receipt of contributions, only from the Government of Ku-*
14 *wait, under that section: Provided, That, upon receipt, such*
15 *contributions from the Government of Kuwait shall be cred-*
16 *ited to the appropriations or fund which incurred such obli-*
17 *gations.*

18 *SEC. 8036. Of the funds made available in this Act,*
19 *not less than \$27,200,000 shall be available for the Civil*
20 *Air Patrol, of which \$22,600,000 shall be available for Op-*
21 *eration and maintenance.*

22 *SEC. 8037. (a) None of the funds appropriated in this*
23 *Act are available to establish a new Department of Defense*
24 *(department) federally funded research and development*
25 *center (FFRDC), either as a new entity, or as a separate*

1 *entity administrated by an organization managing another*
2 *FFRDC, or as a nonprofit membership corporation consist-*
3 *ing of a consortium of other FFRDCs and other non-profit*
4 *entities.*

5 (b) *LIMITATION ON COMPENSATION—FEDERALLY*
6 *FUNDED RESEARCH AND DEVELOPMENT CENTER*
7 *(FFRDC).—No member of a Board of Directors, Trustees,*
8 *Overseers, Advisory Group, Special Issues Panel, Visiting*
9 *Committee, or any similar entity of a defense FFRDC, and*
10 *no paid consultant to any defense FFRDC, may be com-*
11 *pensated for his or her services as a member of such entity,*
12 *or as a paid consultant, except under the same conditions,*
13 *and to the same extent, as members of the Defense Science*
14 *Board: Provided, That a member of any such entity referred*
15 *to previously in this subsection shall be allowed travel ex-*
16 *penses and per diem as authorized under the Federal Joint*
17 *Travel Regulations, when engaged in the performance of*
18 *membership duties.*

19 (c) *Notwithstanding any other provision of law, none*
20 *of the funds available to the department from any source*
21 *during fiscal year 1998 may be used by a defense FFRDC,*
22 *through a fee or other payment mechanism, for charitable*
23 *contributions, for construction of new buildings, for pay-*
24 *ment of cost sharing for projects funded by government*
25 *grants, or for absorption of contract overruns.*

1 (d) Notwithstanding any other provision of law, of the
2 funds available to the department during fiscal year 1998,
3 not more than 6,206 staff years of technical effort (staff
4 years) may be funded for defense FFRDCs: Provided, That
5 of the specific amount referred to previously in this sub-
6 section, not more than 1,105 staff years may be funded for
7 the defense studies and analysis FFRDCs.

8 (e) Notwithstanding any other provision of law, the
9 Secretary of Defense shall control the total number of staff
10 years to be performed by defense FFRDCs during fiscal
11 year 1998 so as to reduce the total amounts appropriated
12 in titles II, III, and IV of this Act by \$71,800,000: Pro-
13 vided, That the total amounts appropriated in titles II, III,
14 and IV of this Act are hereby reduced by \$71,800,000 to
15 reflect savings from the use of defense FFRDCs by the de-
16 partment.

17 (f) Within 60 days after enactment of this Act, the Sec-
18 retary of Defense shall submit to the congressional defense
19 committees a report presenting the specific amounts of staff
20 years of technical effort to be allocated by the department
21 for each defense FFRDC during fiscal year 1998: Provided,
22 That, after the submission of the report required by this
23 subsection, the department may not reallocate more than
24 five per centum of an FFRDC's staff years among other
25 defense FFRDCs until 30 days after a detailed justification

1 *for any such reallocation is submitted to the congressional*
2 *defense committees.*

3 *(g) The Secretary of Defense shall, with the submission*
4 *of the department's fiscal year 1999 budget request, submit*
5 *a report presenting the specific amounts of staff years of*
6 *technical effort to be allocated for each defense FFRDC dur-*
7 *ing that fiscal year.*

8 *(h) The reductions specified in subsection (e) of this*
9 *section shall be applied only to funds budgeted to purchase*
10 *defense FFRDC activities and shall be applied on a pro-*
11 *rata basis to each program, project and activity which in-*
12 *cluded budget funds for defense FFRDC activities.*

13 *(i) Not later than 90 days after enactment of this Act,*
14 *the Secretary of Defense shall submit to the congressional*
15 *defense committees a report listing the specific funding re-*
16 *ductions allocated to each category listed in subsection (h)*
17 *above pursuant to this section.*

18 *SEC. 8038. None of the funds in this or any other Act*
19 *shall be available for the preparation of studies on—*

20 *(a) the cost effectiveness or feasibility of removal*
21 *and transportation of unitary chemical weapons or*
22 *agents from the eight chemical storage sites within the*
23 *continental United States to Johnston Atoll: Pro-*
24 *vided, That this prohibition shall not apply to Gen-*

1 *eral Accounting Office studies requested by a Member*
2 *of Congress or a Congressional Committee; and*

3 *(b) the potential future uses of the nine chemical*
4 *disposal facilities other than for the destruction of*
5 *stockpile chemical munitions and as limited by sec-*
6 *tion 1412(c)(2), Public Law 99–145: Provided, That*
7 *this prohibition does not apply to future use studies*
8 *for the CAMDS facility at Tooele, Utah.*

9 *SEC. 8039. None of the funds appropriated or made*
10 *available in this Act shall be used to procure carbon, alloy*
11 *or armor steel plate for use in any Government-owned facil-*
12 *ity or property under the control of the Department of De-*
13 *fense which were not melted and rolled in the United States*
14 *or Canada: Provided, That these procurement restrictions*
15 *shall apply to any and all Federal Supply Class 9515,*
16 *American Society of Testing and Materials (ASTM) or*
17 *American Iron and Steel Institute (AISI) specifications of*
18 *carbon, alloy or armor steel plate: Provided further, That*
19 *the Secretary of the military department responsible for the*
20 *procurement may waive this restriction on a case-by-case*
21 *basis by certifying in writing to the Committees on Appro-*
22 *priations of the House of Representatives and the Senate*
23 *that adequate domestic supplies are not available to meet*
24 *Department of Defense requirements on a timely basis and*
25 *that such an acquisition must be made in order to acquire*

1 *capability for national security purposes: Provided further,*
2 *That these restrictions shall not apply to contracts which*
3 *are in being as of the date of enactment of this Act.*

4 *SEC. 8040. For the purposes of this Act, the term “con-*
5 *gressional defense committees” means the National Security*
6 *Committee of the House of Representatives, the Armed Serv-*
7 *ices Committee of the Senate, the Subcommittee on Defense*
8 *of the Committee on Appropriations of the Senate, and the*
9 *Subcommittee on National Security of the Committee on*
10 *Appropriations of the House of Representatives.*

11 *SEC. 8041. During the current fiscal year, the Depart-*
12 *ment of Defense may acquire the modification, depot main-*
13 *tenance and repair of aircraft, vehicles and vessels as well*
14 *as the production of components and other Defense-related*
15 *articles, through competition between Department of De-*
16 *fense depot maintenance activities and private firms: Pro-*
17 *vided, That the Senior Acquisition Executive of the military*
18 *department or defense agency concerned, with power of dele-*
19 *gation, shall certify that successful bids include comparable*
20 *estimates of all direct and indirect costs for both public and*
21 *private bids: Provided further, That Office of Management*
22 *and Budget Circular A-76 shall not apply to competitions*
23 *conducted under this section.*

24 *SEC. 8042. The total amounts appropriated in titles*
25 *II, III, and IV of this Act are hereby reduced by*

1 \$300,000,000 to reflect savings from the use of advisory and
2 assistance services by the Department of Defense: Provided,
3 That the savings shall be applied to the following titles in
4 the following amounts:

5 Title II, Operation and Maintenance,
6 \$112,000,000;

7 Title III, Procurement, \$62,000,000; and

8 Title IV, Research, Development, Test and Eval-
9 uation, \$126,000,000:

10 Provided further, That the savings specified shall be applied
11 only to funds budgeted to purchase advisory and assistance
12 services: Provided further, That the savings shall be applied
13 on a pro-rata basis to each program, project and activity
14 which included budget funds for advisory and assistance
15 services.

16 SEC. 8043. Appropriations contained in this Act that
17 remain available at the end of the current fiscal year as
18 a result of energy cost savings realized by the Department
19 of Defense shall remain available for obligation for the next
20 fiscal year to the extent, and for the purposes, provided in
21 section 2865 of title 10, United States Code.

22 SEC. 8044. To provide funds for additional required
23 aviation depot level repairables in the Air Force Operation
24 and Maintenance account, the amounts appropriated else-
25 where in this Act for the following appropriation accounts

1 *are reduced by 1.0 per centum: Aircraft Procurement, Air*
2 *Force; Missile Procurement, Air Force; Procurement of Am-*
3 *munition, Air Force; Other Procurement, Air Force; and*
4 *Research, Development, Test and Evaluation, Air Force.*
5 *These reductions shall be applied on a pro-rata basis to each*
6 *line item, program element, program, project, subproject,*
7 *and activity within each appropriation account.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 8045. Amounts deposited during the current fis-*
10 *cal year to the special account established under 40 U.S.C.*
11 *485(h)(2) and to the special account established under 10*
12 *U.S.C. 2667(d)(1) are appropriated and shall be available*
13 *until transferred by the Secretary of Defense to current ap-*
14 *plicable appropriations or funds of the Department of De-*
15 *fense under the terms and conditions specified by 40 U.S.C.*
16 *485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be*
17 *merged with and to be available for the same time period*
18 *and the same purposes as the appropriation to which trans-*
19 *ferred.*

20 *SEC. 8046. During the current fiscal year, appropria-*
21 *tions available to the Department of Defense may be used*
22 *to reimburse a member of a reserve component of the Armed*
23 *Forces who is not otherwise entitled to travel and transpor-*
24 *tation allowances and who occupies transient government*
25 *housing while performing active duty for training or inac-*
26 *tive duty training: Provided, That such members may be*

1 *provided lodging in kind if transient government quarters*
2 *are unavailable as if the member was entitled to such allow-*
3 *ances under subsection (a) of section 404 of title 37, United*
4 *States Code: Provided further, That if lodging in kind is*
5 *provided, any authorized service charge or cost of such lodg-*
6 *ing may be paid directly from funds appropriated for oper-*
7 *ation and maintenance of the reserve component of the*
8 *member concerned.*

9 *SEC. 8047. The President shall include with each budg-*
10 *et for a fiscal year submitted to the Congress under section*
11 *1105 of title 31, United States Code, materials that shall*
12 *identify clearly and separately the amounts requested in the*
13 *budget for appropriation for that fiscal year for salaries*
14 *and expenses related to administrative activities of the De-*
15 *partment of Defense, the military departments, and the De-*
16 *fense Agencies.*

17 *SEC. 8048. To provide funds for additional required*
18 *aviation depot level repairables in the Navy Operation and*
19 *Maintenance account, the amounts appropriated elsewhere*
20 *in this Act for the following appropriation accounts are re-*
21 *duced by 1.1 per centum: Aircraft Procurement, Navy;*
22 *Weapons Procurement, Navy; Procurement of Ammunition,*
23 *Navy and Marine Corps; Shipbuilding and Conversion,*
24 *Navy; Other Procurement, Navy; Procurement, Marine*
25 *Corps; and Research, Development, Test and Evaluation,*

1 *Navy. These reductions shall be applied on a pro-rata basis*
2 *to each line item, program element, program, project, sub-*
3 *project, and activity within each appropriation account.*

4 *SEC. 8049. During the current fiscal year, amounts*
5 *contained in the Department of Defense Overseas Military*
6 *Facility Investment Recovery Account established by section*
7 *2921(c)(1) of the National Defense Authorization Act of*
8 *1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be*
9 *available until expended for the payments specified by sec-*
10 *tion 2921(c)(2) of that Act.*

11 *SEC. 8050. Of the funds appropriated or otherwise*
12 *made available by this Act, not more than \$119,200,000*
13 *shall be available for payment of the operating costs of*
14 *NATO Headquarters: Provided, That the Secretary of De-*
15 *fense may waive this section for Department of Defense sup-*
16 *port provided to NATO forces in and around the former*
17 *Yugoslavia.*

18 *SEC. 8051. During the current fiscal year, appropria-*
19 *tions which are available to the Department of Defense for*
20 *operation and maintenance may be used to purchase items*
21 *having an investment item unit cost of not more than*
22 *\$100,000.*

23 *SEC. 8052. (a) During the current fiscal year, none*
24 *of the appropriations or funds available to the Department*
25 *of Defense Working Capital Funds shall be used for the pur-*

1 *chase of an investment item for the purpose of acquiring*
2 *a new inventory item for sale or anticipated sale during*
3 *the current fiscal year or a subsequent fiscal year to cus-*
4 *tomers of the Department of Defense Working Capital*
5 *Funds if such an item would not have been chargeable to*
6 *the Department of Defense Working Capital Funds during*
7 *fiscal year 1994 and if the purchase of such an investment*
8 *item would be chargeable during the current fiscal year to*
9 *appropriations made to the Department of Defense for pro-*
10 *curement.*

11 *(b) The fiscal year 1999 budget request for the Depart-*
12 *ment of Defense as well as all justification material and*
13 *other documentation supporting the fiscal year 1999 De-*
14 *partment of Defense budget shall be prepared and submitted*
15 *to the Congress on the basis that any equipment which was*
16 *classified as an end item and funded in a procurement ap-*
17 *propriation contained in this Act shall be budgeted for in*
18 *a proposed fiscal year 1999 procurement appropriation and*
19 *not in the supply management business area or any other*
20 *area or category of the Department of Defense Working*
21 *Capital Funds.*

22 *SEC. 8053. None of the funds provided in this Act shall*
23 *be available for use by a Military Department to modify*
24 *an aircraft, weapon, ship or other item of equipment, that*
25 *the Military Department concerned plans to retire or other-*

1 *wise dispose of within five years after completion of the*
2 *modification: Provided, That this prohibition shall not*
3 *apply to safety modifications: Provided further, That this*
4 *prohibition may be waived by the Secretary of a Military*
5 *Department if the Secretary determines it is in the best na-*
6 *tional security interest of the United States to provide such*
7 *waiver and so notifies the congressional defense committees*
8 *in writing.*

9 *SEC. 8054. None of the funds appropriated by this Act*
10 *for programs of the Central Intelligence Agency shall re-*
11 *main available for obligation beyond the current fiscal year,*
12 *except for funds appropriated for the Reserve for Contin-*
13 *gencies, which shall remain available until September 30,*
14 *1999.*

15 *SEC. 8055. Notwithstanding any other provision of*
16 *law, funds made available in this Act for the Defense Intel-*
17 *ligence Agency may be used for the design, development, and*
18 *deployment of General Defense Intelligence Program intel-*
19 *ligence communications and intelligence information sys-*
20 *tems for the Services, the Unified and Specified Commands,*
21 *and the component commands.*

22 *SEC. 8056. Of the funds appropriated by the Depart-*
23 *ment of Defense under the heading "Operation and Mainte-*
24 *nance, Defense-Wide", not less than \$8,000,000 shall be*
25 *made available only for the mitigation of environmental*

1 *impacts, including training and technical assistance to*
2 *tribes, related administrative support, the gathering of in-*
3 *formation, documenting of environmental damage, and de-*
4 *veloping a system for prioritization of mitigation, on In-*
5 *dian lands resulting from Department of Defense activities.*

6 *SEC. 8057. Amounts collected for the use of the facili-*
7 *ties of the National Science Center for Communications and*
8 *Electronics during the current fiscal year pursuant to sec-*
9 *tion 1459(g) of the Department of Defense Authorization*
10 *Act, 1986, and deposited to the special account established*
11 *under subsection 1459(g)(2) of that Act are appropriated*
12 *and shall be available until expended for the operation and*
13 *maintenance of the Center as provided for in subsection*
14 *1459(g)(2).*

15 *SEC. 8058. None of the funds appropriated in this Act*
16 *may be used to fill the commander's position at any mili-*
17 *tary medical facility with a health care professional unless*
18 *the prospective candidate can demonstrate professional ad-*
19 *ministrative skills.*

20 *SEC. 8059. (a) None of the funds appropriated in this*
21 *Act may be expended by an entity of the Department of*
22 *Defense unless the entity, in expending the funds, complies*
23 *with the Buy American Act. For purposes of this subsection,*
24 *the term "Buy American Act" means title III of the Act*
25 *entitled "An Act making appropriations for the Treasury*

1 *and Post Office Departments for the fiscal year ending June*
2 *30, 1934, and for other purposes”, approved March 3, 1933*
3 *(41 U.S.C. 10a et seq.).*

4 *(b) If the Secretary of Defense determines that a person*
5 *has been convicted of intentionally affixing a label bearing*
6 *a “Made in America” inscription to any product sold in*
7 *or shipped to the United States that is not made in Amer-*
8 *ica, the Secretary shall determine, in accordance with sec-*
9 *tion 2410f of title 10, United States Code, whether the per-*
10 *son should be debarred from contracting with the Depart-*
11 *ment of Defense.*

12 *(c) In the case of any equipment or products purchased*
13 *with appropriations provided under this Act, it is the sense*
14 *of the Congress that any entity of the Department of De-*
15 *fense, in expending the appropriation, purchase only Amer-*
16 *ican-made equipment and products, provided that Amer-*
17 *ican-made equipment and products are cost-competitive,*
18 *quality-competitive, and available in a timely fashion.*

19 *SEC. 8060. None of the funds appropriated by this Act*
20 *shall be available for a contract for studies, analysis, or*
21 *consulting services entered into without competition on the*
22 *basis of an unsolicited proposal unless the head of the activ-*
23 *ity responsible for the procurement determines—*

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

4 (2) *the purpose of the contract is to explore an*
5 *unsolicited proposal which offers significant scientific*
6 *or technological promise, represents the product of*
7 *original thinking, and was submitted in confidence*
8 *by one source, or*

9 (3) *the purpose of the contract is to take advan-*
10 *tage of unique and significant industrial accomplish-*
11 *ment by a specific concern, or to insure that a new*
12 *product or idea of a specific concern is given finan-*
13 *cial support:*

14 *Provided, That this limitation shall not apply to contracts*
15 *in an amount of less than \$25,000, contracts related to im-*
16 *provements of equipment that is in development or produc-*
17 *tion, or contracts as to which a civilian official of the De-*
18 *partment of Defense, who has been confirmed by the Senate,*
19 *determines that the award of such contract is in the interest*
20 *of the national defense.*

21 *SEC. 8061. Funds appropriated by this Act for intel-*
22 *ligence activities are deemed to be specifically authorized*
23 *by the Congress for purposes of section 504 of the National*
24 *Security Act of 1947 (50 U.S.C. 414).*

1 *SEC. 8065. None of the funds available in this Act may*
2 *be used to reduce the authorized positions for military (ci-*
3 *vilian) technicians of the Army National Guard, the Air*
4 *National Guard, Army Reserve and Air Force Reserve for*
5 *the purpose of applying any administratively imposed ci-*
6 *vilian personnel ceiling, freeze, or reduction on military (ci-*
7 *vilian) technicians, unless such reductions are a direct re-*
8 *sult of a reduction in military force structure.*

9 *SEC. 8066. None of the funds appropriated or other-*
10 *wise made available in this Act may be obligated or ex-*
11 *pended for assistance to the Democratic People's Republic*
12 *of North Korea unless specifically appropriated for that*
13 *purpose.*

14 *SEC. 8067. During the current fiscal year, funds ap-*
15 *propriated in this Act are available to compensate members*
16 *of the National Guard for duty performed pursuant to a*
17 *plan submitted by a Governor of a State and approved by*
18 *the Secretary of Defense under section 112 of title 32, Unit-*
19 *ed States Code: Provided, That during the performance of*
20 *such duty, the members of the National Guard shall be*
21 *under State command and control: Provided further, That*
22 *such duty shall be treated as full-time National Guard duty*
23 *for purposes of sections 12602 (a)(2) and (b)(2) of title 10,*
24 *United States Code.*

1 *SEC. 8068. Funds appropriated in this Act for oper-*
2 *ation and maintenance of the Military Departments, Uni-*
3 *fied and Specified Commands and Defense Agencies shall*
4 *be available for reimbursement of pay, allowances and other*
5 *expenses which would otherwise be incurred against appro-*
6 *priations for the National Guard and Reserve when mem-*
7 *bers of the National Guard and Reserve provide intelligence*
8 *support to Unified Commands, Defense Agencies and Joint*
9 *Intelligence Activities, including the activities and pro-*
10 *grams included within the General Defense Intelligence*
11 *Program and the Consolidated Cryptologic Program: Pro-*
12 *vided, That nothing in this section authorizes deviation*
13 *from established Reserve and National Guard personnel and*
14 *training procedures.*

15 *SEC. 8069. During the current fiscal year, none of the*
16 *funds appropriated in this Act may be used to reduce the*
17 *civilian medical and medical support personnel assigned to*
18 *military treatment facilities below the September 30, 1996*
19 *level: Provided, That the Service Surgeons General may*
20 *waive this section by certifying to the congressional defense*
21 *committees that the beneficiary population is declining in*
22 *some catchment areas and civilian strength reductions may*
23 *be consistent with responsible resource stewardship and*
24 *capitation-based budgeting.*

1 *department responsible for such procurement may waive*
2 *this restriction on a case-by-case basis by certifying in writ-*
3 *ing to the Committees on Appropriations of the House of*
4 *Representatives and the Senate, that adequate domestic*
5 *supplies are not available to meet Department of Defense*
6 *requirements on a timely basis and that such an acquisition*
7 *must be made in order to acquire capability for national*
8 *security purposes.*

9 *SEC. 8074. Notwithstanding any other provision of*
10 *law, funds available to the Department of Defense shall be*
11 *made available to provide transportation of medical sup-*
12 *plies and equipment, on a nonreimbursable basis, to Amer-*
13 *ican Samoa: Provided, That notwithstanding any other*
14 *provision of law, funds available to the Department of De-*
15 *fense shall be made available to provide transportation of*
16 *medical supplies and equipment, on a nonreimbursable*
17 *basis, to the Indian Health Service when it is in conjunc-*
18 *tion with a civil-military project.*

19 *SEC. 8075. None of the funds in this Act may be used*
20 *to purchase any supercomputer which is not manufactured*
21 *in the United States, unless the Secretary of Defense cer-*
22 *tifies to the congressional defense committees that such an*
23 *acquisition must be made in order to acquire capability for*
24 *national security purposes that is not available from Unit-*
25 *ed States manufacturers.*

(TRANSFER OF FUNDS)

1

2 *SEC. 8076. In addition to amounts appropriated or*
3 *otherwise made available by this Act, \$300,000,000 is here-*
4 *by appropriated to the Department of Defense and shall be*
5 *available only for transfer to the United States Coast*
6 *Guard.*

7

8 *SEC. 8077. Notwithstanding any other provision of*
9 *law, each contract awarded by the Department of Defense*
10 *during the current fiscal year for construction or service*
11 *performed in whole or in part in a State which is not con-*
12 *tiguous with another State and has an unemployment rate*
13 *in excess of the national average rate of unemployment as*
14 *determined by the Secretary of Labor, shall include a provi-*
15 *sion requiring the contractor to employ, for the purpose of*
16 *performing that portion of the contract in such State that*
17 *is not contiguous with another State, individuals who are*
18 *residents of such State and who, in the case of any craft*
19 *or trade, possess or would be able to acquire promptly the*
20 *necessary skills: Provided, That the Secretary of Defense*
21 *may waive the requirements of this section, on a case-by-*

22

23 *SEC. 8078. (a) The Secretary of Defense shall submit,*
24 *on a quarterly basis, a report to the congressional defense*
25 *committees, the Committee on International Relations of*
the House of Representatives and the Committee on Foreign

1 *Relations of the Senate setting forth all costs (including in-*
2 *cremental costs) incurred by the Department of Defense*
3 *during the preceding quarter in implementing or support-*
4 *ing resolutions of the United Nations Security Council, in-*
5 *cluding any such resolution calling for international sanc-*
6 *tions, international peacekeeping operations, and humani-*
7 *tarian missions undertaken by the Department of Defense.*
8 *The quarterly report shall include an aggregate of all such*
9 *Department of Defense costs by operation or mission.*

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

16 *SEC. 8079. (a) LIMITATION ON TRANSFER OF DE-*
17 *FENSE ARTICLES AND SERVICES.—Notwithstanding any*
18 *other provision of law, none of the funds available to the*
19 *Department of Defense for the current fiscal year may be*
20 *obligated or expended to transfer to another nation or an*
21 *international organization any defense articles or services*
22 *(other than intelligence services) for use in the activities de-*
23 *scribed in subsection (b) unless the congressional defense*
24 *committees, the Committee on International Relations of*
25 *the House of Representatives, and the Committee on For-*

1 *ign Relations of the Senate are notified 15 days in advance*
2 *of such transfer.*

3 (b) *COVERED ACTIVITIES.*—(1) *This section applies*
4 *to—*

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

10 (B) *any other international peacekeeping, peace-*
11 *enforcement, or humanitarian assistance operation.*

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

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

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

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

20 (A) *a statement of whether the inventory re-*
21 *quirements of all elements of the Armed Forces*
22 *(including the reserve components) for the type*
23 *of equipment or supplies to be transferred have*
24 *been met; and*

1 (B) a statement of whether the items pro-
2 posed to be transferred will have to be replaced
3 and, if so, how the President proposes to provide
4 funds for such replacement.

5 SEC. 8080. To the extent authorized by subchapter VI
6 of Chapter 148 of title 10, United States Code, the Secretary
7 of Defense shall issue loan guarantees in support of U.S.
8 defense exports not otherwise provided for: Provided, That
9 the total contingent liability of the United States for guar-
10 antees issued under the authority of this section may not
11 exceed \$15,000,000,000: Provided further, That the exposure
12 fees charged and collected by the Secretary for each guaran-
13 tee, shall be paid by the country involved and shall not be
14 financed as part of a loan guaranteed by the United States:
15 Provided further, That the Secretary shall provide quarterly
16 reports to the Committees on Appropriations, Armed Serv-
17 ices and Foreign Relations of the Senate and the Commit-
18 tees on Appropriations, National Security and Inter-
19 national Relations in the House of Representatives on the
20 implementation of this program: Provided further, That
21 amounts charged for administrative fees and deposited to
22 the special account provided for under section 2540c(d) of
23 title 10, shall be available for paying the costs of adminis-
24 trative expenses of the Department of Defense that are at-

1 *tributable to the loan guarantee program under subchapter*
2 *VI of Chapter 148 of title 10.*

3 *SEC. 8081. None of the funds available to the Depart-*
4 *ment of Defense shall be obligated or expended to make a*
5 *financial contribution to the United Nations for the cost*
6 *of an United Nations peacekeeping activity (whether pursu-*
7 *ant to assessment or a voluntary contribution) or for pay-*
8 *ment of any United States arrearage to the United Nations.*

9 *SEC. 8082. None of the funds available to the Depart-*
10 *ment of Defense under this Act shall be obligated or ex-*
11 *pended to pay a contractor under a contract with the De-*
12 *partment of Defense for costs of any amount paid by the*
13 *contractor to an employee when—*

14 *(1) such costs are for a bonus or otherwise in ex-*
15 *cess of the normal salary paid by the contractor to the*
16 *employee; and*

17 *(2) such bonus is part of restructuring costs asso-*
18 *ciated with a business combination.*

19 *SEC. 8083. (a) None of the funds appropriated or oth-*
20 *erwise made available in this Act may be used to transport*
21 *or provide for the transportation of chemical munitions or*
22 *agents to the Johnston Atoll for the purpose of storing or*
23 *demilitarizing such munitions or agents.*

24 *(b) The prohibition in subsection (a) shall not apply*
25 *to any obsolete World War II chemical munition or agent*

1 *of the United States found in the World War II Pacific*
2 *Theater of Operations.*

3 *(c) The President may suspend the application of sub-*
4 *section (a) during a period of war in which the United*
5 *States is a party.*

6 *SEC. 8084. None of the funds provided in title II of*
7 *this Act for “Former Soviet Union Threat Reduction” may*
8 *be obligated or expended to finance housing for any individ-*
9 *ual who was a member of the military forces of the Soviet*
10 *Union or for any individual who is or was a member of*
11 *the military forces of the Russian Federation.*

12 *SEC. 8085. During the current fiscal year, no more*
13 *than \$15,000,000 of appropriations made in this Act under*
14 *the heading “Operation and Maintenance, Defense-Wide”*
15 *may be transferred to appropriations available for the pay*
16 *of military personnel, to be merged with, and to be available*
17 *for the same time period as the appropriations to which*
18 *transferred, to be used in support of such personnel in con-*
19 *nection with support and services for eligible organizations*
20 *and activities outside the Department of Defense pursuant*
21 *to section 2012 of title 10, United States Code.*

22 *SEC. 8086. For purposes of section 1553(b) of title 31,*
23 *United States Code, any subdivision of appropriations*
24 *made in this Act under the heading “Shipbuilding and*
25 *Conversion, Navy” shall be considered to be for the same*

1 *purpose as any subdivision under the heading “Shipbuild-*
2 *ing and Conversion, Navy” appropriations in any prior*
3 *year, and the one per centum limitation shall apply to the*
4 *total amount of the appropriation.*

5 *SEC. 8087. Notwithstanding 31 U.S.C. 1552(a), not*
6 *more than \$14,000,000 appropriated under the heading*
7 *“Aircraft Procurement, Air Force” in Public Law 102–396*
8 *which was available and obligated for the B–2 Aircraft Pro-*
9 *gram shall remain available for expenditure and for adjust-*
10 *ing obligations for such program until September 30, 2003.*

11 *SEC. 8088. During the current fiscal year, in the case*
12 *of an appropriation account of the Department of Defense*
13 *for which the period of availability for obligation has ex-*
14 *pired or which has closed under the provisions of section*
15 *1552 of title 31, United States Code, and which has a nega-*
16 *tive unliquidated or unexpended balance, an obligation or*
17 *an adjustment of an obligation may be charged to any cur-*
18 *rent appropriation account for the same purpose as the ex-*
19 *pired or closed account if—*

20 *(1) the obligation would have been properly*
21 *chargeable (except as to amount) to the expired or*
22 *closed account before the end of the period of avail-*
23 *ability or closing of that account;*

1 *shall be transferred between the following appropriations in*
2 *the amount specified:*

3 *From:*

4 *Under the heading, “Shipbuilding and Con-*
5 *version, Navy 1989/2000”:*

6 *SSN–688 attack submarine program,*
7 *\$3,000,000;*

8 *DDG–51 destroyer program,*
9 *\$1,500,000;*

10 *LHD–1 amphibious assault ship pro-*
11 *gram, \$8,000,000;*

12 *T–AO fleet oiler program, \$3,453,000;*

13 *AOE combat support ship program,*
14 *\$3,600,000;*

15 *For craft, outfitting, and post delivery,*
16 *\$2,019,000;*

17 *To:*

18 *Under the heading, “Shipbuilding and Con-*
19 *version, Navy 1989/2000”:*

20 *SSN–21 attack submarine program,*
21 *\$21,572;*

22 *From:*

23 *Under the heading, “Shipbuilding and Con-*
24 *version, Navy 1991/2001”:*

1 *DDG-51 destroyer program,*
2 *\$1,060,000;*

3 *LHD-1 amphibious assault ship pro-*
4 *gram, \$1,600,000;*

5 *LSD-41 cargo variant ship program,*
6 *\$2,666,000;*

7 *AOE combat support ship program,*
8 *\$7,307,000;*

9 *For craft, outfitting, and post delivery,*
10 *\$12,000,000;*

11 *To:*

12 *Under the heading, “Shipbuilding and Con-*
13 *version, Navy 1991/2001”:*

14 *SSN-21 attack submarine program,*
15 *\$24,633,000;*

16 *From:*

17 *Under the heading, “Shipbuilding and Con-*
18 *version, Navy 1996/2000”:*

19 *LHD-1 amphibious assault ship pro-*
20 *gram, \$10,654,000;*

21 *To:*

22 *Under the heading, “Shipbuilding and Con-*
23 *version, Navy 1996/2000”:*

24 *SSN-21 attack submarine program,*
25 *\$6,907,000;*

1 *DDG-51 destroyer program,*
2 *\$3,747,000;*

3 *From:*

4 *Under the heading, “Shipbuilding and Con-*
5 *version, Navy 1994/1998”:*

6 *LHD-1 amphibious assault ship pro-*
7 *gram, \$400,000;*

8 *DDG-51 destroyer program,*
9 *\$1,054,000;*

10 *From:*

11 *Under the heading, “Shipbuilding and Con-*
12 *version, Navy 1995/1999”:*

13 *For craft, outfitting, and post delivery,*
14 *conversions, and first destination transpor-*
15 *tation, \$715,000;*

16 *From:*

17 *Under the heading, “Shipbuilding and Con-*
18 *version, Navy 1996/2000”:*

19 *LHD-1 amphibious assault ship pro-*
20 *gram, \$12,451,000;*

21 *LPD amphibious transport dock ship*
22 *program, \$5,062,000;*

23 *For craft, outfitting, and post delivery,*
24 *conversions, and first destination transpor-*
25 *tation, \$878,000;*

1 *From:*

2 *Under the heading, “Shipbuilding and Con-*
3 *version, Navy 1997/2001”:*

4 *For craft, outfitting, and post delivery,*
5 *conversions, and first destination transpor-*
6 *tation, \$3,600,000;*

7 *To:*

8 *Under the heading, “Shipbuilding and Con-*
9 *version, Navy 1997/2001”:*

10 *DDG-51 destroyer program,*
11 *\$24,160,000.*

12 *SEC. 8090. None of the funds available to the Depart-*
13 *ment of Defense under this Act may be obligated or ex-*
14 *pende d to reimburse a defense contractor for restructuring*
15 *costs associated with a business combination of the defense*
16 *contractor that occurs after the date of enactment of this*
17 *Act unless—*

18 *(1) the auditable savings for the Department of*
19 *Defense resulting from the restructuring will exceed*
20 *the costs allowed by a factor of at least two to one,*
21 *or*

22 *(2) the savings for the Department of Defense re-*
23 *sulting from the restructuring will exceed the costs al-*
24 *lowe d and the Secretary of Defense determines that*
25 *the business combination will result in the preserva-*

1 *tion of a critical capability that might otherwise be*
2 *lost to the Department, and*

3 *(3) the report required by Section 818(e) of Pub-*
4 *lic Law 103-337 to be submitted to Congress in 1996*
5 *is submitted.*

6 *SEC. 8091. Notwithstanding any other provision of*
7 *law, none of the funds appropriated in this Act may be*
8 *used to purchase, install, replace, or otherwise repair any*
9 *lock on a safe or security container which protects informa-*
10 *tion critical to national security or any other classified ma-*
11 *terials and which has not been certified as passing the secu-*
12 *rity lock specifications contained in regulation FF-L-2740*
13 *dated October 12, 1989, and has not passed all testing cri-*
14 *teria and procedures established through February 28,*
15 *1992: Provided, That the Director of Central Intelligence*
16 *may waive this provision, on a case-by-case basis only,*
17 *upon certification that the above cited locks are not ade-*
18 *quate for the protection of sensitive intelligence informa-*
19 *tion.*

20 *SEC. 8092. Funds appropriated in title II of this Act*
21 *for supervision and administration costs for facilities*
22 *maintenance and repair, minor construction, or design*
23 *projects may be obligated at the time the reimbursable order*
24 *is accepted by the performing activity: Provided, That for*

1 *the purpose of this section, supervision and administration*
2 *costs includes all in-house Government cost.*

3 *SEC. 8093. The Secretary of Defense may waive reim-*
4 *bursement of the cost of conferences, seminars, courses of*
5 *instruction, or similar educational activities of the Asia-*
6 *Pacific Center for Security Studies for military officers and*
7 *civilian officials of foreign nations if the Secretary deter-*
8 *mines that attendance by such personnel, without reim-*
9 *bursement, is in the national security interest of the United*
10 *States: Provided, That costs for which reimbursement is*
11 *waived pursuant to this subsection shall be paid from ap-*
12 *propriations available for the Asia-Pacific Center.*

13 *SEC. 8094. (a) Notwithstanding any other provision*
14 *of law, the Chief of the National Guard Bureau may permit*
15 *the use of equipment of the National Guard Distance Learn-*
16 *ing Project by any person or entity on a space-available,*
17 *reimbursable basis. The Chief of the National Guard Bu-*
18 *reau shall establish the amount of reimbursement for such*
19 *use on a case-by-case basis.*

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

1 *SEC. 8095. Notwithstanding 31 U.S.C. 3902, during*
2 *the current fiscal year, interest penalties may be paid by*
3 *the Department of Defense from funds financing the oper-*
4 *ation of the military department or defense agency with*
5 *which the invoice or contract payment is associated.*

6 *SEC. 8096. The Secretary of the Army may exchange*
7 *or sell one Army C-20 aircraft and may apply the exchange*
8 *allowance or sale proceeds in whole or in part payment for*
9 *the acquisition of one C-37 aircraft: Provided, That in ad-*
10 *dition to such exchange allowance or sale proceeds, of the*
11 *amount appropriated for fiscal year 1998 for Aircraft Pro-*
12 *curement, Air Force, not more than \$6,000,000 shall be*
13 *made available for acquisition of the C-37 for the United*
14 *States Army: Provided further, That in addition to such*
15 *exchange allowance or sale proceeds, of the amount appro-*
16 *priated for fiscal year 1997 for Aircraft Procurement, Air*
17 *Force, not more than \$27,100,000 shall be made available*
18 *for acquisition of the C-37 for the United States Army.*

19 *SEC. 8097. From funds made available by this Act for*
20 *the Maritime Technology Program up to \$250,000 shall be*
21 *made available to assist with a pilot project that will facili-*
22 *tate the transfer of commercial cruise ship shipbuilding*
23 *technology and expertise to U.S. yards, utilize the experi-*
24 *ence and expertise of existing U.S.-flag cruise ship opera-*
25 *tors, and enable the operation of a U.S.-flag foreign-built*

1 *cruise ship, and two newly-constructed U.S.-flag cruise*
2 *ships: Provided, That a person (including a related person*
3 *with respect to that person) who, within 18 months after*
4 *the date of enactment, enters into a binding contract for*
5 *construction in the United States of two cruise ships, which*
6 *contract shall provide for the construction of two cruise*
7 *ships of equal or greater size than the cruise ship being op-*
8 *erated by such person on the date of enactment and shall*
9 *require the delivery of the first cruise ship no later than*
10 *January 1, 2005 and the second cruise ship no later than*
11 *January 1, 2008, may document with a coastwise endorse-*
12 *ment a foreign-built cruise ship otherwise in compliance*
13 *with 46 U.S.C. Sections 289, 883 and 12106 until such date*
14 *which is twenty-four (24) months after the delivery of the*
15 *second cruise ship or any subsequently delivered cruise ship:*
16 *Provided further, That a person (including a related person*
17 *with respect to that person) within the meaning of 46*
18 *U.S.C. Section 801 may not operate a U.S.-flag foreign-*
19 *built cruise ship, or any other cruise ship, in coastwise*
20 *trade between or among the islands of Hawaii, upon execu-*
21 *tion of the contract referred to in this section and continu-*
22 *ing throughout the life expectancy (as that term is used in*
23 *46 U.S.C. App 1125) of a newly constructed U.S. flag cruise*
24 *ship referred to in this section, unless the cruise ship is op-*
25 *erated by a person (including a related person with respect*

1 to that person) that is operating a cruise ship in coastwise
2 trade between or among the islands of Hawaii on the date
3 of enactment, except if any cruise ship constructed pursuant
4 to this section operates in regular service other than between
5 or among the islands of Hawaii: Provided further, That for
6 purposes of this section the term “cruise ship” means a ves-
7 sel that is at least 10,000 gross tons (as measured under
8 Chapter 143 of Title 46, United States Code) and has berth
9 or stateroom accommodations for at least 275 passengers:
10 Provided further, That for purposes of this section, unless
11 otherwise defined in this section, the term “person” means
12 a corporation, partnership or association the controlling in-
13 terest of which is owned by citizens of the United States
14 within the meaning of 46 U.S.C. Section 802(b): Provided
15 further, That for purposes of this section the term “related
16 person” means with respect to a person (i) a holding com-
17 pany, subsidiary, affiliate or association of the person and
18 (ii) an officer, director, or agent of the person or of an en-
19 tity referred to in (i): Provided further, That none of the
20 funds provided in this or any other Act may be obligated
21 for the tooling to construct or the construction of vessels ad-
22 dressed by this section.

23 SEC. 8098. Notwithstanding any other provision of
24 law, the Secretary of Defense shall obligate the funds pro-
25 vided for University Research Initiatives in the Department

1 *of Defense Appropriations Act, 1997 (titles I through VIII*
2 *under section 101(b) of Public Law 104–208) for the*
3 *projects and in the amounts provided for in House Report*
4 *104–863 of the House of Representatives, 104th Congress,*
5 *second session.*

6 *SEC. 8099. Effective on June 30, 1998, section 8106(a)*
7 *of the Department of Defense Appropriations Act, 1997 (ti-*
8 *ties I through VIII of the matter under section 101(b) of*
9 *Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113*
10 *note), is amended by striking out “\$3,000,000” and insert-*
11 *ing in lieu thereof “\$1,000,000”.*

12 *SEC. 8099A. It is the sense of the Senate that—*

13 *(1) international efforts to bring indicted war*
14 *criminals to justice in Bosnia and Herzegovina con-*
15 *sistent with the 1995 Dayton Accords should be sup-*
16 *ported as an important element in creating a self-sus-*
17 *taining peace in the region;*

18 *(2) the Administration should consult closely*
19 *with the Congress on all efforts to bring indicted war*
20 *criminals to justice in Bosnia and Herzegovina con-*
21 *sistent with the 1995 Dayton Accords; and*

22 *(3) the Administration should consult closely*
23 *and in a timely manner with the Congress on the*
24 *NATO-led Stabilization Force’s mission concerning*
25 *the apprehension of indicted war criminals, including*

1 *any changes in the mission which could affect Amer-*
2 *ican forces.*

3 *SEC. 8099B. Up to \$4,500,000 of funds available to*
4 *the Department of Defense may be available for the pay-*
5 *ment of claims for loss and damage to personal property*
6 *suffered as a direct result of the flooding in the Red River*
7 *Basin during April and May 1997 by members of the*
8 *Armed Forces residing in the vicinity of Grand Forks Air*
9 *Force Base, North Dakota, without regard to the provisions*
10 *of section 3721(e) of title 31, United States Code.*

11 *SEC. 8099C. Of the total amount appropriated under*
12 *title II for the Navy, the Secretary of the Navy shall make*
13 *\$36,000,000 available for a program to demonstrate ex-*
14 *panded use of multitechnology automated reader cards*
15 *throughout the Navy and the Marine Corps, including dem-*
16 *onstration of the use of the so-called “smartship” technology*
17 *of the ship-to-shore work load/off load program.*

18 *SEC. 8099D. (a) FINDINGS.—(1) The North Atlantic*
19 *Treaty Organization, at the Madrid summit, decided to*
20 *admit three new members, the Czech Republic, Poland and*
21 *Hungary.*

22 *(2) The President, on behalf of the United States en-*
23 *dorsed and advocated the expansion of the North Atlantic*
24 *Treaty Organization to include three additional members.*

1 (3) *The Senate will consider the ratification of instru-*
2 *ments to approve the admissions of new members to the*
3 *North Atlantic Treaty Organization.*

4 (4) *The United States has contributed more than*
5 *\$20,000,000,000 since 1952 for infrastructure and support*
6 *of the Alliance.*

7 (5) *In appropriations Acts likely to be considered by*
8 *the Senate for fiscal year 1998, \$449,000,000 has been re-*
9 *quested by the President for expenditures in direct support*
10 *of United States participation in the Alliance.*

11 (6) *In appropriations Acts likely to be considered by*
12 *the Senate for fiscal year 1998, \$9,983,300,000 has been re-*
13 *quested by the President in support of United States mili-*
14 *tary expenditures in North Atlantic Treaty Organization*
15 *countries.*

16 (b) *REPORT TO CONGRESS.—The Secretary of Defense*
17 *shall identify and report to the congressional defense com-*
18 *mittees not later than October 1, 1997—*

19 (1) *the amounts necessary, by appropriation ac-*
20 *count, for all anticipated costs to the United States*
21 *for the admission of the Czech Republic, Poland and*
22 *Hungary to the North Atlantic Treaty Organization*
23 *for the fiscal years 1998, 1999, 2000, 2001 and 2002;*
24 *and*

1 (2) *any new commitments or obligations entered*
2 *into or assumed by the United States in association*
3 *with the admission of new members to the Alliance,*
4 *to include the deployment of United States military*
5 *personnel, the provision of defense articles or equip-*
6 *ment, training activities and the modification and*
7 *construction of military facilities.*

8 *SEC. 8099E. (a) The Secretary of Defense shall waive*
9 *generally with respect to a foreign country each limitation*
10 *on procurements from foreign sources provided in law if*
11 *the Secretary determines that the application of the limita-*
12 *tion with respect to that country would impede cooperative*
13 *programs entered into between the Department of Defense*
14 *and the foreign country, or would impede arrangements for*
15 *the reciprocal procurement of defense items entered into*
16 *under section 2531 of title 10, United States Code, or under*
17 *any other provision of law, and the country does not dis-*
18 *criminate against defense items produced in the United*
19 *States to a greater degree than the United States discrimi-*
20 *nates against defense items produced in that country.*

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

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

24 *(2) options for the procurement of items that are*
25 *exercised after such date under contracts that are en-*

1 *tered into before such date if the option prices are ad-*
2 *justed for any reason other than the application of a*
3 *waiver granted under subsection (a).*

4 *(c) Subsection (a) does not apply to a limitation re-*
5 *garding construction of warships.*

6 *SEC. 8099F. It is the sense of Congress that should the*
7 *Senate ratify NATO enlargement, that the proportional cost*
8 *of the United States share of the NATO common budget*
9 *should not increase, and that if any NATO member does*
10 *not pay its share, the United States shall not pay either.*

11 *SEC. 8099G. Congress finds that the Defense Base Clo-*
12 *sure and Realignment Commission directed the transfer of*
13 *only 10 electro-magnetic test environment systems from*
14 *Eglin Air Force Base, Florida, to Nellis Air Force Base,*
15 *Nevada.*

16 *SEC. 8099H. (a) FINDINGS.—(1) The Department of*
17 *Defense budget is insufficient to fulfill all the requirements*
18 *on the unfunded priorities lists of the military services and*
19 *defense agencies;*

20 *(2) the documented printing expenses of the Depart-*
21 *ment of Defense amount to several hundred million dollars*
22 *per year, and a similar amount of undocumented printing*
23 *expenses may be included in external defense contracts;*

24 *(3) printing in two or more colors generally increases*
25 *costs;*

1 (4) *the Joint Committee on Printing of the Congress*
2 *of the United States has established regulations intended*
3 *to protect taxpayers from extravagant Government printing*
4 *expenses;*

5 (5) *the Government Printing and Binding Regulations*
6 *published by the Joint Committee on Printing direct that*
7 *“ . . . it is the responsibility of the head of any department,*
8 *independent office or establishment of the Government to*
9 *assure that all multicolor printing shall contribute demon-*
10 *strable value toward achieving a greater fulfillment of the*
11 *ultimate end-purpose of whatever printed item in which it*
12 *is included.”;*

13 (6) *the Department of Defense publishes a large num-*
14 *ber of brochures, calendars, and other products in which*
15 *the use of multicolor printing does not appear to meet the*
16 *demonstrably valuable contribution requirement of the*
17 *Joint Committee on Printing, but instead appears to be*
18 *used primarily for decorative effect; and*

19 (7) *the Department of Defense could save resources for*
20 *higher priority needs by reducing printing expenses.*

21 (b) *SENSE OF THE SENATE.—Therefore, it is the sense*
22 *of the Senate that—*

23 (1) *the Secretary of Defense should ensure that*
24 *the printing costs of the Department of Defense and*

1 *military services are held to the lowest amount pos-*
2 *sible;*

3 *(2) the Department of Defense should strictly*
4 *comply with the Printing and Binding Regulations*
5 *published by the Joint Committee on Printing of the*
6 *Congress of the United States;*

7 *(3) the Department of Defense budget submission*
8 *for fiscal year 1999 should reflect the savings that*
9 *will result from the stricter printing guidelines in*
10 *paragraphs (1) and (2).*

11 *This Act may be cited as the “Department of Defense*
12 *Appropriations Act, 1998”.*

Attest:

Secretary.

105TH CONGRESS
1ST SESSION

H. R. 2266

AMENDMENT

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