

1 tion travel (including all expenses thereof for organiza-
2 tional movements), and expenses of temporary duty travel
3 between permanent duty stations, for members of the
4 Army on active duty (except members of reserve compo-
5 nents provided for elsewhere), cadets, and aviation cadets;
6 and for payments pursuant to section 156 of Public Law
7 97-377, as amended (42 U.S.C. 402 note), to section
8 229(b) of the Social Security Act (42 U.S.C. 429(b)), and
9 to the Department of Defense Military Retirement Fund;
10 \$20,692,838,000.

11 **MILITARY PERSONNEL, NAVY**

12 For pay, allowances, individual clothing, subsistence,
13 interest on deposits, gratuities, permanent change of sta-
14 tion travel (including all expenses thereof for organiza-
15 tional movements), and expenses of temporary duty travel
16 between permanent duty stations, for members of the
17 Navy on active duty (except members of the Reserve pro-
18 vided for elsewhere), midshipmen, and aviation cadets; and
19 for payments pursuant to section 156 of Public Law 97-
20 377, as amended (42 U.S.C. 402 note), to section 229(b)
21 of the Social Security Act (42 U.S.C. 429(b)), and to the
22 Department of Defense Military Retirement Fund;
23 \$17,000,856,000.

1 MILITARY PERSONNEL, MARINE CORPS

2 For pay, allowances, individual clothing, subsistence,
3 interest on deposits, gratuities, permanent change of sta-
4 tion travel (including all expenses thereof for organiza-
5 tional movements), and expenses of temporary duty travel
6 between permanent duty stations, for members of the Ma-
7 rine Corps on active duty (except members of the Reserve
8 provided for elsewhere); and for payments pursuant to sec-
9 tion 156 of Public Law 97-377, as amended (42 U.S.C.
10 402 note), to section 229(b) of the Social Security Act
11 (42 U.S.C. 429(b)), and to the Department of Defense
12 Military Retirement Fund; \$6,103,808,000.

13 MILITARY PERSONNEL, AIR FORCE

14 For pay, allowances, individual clothing, subsistence,
15 interest on deposits, gratuities, permanent change of sta-
16 tion travel (including all expenses thereof for organiza-
17 tional movements), and expenses of temporary duty travel
18 between permanent duty stations, for members of the Air
19 Force on active duty (except members of reserve compo-
20 nents provided for elsewhere), cadets, and aviation cadets;
21 and for payments pursuant to section 156 of Public Law
22 97-377, as amended (42 U.S.C. 402 note), to section
23 229(b) of the Social Security Act (42 U.S.C. 429(b)), and
24 to the Department of Defense Military Retirement Fund;
25 \$17,099,550,000.

1 RESERVE PERSONNEL, ARMY

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Army Re-
4 serve on active duty under sections 10211, 10302, and
5 3038 of title 10, United States Code, or while serving on
6 active duty under section 12301(d) of title 10, United
7 States Code, in connection with performing duty specified
8 in section 12310(a) of title 10, United States Code, or
9 while undergoing reserve training, or while performing
10 drills or equivalent duty or other duty, and for members
11 of the Reserve Officers' Training Corps, and expenses au-
12 thorized by section 16131 of title 10, United States Code;
13 and for payments to the Department of Defense Military
14 Retirement Fund; \$2,083,379,000.

15 RESERVE PERSONNEL, NAVY

16 For pay, allowances, clothing, subsistence, gratuities,
17 travel, and related expenses for personnel of the Navy Re-
18 serve on active duty under section 10211 of title 10, Unit-
19 ed States Code, or while serving on active duty under sec-
20 tion 12301(d) of title 10, United States Code, in connec-
21 tion with performing duty specified in section 12310(a)
22 of title 10, United States Code, or while undergoing re-
23 serve training, or while performing drills or equivalent
24 duty, and for members of the Reserve Officers' Training
25 Corps, and expenses authorized by section 16131 of title

1 10, United States Code; and for payments to the Depart-
2 ment of Defense Military Retirement Fund;
3 ~~\$1,392,406,000.~~

4 ~~RESERVE PERSONNEL, MARINE CORPS~~

5 ~~For pay, allowances, clothing, subsistence, gratuities,~~
6 ~~travel, and related expenses for personnel of the Marine~~
7 ~~Corps Reserve on active duty under section 10211 of title~~
8 ~~10, United States Code, or while serving on active duty~~
9 ~~under section 12301(d) of title 10, United States Code,~~
10 ~~in connection with performing duty specified in section~~
11 ~~12310(a) of title 10, United States Code, or while under-~~
12 ~~going reserve training, or while performing drills or equiv-~~
13 ~~alent duty, and for members of the Marine Corps platoon~~
14 ~~leaders class, and expenses authorized by section 16131~~
15 ~~of title 10, United States Code; and for payments to the~~
16 ~~Department of Defense Military Retirement Fund;~~
17 ~~\$387,943,000.~~

18 ~~RESERVE PERSONNEL, AIR FORCE~~

19 ~~For pay, allowances, clothing, subsistence, gratuities,~~
20 ~~travel, and related expenses for personnel of the Air Force~~
21 ~~Reserve on active duty under sections 10211, 10305, and~~
22 ~~8038 of title 10, United States Code, or while serving on~~
23 ~~active duty under section 12301(d) of title 10, United~~
24 ~~States Code, in connection with performing duty specified~~
25 ~~in section 12310(a) of title 10, United States Code, or~~

1 while undergoing reserve training, or while performing
2 drills or equivalent duty or other duty, and for members
3 of the Air Reserve Officers' Training Corps, and expenses
4 authorized by section ~~16131~~ of title 10, United States
5 Code; and for payments to the Department of Defense
6 Military Retirement Fund; \$780,497,000.

7 NATIONAL GUARD PERSONNEL, ARMY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Army Na-
10 tional Guard while on duty under section ~~10211~~, ~~10302~~,
11 or ~~12402~~ of title 10 or section 708 of title 32, United
12 States Code; or while serving on duty under section
13 ~~12301(d)~~ of title 10 or section 502(f) of title 32, United
14 States Code; in connection with performing duty specified
15 in section ~~12310(a)~~ of title 10, United States Code; or
16 while undergoing training, or while performing drills or
17 equivalent duty or other duty, and expenses authorized by
18 section ~~16131~~ of title 10, United States Code; and for pay-
19 ments to the Department of Defense Military Retirement
20 Fund; \$3,279,393,000.

21 NATIONAL GUARD PERSONNEL, AIR FORCE

22 For pay, allowances, clothing, subsistence, gratuities,
23 travel, and related expenses for personnel of the Air Na-
24 tional Guard on duty under section ~~10211~~, ~~10305~~, or
25 ~~12402~~ of title 10 or section 708 of title 32, United States

1 Code, or while serving on duty under section 12301(d) of
2 title 10 or section 502(f) of title 32, 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 training, or while performing drills or equivalent
6 duty or other duty, and expenses authorized by section
7 16131 of title 10, United States Code; and for payments
8 to the Department of Defense Military Retirement Fund;
9 \$1,294,490,000.

10

TITLE II

11

OPERATION AND MAINTENANCE

12

OPERATION AND MAINTENANCE, ARMY

13

(INCLUDING TRANSFER OF FUNDS)

14

For expenses, not otherwise provided for, necessary
15 for the operation and maintenance of the Army, as author-
16 ized by law; and not to exceed \$11,437,000 can be used
17 for emergencies and extraordinary expenses, to be ex-
18 pended on the approval or authority of the Secretary of
19 the Army, and payments may be made on his certificate
20 of necessity for confidential military purposes;
21 \$18,365,679,000 and, in addition, \$50,000,000 shall be
22 derived by transfer from the National Defense Stockpile
23 Transaction Fund: *Provided*, That of the funds appro-
24 priated in this paragraph, not less than \$300,000,000
25 shall be made available only for conventional ammunition

1 care and maintenance: *Provided further*, That of the funds
2 appropriated in this paragraph, \$12,084,000 shall not be
3 obligated or expended until authorized by law.

4 OPERATION AND MAINTENANCE, NAVY

5 (INCLUDING TRANSFER OF FUNDS)

6 For expenses, not otherwise provided for, necessary
7 for the operation and maintenance of the Navy and the
8 Marine Corps, as authorized by law; and not to exceed
9 \$3,995,000, can be used for emergencies and extraor-
10 dinary expenses, to be expended on the approval or author-
11 ity of the Secretary of the Navy, and payments may be
12 made on his certificate of necessity for confidential mili-
13 tary purposes; \$20,390,397,000 and, in addition,
14 \$50,000,000 shall be derived by transfer from the Na-
15 tional Defense Stockpile Transaction Fund: *Provided*,
16 That of the funds appropriated in this paragraph,
17 \$39,933,000 shall not be obligated or expended until au-
18 thorized by law.

19 OPERATION AND MAINTENANCE, MARINE CORPS

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of the Marine Corps,
22 as authorized by law; \$2,465,077,000.

1 OPERATION AND MAINTENANCE, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of the Air Force, as
5 authorized by law; and not to exceed \$8,362,000 can be
6 used for emergencies and extraordinary expenses, to be ex-
7 pended on the approval or authority of the Secretary of
8 the Air Force, and payments may be made on his certifi-
9 cate of necessity for confidential military purposes;
10 \$17,938,755,000 and, in addition, \$50,000,000 shall be
11 derived by transfer from the National Defense Stockpile
12 Transaction Fund: *Provided*, That of the funds appro-
13 priated in this paragraph, \$39,133,000 shall not be obli-
14 gated or expended until authorized by law.

15 OPERATION AND MAINTENANCE, DEFENSE-WIDE

16 For expenses, not otherwise provided for, necessary
17 for the operation and maintenance of activities and agen-
18 cies of the Department of Defense (other than the military
19 departments), as authorized by law; \$10,212,985,000, of
20 which not to exceed \$25,000,000 may be available for the
21 CINC initiative fund account; and of which not to exceed
22 \$28,500,000 can be used for emergencies and extraor-
23 dinary expenses, to be expended on the approval or author-
24 ity of the Secretary of Defense, and payments may be

1 made on his certificate of necessity for confidential mili-
2 tary purposes.

3 OPERATION AND MAINTENANCE, ARMY RESERVE

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance, including training, or-
6 ganization, and administration, of the Army Reserve; re-
7 pair of facilities and equipment; hire of passenger motor
8 vehicles; travel and transportation; care of the dead; re-
9 cruiting; procurement of services, supplies, and equip-
10 ment; and communications; \$1,116,436,000.

11 OPERATION AND MAINTENANCE, NAVY RESERVE

12 For expenses, not otherwise provided for, necessary
13 for the operation and maintenance, including training, or-
14 ganization, and administration, of the Navy Reserve; re-
15 pair of facilities and equipment; hire of passenger motor
16 vehicles; travel and transportation; care of the dead; re-
17 cruiting; procurement of services, supplies, and equip-
18 ment; and communications; \$882,927,000: *Provided*, That
19 of the funds appropriated in this paragraph, \$24,000,000
20 shall not be obligated or expended until authorized by law.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 RESERVE

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance, including training, or-
25 ganization, and administration, of the Marine Corps Re-

1 serve; repair of facilities and equipment; hire of passenger
2 motor vehicles; travel and transportation; care of the dead;
3 recruiting; procurement of services, supplies, and equip-
4 ment; and communications; \$108,467,000: *Provided*, That
5 of the funds appropriated in this paragraph, \$2,000,000
6 shall not be obligated or expended until authorized by law.

7 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

8 For expenses, not otherwise provided for, necessary
9 for the operation and maintenance, including training, or-
10 ganization, and administration, of the Air Force Reserve;
11 repair of facilities and equipment; hire of passenger motor
12 vehicles; travel and transportation; care of the dead; re-
13 cruiting; procurement of services, supplies, and equip-
14 ment; and communications; \$1,491,553,000.

15 OPERATION AND MAINTENANCE, ARMY NATIONAL

16 GUARD

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

1 units in compliance with National Guard Bureau regula-
2 tions when specifically authorized by the Chief, National
3 Guard Bureau; supplying and equipping the Army Na-
4 tional Guard as authorized by law; and expenses of repair,
5 modification, maintenance, and issue of supplies and
6 equipment (including aircraft); \$2,268,477,000.

7 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

8 For operation and maintenance of the Air National
9 Guard, including medical and hospital treatment and re-
10 lated expenses in non-Federal hospitals; maintenance, op-
11 eration, repair, and other necessary expenses of facilities
12 for the training and administration of the Air National
13 Guard, including repair of facilities, maintenance, oper-
14 ation, and modification of aircraft; transportation of
15 things; hire of passenger motor vehicles; supplies, mate-
16 rials, and equipment, as authorized by law for the Air Na-
17 tional Guard; and expenses incident to the maintenance
18 and use of supplies, materials, and equipment, including
19 such as may be furnished from stocks under the control
20 of agencies of the Department of Defense; travel expenses
21 (other than mileage) on the same basis as authorized by
22 law for Air National Guard personnel on active Federal
23 duty, for Air National Guard commanders while inspecting
24 units in compliance with National Guard Bureau regula-

1 tions when specifically authorized by the Chief, National
2 Guard Bureau; ~~\$2,671,373,000.~~

3 UNITED STATES COURT OF APPEALS FOR THE ARMED
4 FORCES

5 For salaries and expenses necessary for the United
6 States Court of Appeals for the Armed Forces;
7 \$6,797,000, of which not to exceed \$2,500 can be used
8 for official representation purposes.

9 ENVIRONMENTAL RESTORATION; DEFENSE
10 (INCLUDING TRANSFER OF FUNDS)

11 For the Department of Defense; ~~\$1,333,016,000~~, to
12 remain available until transferred: *Provided*, That the Sec-
13 retary of Defense shall, upon determining that such funds
14 are required for environmental restoration, reduction and
15 recycling of hazardous waste, removal of unsafe buildings
16 and debris of the Department of Defense, or for similar
17 purposes (including programs and operations at sites for-
18 merly used by the Department of Defense), transfer the
19 funds made available by this appropriation to other appro-
20 priations made available to the Department of Defense,
21 as the Secretary may designate, to be merged with and
22 to be available for the same purposes and for the same
23 time periods as the appropriations of funds to which trans-
24 ferred: *Provided further*, That upon a determination that
25 all or part of the funds transferred from this appropriation

1 are not necessary for the purposes provided herein, such
2 amounts may be transferred back to this appropriation.

3 ~~OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID~~

4 For expenses relating to the Overseas Humanitarian,
5 Disaster, and Civic Aid programs of the Department of
6 Defense (consisting of the programs provided under sec-
7 tions 401, 402, 404, 2547, and 2551 of title 10, United
8 States Code); \$60,544,000, to remain available until Sep-
9 tember 30, 1998.

10 ~~FORMER SOVIET UNION THREAT REDUCTION~~

11 For assistance to the republics of the former Soviet
12 Union, including assistance provided by contract or by
13 grants, for facilitating the elimination and the safe and
14 secure transportation and storage of nuclear, chemical and
15 other weapons; for establishing programs to prevent the
16 proliferation of weapons, weapons components, and weap-
17 on-related technology and expertise; for programs relating
18 to the training and support of defense and military person-
19 nel for demilitarization and protection of weapons, weap-
20 ons components and weapons technology and expertise;
21 \$302,900,000, to remain available for obligation until Sep-
22 tember 30, 1999.

1 QUALITY OF LIFE ENHANCEMENTS, DEFENSE
2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, resulting
4 from unfunded shortfalls in medical programs and the re-
5 pair and maintenance of real property of the Department
6 of Defense (including military housing and barracks);
7 \$975,000,000, of which—

8 (1) \$475,000,000 shall be transferred to funds
9 made available under the heading “Defense Health
10 Program” in title VI of this Act and be available for
11 Operation and maintenance; and

12 (2) \$500,000,000 shall be available for the
13 maintenance of real property of the Department of
14 Defense (including minor construction and major
15 maintenance and repair) and shall remain available
16 for obligation until September 30, 1998, as follows:

17 Army, \$165,000,000;

18 Navy, \$75,000,000;

19 Marine Corps, \$40,000,000;

20 Air Force, \$120,000,000;

21 Army Reserve, \$20,000,000;

22 Navy Reserve, \$20,000,000;

23 Marine Corps Reserve, \$2,000,000;

24 Air Force Reserve, \$16,000,000;

25 Army National Guard, \$29,000,000; and

1 Air National Guard, \$13,000,000.

2 REDUCTION OF FUNDS

3 Amounts appropriated in other paragraphs of this
4 title are hereby reduced as follows:

5 From OPERATION AND MAINTENANCE, ARMY,
6 \$12,950,000.

7 From OPERATION AND MAINTENANCE, NAVY,
8 \$3,500,000.

9 From OPERATION AND MAINTENANCE, MARINE
10 CORPS, \$1,750,000.

11 From OPERATION AND MAINTENANCE, AIR
12 FORCE, \$7,700,000.

13 From OPERATION AND MAINTENANCE, DE-
14 FENSE-WIDE, \$9,100,000.

15 TITLE III

16 PROCUREMENT

17 AIRCRAFT PROCUREMENT, ARMY

18 For construction, procurement, production, modifica-
19 tion, and modernization of aircraft, equipment, including
20 ordnance, ground handling equipment, spare parts, and
21 accessories therefor; specialized equipment and training
22 devices; expansion of public and private plants, including
23 the land necessary therefor, for the foregoing purposes,
24 and such lands and interests therein, may be acquired,
25 and construction prosecuted thereon prior to approval of

1 title; and procurement and installation of equipment, ap-
2 pliances, and machine tools in public and private plants;
3 reserve plant and Government and contractor-owned
4 equipment layaway; and other expenses necessary for the
5 foregoing purposes; \$1,308,709,000, to remain available
6 for obligation until September 30, 1999.

7 MISSILE PROCUREMENT, ARMY

8 For construction, procurement, production, modifica-
9 tion, and modernization of missiles, equipment, including
10 ordnance, ground handling equipment, spare parts, and
11 accessories therefor; specialized equipment and training
12 devices; expansion of public and private plants, including
13 the land necessary therefor, for the foregoing purposes,
14 and such lands and interests therein, may be acquired,
15 and construction prosecuted thereon prior to approval of
16 title; and procurement and installation of equipment, ap-
17 pliances, and machine tools in public and private plants;
18 reserve plant and Government and contractor-owned
19 equipment layaway; and other expenses necessary for the
20 foregoing purposes; \$988,567,000, to remain available for
21 obligation until September 30, 1999.

22 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
23 VEHICLES, ARMY

24 For construction, procurement, production, and
25 modification of weapons and tracked combat vehicles,

1 equipment, including ordnance, spare parts, and acces-
2 sories therefor; specialized equipment and training devices;
3 expansion of public and private plants, including the land
4 necessary therefor, for the foregoing purposes, and such
5 lands and interests therein, may be acquired, and con-
6 struction prosecuted thereon prior to approval of title; and
7 procurement and installation of equipment, appliances,
8 and machine tools in public and private plants; reserve
9 plant and Government and contractor-owned equipment
10 layaway; and other expenses necessary for the foregoing
11 purposes; \$1,500,414,000, to remain available for obliga-
12 tion until September 30, 1999: *Provided*, That of the
13 funds appropriated in this paragraph, \$175,600,000 shall
14 not be obligated or expended until authorized by law.

15 PROCUREMENT OF AMMUNITION, ARMY

16 For construction, procurement, production, and
17 modification of ammunition, and accessories therefor; spe-
18 cialized equipment and training devices; expansion of pub-
19 lic and private plants, including ammunition facilities au-
20 thorized by section 2854, title 10, United States Code, and
21 the land necessary therefor, for the foregoing purposes,
22 and such lands and interests therein, may be acquired,
23 and construction prosecuted thereon prior to approval of
24 title; and procurement and installation of equipment, ap-
25 pliances, and machine tools in public and private plants;

1 reserve plant and Government and contractor-owned
2 equipment layaway; and other expenses necessary for the
3 foregoing purposes; \$1,150,128,000; to remain available
4 for obligation until September 30, 1999.

5 OTHER PROCUREMENT, ARMY

6 For construction, procurement, production, and
7 modification of vehicles, including tactical, support, and
8 nontracked combat vehicles; the purchase of not to exceed
9 14 passenger motor vehicles for replacement only; commu-
10 nications and electronic equipment; other support equip-
11 ment; spare parts, ordnance, and accessories therefor; spe-
12 cialized equipment and training devices; expansion of pub-
13 lic and private plants, including the land necessary there-
14 for, for the foregoing purposes, and such lands and inter-
15 ests therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; and procurement and
17 installation of equipment, appliances, and machine tools
18 in public and private plants; reserve plant and Govern-
19 ment and contractor-owned equipment layaway; and other
20 expenses necessary for the foregoing purposes;
21 \$2,899,040,000; to remain available for obligation until
22 September 30, 1999: *Provided*, That of the funds appro-
23 priated in this paragraph, \$86,800,000 shall not be obli-
24 gated or expended until authorized by law.

1 foregoing purposes; \$341,689,000, to remain available for
2 obligation until September 30, 1999.

3 SHIPBUILDING AND CONVERSION, NAVY

4 For expenses necessary for the construction, acquisi-
5 tion, or conversion of vessels as authorized by law, includ-
6 ing armor and armament thereof, plant equipment, appli-
7 ances, and machine tools and installation thereof in public
8 and private plants; reserve plant and Government and con-
9 tractor-owned equipment layaway; procurement of critical,
10 long leadtime components and designs for vessels to be
11 constructed or converted in the future; and expansion of
12 public and private plants, including land necessary there-
13 for, and such lands and interests therein, may be acquired,
14 and construction prosecuted thereon prior to approval of
15 title; \$4,469,930,000, to remain available for obligation
16 until September 30, 2001: *Provided*, That additional obli-
17 gations may be incurred after September 30, 2001, for
18 engineering services, tests, evaluations, and other such
19 budgeted work that must be performed in the final stage
20 of ship construction: *Provided further*, That none of the
21 funds herein provided for the construction or conversion
22 of any naval vessel to be constructed in shipyards in the
23 United States shall be expended in foreign facilities for
24 the construction of major components of such vessel: *Pro-*
25 *vided further*, That none of the funds herein provided shall

1 be used for the construction of any naval vessel in foreign
2 shipyards.

3 OTHER PROCUREMENT, NAVY

4 For procurement, production, and modernization of
5 support equipment and materials not otherwise provided
6 for, Navy ordnance (except ordnance for new aircraft, new
7 ships, and ships authorized for conversion); expansion of
8 public and private plants, including the land necessary
9 therefor, and such lands and interests therein, may be ac-
10 quired, and construction prosecuted thereon prior to ap-
11 proval of title; and procurement and installation of equip-
12 ment, appliances, and machine tools in public and private
13 plants; reserve plant and Government and contractor-
14 owned equipment layaway; \$2,889,591,000, to remain
15 available for obligation until September 30, 1999: *Pro-*
16 *vided,* That of the funds appropriated in this paragraph,
17 \$18,096,000 shall not be obligated or expended until au-
18 thorized by law.

19 PROCUREMENT, MARINE CORPS

20 For expenses necessary for the procurement, manu-
21 facture, and modification of missiles, armament, military
22 equipment, spare parts, and accessories therefor; plant
23 equipment, appliances, and machine tools, and installation
24 thereof in public and private plants; reserve plant and
25 Government and contractor-owned equipment layaway; ve-

1 hicles for the Marine Corps, including the purchase of not
2 to exceed 88 passenger motor vehicles for replacement
3 only; and expansion of public and private plants, including
4 land necessary therefor, and such lands and interests
5 therein, may be acquired and construction prosecuted
6 thereon prior to approval of title; \$623,973,000, to remain
7 available for obligation until September 30, 1999: *Pro-*
8 *vided,* That of the funds appropriated in this paragraph,
9 \$77,225,000 shall not be obligated or expended until au-
10 thorized by law.

11 AIRCRAFT PROCUREMENT, AIR FORCE

12 For construction, procurement, and modification of
13 aircraft and equipment, including armor and armament,
14 specialized ground handling equipment, and training de-
15 vices, spare parts, and accessories therefor; specialized
16 equipment; expansion of public and private plants; Gov-
17 ernment-owned equipment and installation thereof in such
18 plants; erection of structures, and acquisition of land, for
19 the foregoing purposes, and such lands and interests
20 therein, may be acquired, and construction prosecuted
21 thereon prior to approval of title; reserve plant and Gov-
22 ernment and contractor-owned equipment layaway; and
23 other expenses necessary for the foregoing purposes in-
24 cluding rents and transportation of things;
25 \$7,274,628,000, to remain available for obligation until

1 September 30, 1999: *Provided*, That of the funds appro-
2 priated in this paragraph, \$2,700,000 shall not be obli-
3 gated or expended until authorized by law.

4 MISSILE PROCUREMENT, AIR FORCE

5 For construction, procurement, and modification of
6 missiles, spacecraft, rockets, and related equipment, in-
7 cluding spare parts and accessories therefor, ground han-
8 dling equipment, and training devices; expansion of public
9 and private plants, Government-owned equipment and in-
10 stallation thereof in such plants, erection of structures,
11 and acquisition of land, for the foregoing purposes, and
12 such lands and interests therein, may be acquired, and
13 construction prosecuted thereon prior to approval of title;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes including rents and transportation of
17 things; \$2,279,500,000, to remain available for obligation
18 until September 30, 1999.

19 PROCUREMENT OF AMMUNITION, AIR FORCE

20 For construction, procurement, production, and
21 modification of ammunition, and accessories therefor; spe-
22 cialized equipment and training devices; expansion of pub-
23 lic and private plants, including ammunition facilities au-
24 thorized by section 2854, title 10, United States Code, and
25 the land necessary therefor, for the foregoing purposes;

1 and such lands and interests therein, may be acquired,
2 and construction prosecuted thereon prior to approval of
3 title; and procurement and installation of equipment, ap-
4 pliances, and machine tools in public and private plants;
5 reserve plant and Government and contractor-owned
6 equipment layaway; and other expenses necessary for the
7 foregoing purposes; \$272,177,000, to remain available for
8 obligation until September 30, 1999.

9 OTHER PROCUREMENT, AIR FORCE

10 For procurement and modification of equipment (in-
11 cluding ground guidance and electronic control equipment,
12 and ground electronic and communication equipment),
13 and supplies, materials, and spare parts therefor, not oth-
14 erwise provided for; the purchase of not to exceed 506 pas-
15 senger motor vehicles for replacement only; the purchase
16 of 1 vehicle required for physical security of personnel;
17 notwithstanding price limitations applicable to passenger
18 vehicles but not to exceed \$287,000 per vehicle; and ex-
19 pansion of public and private plants; Government-owned
20 equipment and installation thereof in such plants; erection
21 of structures; and acquisition of land, for the foregoing
22 purposes; and such lands and interests therein, may be
23 acquired; and construction prosecuted thereon, prior to
24 approval of title; reserve plant and Government and con-

1 tractor-owned equipment layaway; ~~\$6,078,539,000~~, to re-
2 main available for obligation until September 30, 1999.

3 ~~PROCUREMENT, DEFENSE-WIDE~~

4 For expenses of activities and agencies of the Depart-
5 ment of Defense (other than the military departments)
6 necessary for procurement, production, and modification
7 of equipment, supplies, materials, and spare parts there-
8 for, not otherwise provided for; the purchase of not to ex-
9 ceed ~~389~~ passenger motor vehicles for replacement only;
10 the purchase of ~~2~~ vehicles required for physical security
11 of personnel, notwithstanding price limitations applicable
12 to passenger vehicles, but not to exceed \$200,000 per vehi-
13 cle; expansion of public and private plants, equipment, and
14 installation thereof in such plants, erection of structures,
15 and acquisition of land for the foregoing purposes, and
16 such lands and interests therein, may be acquired, and
17 construction prosecuted thereon prior to approval of title;
18 reserve plant and Government and contractor-owned
19 equipment layaway; ~~\$2,247,812,000~~, to remain available
20 for obligation until September 30, 1999: *Provided*, That
21 of the funds appropriated in this paragraph,
22 ~~\$357,600,000~~ shall not be obligated or expended until au-
23 thorized by law.

1 priated in this paragraph, \$194,558,000 shall not be obli-
2 gated or expended until authorized by law.

3 ~~RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,~~

4 ~~NAVY~~

5 For expenses necessary for basic and applied sci-
6 entific research, development, test and evaluation, includ-
7 ing maintenance, rehabilitation, lease, and operation of fa-
8 cilities and equipment, as authorized by law;
9 \$8,399,357,000, to remain available for obligation until
10 September 30, 1998: *Provided*, That funds appropriated
11 in this paragraph which are available for the V-22 may
12 be used to meet unique requirements of the Special Oper-
13 ations Forces: *Provided further*, That of the funds appro-
14 priated in this paragraph, \$209,400,000 shall not be obli-
15 gated or expended until authorized by law.

16 ~~RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,~~

17 ~~AIR FORCE~~

18 For expenses necessary for basic and applied sci-
19 entific research, development, test and evaluation, includ-
20 ing maintenance, rehabilitation, lease, and operation of fa-
21 cilities and equipment, as authorized by law;
22 \$14,869,573,000, to remain available for obligation until
23 September 30, 1998: *Provided*, That of the funds made
24 available in this paragraph, \$25,000,000 shall be only for
25 development of reusable launch vehicle technologies: *Pro-*

1 ~~vided further,~~ That of the funds appropriated in this para-
2 graph, \$1,598,486,000 shall not be obligated or expended
3 until authorized by law.

4 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION,
5 DEFENSE-WIDE

6 For expenses of activities and agencies of the Depart-
7 ment of Defense (other than the military departments),
8 necessary for basic and applied scientific research, devel-
9 opment, test and evaluation; advanced research projects
10 as may be designated and determined by the Secretary
11 of Defense, pursuant to law; maintenance, rehabilitation,
12 lease, and operation of facilities and equipment, as author-
13 ized by law; \$9,068,558,000, to remain available for obli-
14 gation until September 30, 1998: *Provided,* That not less
15 than \$304,171,000 of the funds appropriated in this para-
16 graph shall be made available only for the Sea-Based Wide
17 Area Defense (Navy Upper-Tier) program.

18 DEVELOPMENTAL TEST AND EVALUATION; DEFENSE

19 For expenses, not otherwise provided for, of inde-
20 pendent activities of the Director, Test and Evaluation in
21 the direction and supervision of developmental test and
22 evaluation, including performance and joint developmental
23 testing and evaluation; and administrative expenses in
24 connection therewith; \$272,038,000, to remain available
25 for obligation until September 30, 1998: *Provided,* That

1 of the funds appropriated in this paragraph, \$20,000,000
2 shall not be obligated or expended until authorized by law.

3 ~~OPERATIONAL TEST AND EVALUATION, DEFENSE~~

4 For expenses, not otherwise provided for, necessary
5 for the independent activities of the Director, Operational
6 Test and Evaluation in the direction and supervision of
7 operational test and evaluation, including initial oper-
8 ational test and evaluation which is conducted prior to,
9 and in support of, production decisions; joint operational
10 testing and evaluation; and administrative expenses in
11 connection therewith; \$26,968,000; to remain available for
12 obligation until September 30, 1998: *Provided*, That of the
13 funds appropriated in this paragraph, \$5,000,000 shall
14 not be obligated or expended until authorized by law.

15 ~~TITLE V~~

16 ~~REVOLVING AND MANAGEMENT FUNDS~~

17 ~~DEFENSE BUSINESS OPERATIONS FUND~~

18 For the Defense Business Operations Fund;
19 \$947,900,000.

20 ~~NATIONAL DEFENSE SEALIFT FUND~~

21 For National Defense Sealift Fund programs (includ-
22 ing the development and acquisition of lighterage);
23 projects, and activities, and for expenses of the National
24 Defense Reserve Fleet, as established by section 11 of the
25 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744);

1 ~~\$1,904,002,000~~, to remain available until expended: *Pro-*
2 *vided*, That none of the funds provided in this paragraph
3 shall be used to award a new contract that provides for
4 the acquisition of any of the following major components
5 unless such components are manufactured in the United
6 States: auxiliary equipment, including pumps, for all ship-
7 board services; propulsion system components (that is, en-
8 gines, reduction gears, and propellers); shipboard cranes;
9 and spreaders for shipboard cranes: *Provided further*, That
10 the exercise of an option in a contract awarded through
11 the obligation of previously appropriated funds shall not
12 be considered to be the award of a new contract: *Provided*
13 *further*, That the Secretary of the military department re-
14 sponsible for such procurement may waive these restric-
15 tions on a case-by-case basis by certifying in writing to
16 the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate, that adequate domestic sup-
18 plies are not available to meet Department of Defense re-
19 quirements on a timely basis and that such an acquisition
20 must be made in order to acquire capability for national
21 security purposes: *Provided further*, That of the funds ap-
22 propriated in this paragraph, ~~\$781,000,000~~ shall not be
23 obligated or expended until authorized by law.

1 TITLE VI
2 OTHER DEPARTMENT OF DEFENSE PROGRAMS
3 DEFENSE HEALTH PROGRAM

4 For expenses, not otherwise provided for, for medical
5 and health care programs of the Department of Defense,
6 as authorized by law; \$9,667,658,000, of which
7 \$9,398,188,000 shall be for Operation and maintenance,
8 of which not to exceed three percent shall remain available
9 until September 30, 1998; and of which \$269,470,000, to
10 remain available for obligation until September 30, 1999,
11 shall be for Procurement: *Provided*, That notwithstanding
12 any other provision of law, of the funds provided under
13 this heading, the Secretary of Defense is directed to use
14 and obligate, within thirty days of enactment of this Act,
15 not less than \$3,400,000 only to permit private sector or
16 non-Federal physicians who have used and will use the
17 antibacterial treatment method based upon the excretion
18 of dead and decaying spherical bacteria to work in con-
19 junction with the Walter Reed Army Medical Center on
20 a treatment protocol and related studies for Desert Storm
21 Syndrome affected veterans.

22 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
23 DEFENSE

24 For expenses, not otherwise provided for, necessary
25 for the destruction of the United States stockpile of lethal

1 chemical agents and munitions in accordance with the pro-
2 visions of section 1412 of the Department of Defense Au-
3 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
4 struction of other chemical warfare materials that are not
5 in the chemical weapon stockpile, \$799,847,000, of which
6 \$477,947,000 shall be for Operation and maintenance,
7 \$273,600,000 shall be for Procurement to remain avail-
8 able until September 30, 1999, and \$48,300,000 shall be
9 for Research, development, test and evaluation to remain
10 available until September 30, 1998.

11 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

12 DEFENSE

13 (INCLUDING TRANSFER OF FUNDS)

14 For drug interdiction and counter-drug activities of
15 the Department of Defense, for transfer to appropriations
16 available to the Department of Defense for military per-
17 sonnel of the reserve components serving under the provi-
18 sions of title 10 and title 32, United States Code; for Op-
19 eration and maintenance; for Procurement; and for Re-
20 search, development, test and evaluation; \$774,724,000:
21 *Provided*, That the funds appropriated by this paragraph
22 shall be available for obligation for the same time period
23 and for the same purpose as the appropriation to which
24 transferred: *Provided further*, That the transfer authority
25 provided in this paragraph is in addition to any transfer

1 authority contained elsewhere in this Act: *Provided fur-*
2 *ther*, That of the funds appropriated in this paragraph,
3 \$92,000,000 shall not be obligated or expended until au-
4 thorized by law.

5 OFFICE OF THE INSPECTOR GENERAL

6 For expenses and activities of the Office of the In-
7 spector General in carrying out the provisions of the In-
8 spector General Act of 1978, as amended; \$138,501,000,
9 of which \$136,501,000 shall be for Operation and mainte-
10 nance, of which not to exceed \$400,000 is available for
11 emergencies and extraordinary expenses to be expended on
12 the approval or authority of the Inspector General, and
13 payments may be made on his certificate of necessity for
14 confidential military purposes; and of which \$2,000,000,
15 to remain available until September 30, 1999, shall be for
16 Procurement.

17 TITLE VII

18 RELATED AGENCIES

19 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
20 DISABILITY SYSTEM FUND

21 For payment to the Central Intelligence Agency Re-
22 tirement and Disability System Fund; to maintain proper
23 funding level for continuing the operation of the Central
24 Intelligence Agency Retirement and Disability System;
25 \$196,400,000.

1 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

2 For necessary expenses of the Intelligence Commu-
3 nity Management Account; \$149,555,000.

4 PAYMENT TO KAHO'OLAWA ISLAND CONVEYANCE, RE-
5 MEDIATION, AND ENVIRONMENTAL RESTORATION
6 FUND

7 For payment to Kaho'olawe Island Conveyance, Re-
8 mediation, and Environmental Restoration Fund, as au-
9 thorized by law; \$10,000,000, to remain available until ex-
10 pended.

11 TITLE VIII

12 GENERAL PROVISIONS

13 SEC. 8001. No part of any appropriation contained
14 in this Act shall be used for publicity or propaganda pur-
15 poses not authorized by the Congress.

16 SEC. 8002. During the current fiscal year, provisions
17 of law prohibiting the payment of compensation to, or em-
18 ployment of, any person not a citizen of the United States
19 shall not apply to personnel of the Department of Defense:
20 *Provided,* That salary increases granted to direct and indi-
21 rect hire foreign national employees of the Department of
22 Defense funded by this Act shall not be at a rate in excess
23 of the percentage increase authorized by law for civilian
24 employees of the Department of Defense whose pay is
25 computed under the provisions of section 5332 of title 5,

1 United States Code, or at a rate in excess of the percent-
2 age increase provided by the appropriate host nation to
3 its own employees, whichever is higher: *Provided further,*
4 That this section shall not apply to Department of De-
5 fense foreign service national employees serving at United
6 States diplomatic missions whose pay is set by the Depart-
7 ment of State under the Foreign Service Act of 1980: *Pro-*
8 *vided further,* That the limitations of this provision shall
9 not apply to foreign national employees of the Department
10 of Defense in the Republic of Turkey.

11 SEC. 8003. No part of any appropriation contained
12 in this Act shall remain available for obligation beyond
13 the current fiscal year, unless expressly so provided herein.

14 SEC. 8004. No more than 20 per centum of the ap-
15 propriations in this Act which are limited for obligation
16 during the current fiscal year shall be obligated during
17 the last two months of the fiscal year: *Provided,* That this
18 section shall not apply to obligations for support of active
19 duty training of reserve components or summer camp
20 training of the Reserve Officers' Training Corps.

21 (TRANSFER OF FUNDS)

22 SEC. 8005. Upon determination by the Secretary of
23 Defense that such action is necessary in the national inter-
24 est, he may, with the approval of the Office of Manage-
25 ment and Budget, transfer not to exceed \$2,000,000,000

1 of working capital funds of the Department of Defense
2 or funds made available in this Act to the Department
3 of Defense for military functions (except military con-
4 struction) between such appropriations or funds or any
5 subdivision thereof, to be merged with and to be available
6 for the same purposes, and for the same time period, as
7 the appropriation or fund to which transferred: *Provided*;
8 That such authority to transfer may not be used unless
9 for higher priority items, based on unforeseen military re-
10 quirements, than those for which originally appropriated
11 and in no case where the item for which funds are re-
12 quested has been denied by Congress: *Provided further*;
13 That the Secretary of Defense shall notify the Congress
14 promptly of all transfers made pursuant to this authority
15 or any other authority in this Act: *Provided further*; That
16 no part of the funds in this Act shall be available to pre-
17 pare or present a request to the Committees on Appropria-
18 tions for reprogramming of funds, unless for higher prior-
19 ity items, based on unforeseen military requirements, than
20 those for which originally appropriated and in no case
21 where the item for which reprogramming is requested has
22 been denied by the Congress.

23 (TRANSFER OF FUNDS)

24 SEC. 8006. During the current fiscal year, cash bal-
25 ances in working capital funds of the Department of De-

1 fense established pursuant to section 2208 of title 10,
2 United States Code, may be maintained in only such
3 amounts as are necessary at any time for cash disburse-
4 ments to be made from such funds: *Provided*, That trans-
5 fers may be made between such funds and the “Foreign
6 Currency Fluctuations, Defense” and “Operation and
7 Maintenance” appropriation accounts in such amounts as
8 may be determined by the Secretary of Defense, with the
9 approval of the Office of Management and Budget, except
10 that such transfers may not be made unless the Secretary
11 of Defense has notified the Congress of the proposed
12 transfer. Except in amounts equal to the amounts appro-
13 priated to working capital funds in this Act, no obligations
14 may be made against a working capital fund to procure
15 or increase the value of war reserve material inventory,
16 unless the Secretary of Defense has notified the Congress
17 prior to any such obligation.

18 SEC. 8007. Funds appropriated by this Act may not
19 be used to initiate a special access program without prior
20 notification 30 calendar days in session in advance to the
21 congressional defense committees.

22 SEC. 8008. None of the funds contained in this Act
23 available for the Civilian Health and Medical Program of
24 the Uniformed Services shall be available for payments to
25 physicians and other non-institutional health care provid-

1 ers in excess of the amounts allowed in fiscal year 1996
2 for similar services, except that: (a) for services for which
3 the Secretary of Defense determines an increase is justi-
4 fied by economic circumstances, the allowable amounts
5 may be increased in accordance with appropriate economic
6 index data similar to that used pursuant to title XVIII
7 of the Social Security Act; and (b) for services the Sec-
8 retary determines are overpriced based on allowable pay-
9 ments under title XVIII of the Social Security Act, the
10 allowable amounts shall be reduced by not more than 15
11 percent (except that the reduction may be waived if the
12 Secretary determines that it would impair adequate access
13 to health care services for beneficiaries). The Secretary
14 shall solicit public comment prior to promulgating regula-
15 tions to implement this section. Such regulations shall in-
16 clude a limitation, similar to that used under title XVIII
17 of the Social Security Act, on the extent to which a pro-
18 vider may bill a beneficiary an actual charge in excess of
19 the allowable amount.

20 SEC. 8009. None of the funds provided in this Act
21 shall be available to initiate (1) a multiyear contract that
22 employs economic order quantity procurement in excess of
23 \$20,000,000 in any one year of the contract or that in-
24 cludes an unfunded contingent liability in excess of
25 \$20,000,000, or (2) a contract for advance procurement

1 leading to a multiyear contract that employs economic
2 order quantity procurement in excess of \$20,000,000 in
3 any one year, unless the congressional defense committees
4 have been notified at least thirty days in advance of the
5 proposed contract award: *Provided*, That no part of any
6 appropriation contained in this Act shall be available to
7 initiate a multiyear contract for which the economic order
8 quantity advance procurement is not funded at least to
9 the limits of the Government's liability: *Provided further*,
10 That no part of any appropriation contained in this Act
11 shall be available to initiate multiyear procurement con-
12 tracts for any systems or component thereof if the value
13 of the multiyear contract would exceed \$500,000,000 un-
14 less specifically provided in this Act: *Provided further*,
15 That no multiyear procurement contract can be termi-
16 nated without 10-day prior notification to the congres-
17 sional defense committees: *Provided further*, That the exe-
18 cution of multiyear authority shall require the use of a
19 present value analysis to determine lowest cost compared
20 to an annual procurement.

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

- 23 Javelin missiles;
- 24 Army Tactical Missile System (ATACMS);
- 25 MK19-3 grenade machine guns;

1 M16A2 rifles;
2 M249 Squad Automatic Weapons;
3 M4 carbine rifles; and
4 M240B machine guns.

5 SEC. 8010. Within the funds appropriated for the op-
6 eration and maintenance of the Armed Forces, funds are
7 hereby appropriated pursuant to section 401 of title 10,
8 United States Code, for humanitarian and civic assistance
9 costs under chapter 20 of title 10, United States Code.
10 Such funds may also be obligated for humanitarian and
11 civic assistance costs incidental to authorized operations
12 and pursuant to authority granted in section 401 of chap-
13 ter 20 of title 10, United States Code, and these obliga-
14 tions shall be reported to Congress on September 30 of
15 each year: *Provided*, That funds available for operation
16 and maintenance shall be available for providing humani-
17 tarian and similar assistance by using Civic Action Teams
18 in the Trust Territories of the Pacific Islands and freely
19 associated states of Micronesia, pursuant to the Compact
20 of Free Association as authorized by Public Law 99-239:
21 *Provided further*, That upon a determination by the Sec-
22 retary of the Army that such action is beneficial for grad-
23 uate medical education programs conducted at Army med-
24 ical facilities located in Hawaii, the Secretary of the Army
25 may authorize the provision of medical services at such

1 facilities and transportation to such facilities, on a non-
2 reimbursable basis, for civilian patients from American
3 Samoa, the Commonwealth of the Northern Mariana Is-
4 lands, the Marshall Islands, the Federated States of Mi-
5 cronesia, Palau, and Guam.

6 SEC. 8011. (a) During fiscal year 1997, the civilian
7 personnel of the Department of Defense may not be man-
8 aged on the basis of any end-strength, and the manage-
9 ment of such personnel during that fiscal year shall not
10 be subject to any constraint or limitation (known as an
11 end-strength) on the number of such personnel who may
12 be employed on the last day of such fiscal year.

13 (b) The fiscal year 1998 budget request for the De-
14 partment of Defense as well as all justification material
15 and other documentation supporting the fiscal year 1998
16 Department of Defense budget request shall be prepared
17 and submitted to the Congress as if subsections (a) and
18 (b) of this provision were effective with regard to fiscal
19 year 1998.

20 (c) Nothing in this section shall be construed to apply
21 to military (civilian) technicians.

22 SEC. 8012. Notwithstanding any other provision of
23 law, none of the funds made available by this Act shall
24 be used by the Department of Defense to exceed, outside
25 the fifty United States, its territories, and the District of

1 Columbia, 125,000 civilian workyears. *Provided*, That
2 workyears shall be applied as defined in the Federal Per-
3 sonnel Manual. *Provided further*, That workyears ex-
4 pended in dependent student hiring programs for dis-
5 advantaged youths shall not be included in this workyear
6 limitation.

7 SEC. 8013. None of the funds made available by this
8 Act shall be used in any way, directly or indirectly, to in-
9 fluence congressional action on any legislation or appro-
10 priation matters pending before the Congress.

11 SEC. 8014. (a) None of the funds appropriated by
12 this Act shall be used to make contributions to the Depart-
13 ment of Defense Education Benefits Fund pursuant to
14 section 2006(g) of title 10, United States Code, represent-
15 ing the normal cost for future benefits under section
16 3015(e) of title 38, United States Code, for any member
17 of the armed services who, on or after the date of enact-
18 ment of this Act—

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

21 (2) receives an enlistment bonus under section
22 308a or 308f of title 37, United States Code;

23 nor shall any amounts representing the normal cost of
24 such future benefits be transferred from the Fund by the
25 Secretary of the Treasury to the Secretary of Veterans

1 Affairs pursuant to section 2006(d) of title 10, United
2 States Code; nor shall the Secretary of Veterans Affairs
3 pay such benefits to any such member: *Provided*, That in
4 the case of a member covered by clause (1), these limita-
5 tions shall not apply to members in combat arms skills
6 or to members who enlist in the armed services on or after
7 July 1, 1989, under a program continued or established
8 by the Secretary of Defense in fiscal year 1991 to test
9 the cost-effective use of special recruiting incentives in-
10 volving not more than nineteen noncombat arms skills ap-
11 proved in advance by the Secretary of Defense: *Provided*
12 *further*, That this subsection applies only to active compo-
13 nents of the Army.

14 (b) None of the funds appropriated by this Act shall
15 be available for the basic pay and allowances of any mem-
16 ber of the Army participating as a full-time student and
17 receiving benefits paid by the Secretary of Veterans Af-
18 fairs from the Department of Defense Education Benefits
19 Fund when time spent as a full-time student is credited
20 toward completion of a service commitment: *Provided*,
21 That this subsection shall not apply to those members who
22 have reenlisted with this option prior to October 1, 1987:
23 *Provided further*, That this subsection applies only to ac-
24 tive components of the Army.

1 a Mentor-Protege Program developmental assistance
2 agreement pursuant to section 831 of the National De-
3 fense Authorization Act for Fiscal Year 1991 (Public Law
4 101-510; 10 U.S.C. 2301 note), as amended, under the
5 authority of this provision or any other transfer authority
6 contained in this Act.

7 SEC. 8017. None of the funds in this Act may be
8 available for the purchase by the Department of Defense
9 (and its departments and agencies) of welded shipboard
10 anchor and mooring chain 4 inches in diameter and under
11 unless the anchor and mooring chain are manufactured
12 in the United States from components which are substan-
13 tially manufactured in the United States: *Provided*, That
14 for the purpose of this section manufactured will include
15 cutting, heat treating, quality control, testing of chain and
16 welding (including the forging and shot blasting process):
17 *Provided further*, That for the purpose of this section sub-
18 stantially all of the components of anchor and mooring
19 chain shall be considered to be produced or manufactured
20 in the United States if the aggregate cost of the compo-
21 nents produced or manufactured in the United States ex-
22 ceeds the aggregate cost of the components produced or
23 manufactured outside the United States: *Provided further*,
24 That when adequate domestic supplies are not available
25 to meet Department of Defense requirements on a timely

1 basis, the Secretary of the service responsible for the pro-
2 curement may waive this restriction on a case-by-case
3 basis by certifying in writing to the Committees on Appro-
4 priations that such an acquisition must be made in order
5 to acquire capability for national security purposes.

6 SEC. 8018. None of the funds appropriated by this
7 Act available for the Civilian Health and Medical Program
8 of the Uniformed Services (CHAMPUS) shall be available
9 for the reimbursement of any health care provider for in-
10 patient mental health service for care received when a pa-
11 tient is referred to a provider of inpatient mental health
12 care or residential treatment care by a medical or health
13 care professional having an economic interest in the facil-
14 ity to which the patient is referred: *Provided*, That this
15 limitation does not apply in the case of inpatient mental
16 health services provided under the program for the handi-
17 capped under subsection (d) of section 1079 of title 10,
18 United States Code, provided as partial hospital care, or
19 provided pursuant to a waiver authorized by the Secretary
20 of Defense because of medical or psychological cir-
21 cumstances of the patient that are confirmed by a health
22 professional who is not a Federal employee after a review,
23 pursuant to rules prescribed by the Secretary, which takes
24 into account the appropriate level of care for the patient,

1 the intensity of services required by the patient, and the
2 availability of that care.

3 SEC. 8019. Funds available in this Act may be used
4 to provide transportation for the next-of-kin of individuals
5 who have been prisoners of war or missing in action from
6 the Vietnam era to an annual meeting in the United
7 States, under such regulations as the Secretary of Defense
8 may prescribe.

9 SEC. 8020. Notwithstanding any other provision of
10 law, during the current fiscal year, the Secretary of De-
11 fense may, by Executive Agreement, establish with host
12 nation governments in NATO member states a separate
13 account into which such residual value amounts negotiated
14 in the return of United States military installations in
15 NATO member states may be deposited, in the currency
16 of the host nation, in lieu of direct monetary transfers to
17 the United States Treasury: *Provided*, That such credits
18 may be utilized only for the construction of facilities to
19 support United States military forces in that host nation,
20 or such real property maintenance and base operating
21 costs that are currently executed through monetary trans-
22 fers to such host nations: *Provided further*, That the De-
23 partment of Defense's budget submission for fiscal year
24 1998 shall identify such sums anticipated in residual value
25 settlements, and identify such construction, real property

1 maintenance or base operating costs that shall be funded
2 by the host nation through such credits: *Provided further,*
3 That all military construction projects to be executed from
4 such accounts must be previously approved in a prior Act
5 of Congress: *Provided further,* That each such Executive
6 Agreement with a NATO member host nation shall be re-
7 ported to the congressional defense committees, the Com-
8 mittee on International Relations of the House of Rep-
9 resentatives and the Committee on Foreign Relations of
10 the Senate thirty days prior to the conclusion and endorse-
11 ment of any such agreement established under this provi-
12 sion.

13 SEC. 8021. None of the funds available to the De-
14 partment of Defense may be used to demilitarize or dis-
15 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
16 .22 caliber rifles, or M-1911 pistols.

17 SEC. 8022. Notwithstanding any other provision of
18 law, none of the funds appropriated by this Act shall be
19 available to pay more than 50 percent of an amount paid
20 to any person under section 308 of title 37, United States
21 Code, in a lump sum.

22 SEC. 8023. None of the funds appropriated by this
23 Act shall be available for payments under the Department
24 of Defense contract with the Louisiana State University
25 Medical Center involving the use of cats for Brain Missile

1 Wound Research, and the Department of Defense shall
2 not make payments under such contract from funds obli-
3 gated prior to the date of the enactment of this Act, except
4 as necessary for costs incurred by the contractor prior to
5 the enactment of this Act: *Provided*, That funds necessary
6 for the care of animals covered by this contract are al-
7 lowed.

8 SEC. 8024. None of the funds provided in this Act
9 or any other Act shall be available to conduct bone trauma
10 research at any Army Research Laboratory until the Sec-
11 retary of the Army certifies that the synthetic compound
12 to be used in the experiments is of such a type that its
13 use will result in a significant medical finding; the re-
14 search has military application; the research will be con-
15 ducted in accordance with the standards set by an animal
16 care and use committee; and the research does not dupli-
17 cate research already conducted by a manufacturer or any
18 other research organization.

19 SEC. 8025. No more than \$500,000 of the funds ap-
20 propriated or made available in this Act shall be used for
21 any single relocation of an organization, unit, activity or
22 function of the Department of Defense into or within the
23 National Capital Region: *Provided*, That the Secretary of
24 Defense may waive this restriction on a case-by-case basis
25 by certifying in writing to the Committees on Appropria-

1 tions of the House of Representatives and Senate that
2 such a relocation is required in the best interest of the
3 Government.

4 SEC. 8026. During the current fiscal year, funds ap-
5 propriated or otherwise available for any Federal agency,
6 the Congress, the judicial branch, or the District of Co-
7 lumbia may be used for the pay, allowances, and benefits
8 of an employee as defined by section 2105 of title 5 or
9 an individual employed by the government of the District
10 of Columbia, permanent or temporary indefinite, who—

11 (1) is a member of a Reserve component of the
12 Armed Forces, as described in section 261 of title
13 10, or the National Guard, as described in section
14 101 of title 32;

15 (2) performs, for the purpose of providing mili-
16 tary aid to enforce the law or providing assistance
17 to civil authorities in the protection or saving of life
18 or property or prevention of injury—

19 (A) Federal service under section 331,
20 332, 333, or 12406 of title 10, or other provi-
21 sion of law, as applicable; or

22 (B) full-time military service for his State,
23 the District of Columbia, the Commonwealth of
24 Puerto Rico, or a territory of the United States;
25 and

1 ~~(3)~~ requests and is granted—

2 (A) leave under the authority of this sec-
3 tion; or

4 (B) annual leave, which may be granted
5 without regard to the provisions of sections
6 ~~5519~~ and ~~6323(b)~~ of title ~~5~~, if such employee
7 is otherwise entitled to such annual leave:

8 *Provided,* That any employee who requests leave under
9 subsection ~~(3)~~(A) for service described in subsection ~~(2)~~
10 of this section is entitled to such leave, subject to the pro-
11 visions of this section and of the last sentence of section
12 ~~6323(b)~~ of title ~~5~~, and such leave shall be considered leave
13 under section ~~6323(b)~~ of title ~~5~~.

14 SEC. 8027. None of the funds appropriated by this
15 Act shall be available to perform any cost study pursuant
16 to the provisions of OMB Circular A-76 if the study being
17 performed exceeds a period of twenty-four months after
18 initiation of such study with respect to a single function
19 activity or forty-eight months after initiation of such study
20 for a multi-function activity.

21 SEC. 8028. Funds appropriated by this Act for the
22 American Forces Information Service shall not be used for
23 any national or international political or psychological ac-
24 tivities.

1 ~~SEC. 8029.~~ Notwithstanding any other provision of
2 law or regulation, the Secretary of Defense may adjust
3 wage rates for civilian employees hired for certain health
4 care occupations as authorized for the Secretary of Veter-
5 ans Affairs by section 7455 of title 38, United States
6 Code.

7 ~~SEC. 8030.~~ None of the funds appropriated or made
8 available in this Act shall be used to reduce or disestablish
9 the operation of the 53rd Weather Reconnaissance Squad-
10 ron of the Air Force Reserve, if such action would reduce
11 the WC-130 Weather Reconnaissance mission below the
12 levels funded in this Act.

13 ~~SEC. 8031.~~ (a) Of the funds for the procurement of
14 supplies or services appropriated by this Act, qualified
15 nonprofit agencies for the blind or other severely handi-
16 capped shall be afforded the maximum practicable oppor-
17 tunity to participate as subcontractors and suppliers in the
18 performance of contracts let by the Department of De-
19 fense.

20 (b) During the current fiscal year, a business concern
21 which has negotiated with a military service or defense
22 agency a subcontracting plan for the participation by
23 small business concerns pursuant to section 8(d) of the
24 Small Business Act (15 U.S.C. 637(d)) shall be given
25 credit toward meeting that subcontracting goal for any

1 purchases made from qualified nonprofit agencies for the
2 blind or other severely handicapped.

3 (c) For the purpose of this section, the phrase “quali-
4 fied nonprofit agency for the blind or other severely handi-
5 capped” means a nonprofit agency for the blind or other
6 severely handicapped that has been approved by the Com-
7 mittee for the Purchase from the Blind and Other Severely
8 Handicapped under the Javits-Wagner-O’Day Act (41
9 U.S.C. 46–48).

10 ~~SEC. 8032.~~ During the current fiscal year, net re-
11 ceipts pursuant to collections from third party payers pur-
12 suant to section 1095 of title 10, United States Code, shall
13 be made available to the local facility of the uniformed
14 services responsible for the collections and shall be over
15 and above the facility’s direct budget amount.

16 ~~SEC. 8033.~~ During the current fiscal year, the De-
17 partment of Defense is authorized to incur obligations of
18 not to exceed \$350,000,000 for purposes specified in sec-
19 tion 2350j(c) of title 10, United States Code, in anticipa-
20 tion of receipt of contributions, only from the Government
21 of Kuwait, under that section: *Provided*, That, upon re-
22 ceipt, such contributions from the Government of Kuwait
23 shall be credited to the appropriation or fund which in-
24 curred such obligations.

1 SEC. 8034. Of the funds made available in this Act,
2 not less than \$22,700,000 shall be available for the Civil
3 Air Patrol, of which \$15,426,000 shall be available for Op-
4 eration and Maintenance.

5 SEC. 8035. (a) None of the funds appropriated in this
6 Act are available to establish a new Department of De-
7 fense Federally Funded Research and Development Cen-
8 ter (FFRDC), either as a new entity, or as a separate
9 entity administered by an organization managing another
10 FFRDC, or as a nonprofit membership corporation con-
11 sisting of a consortium of other FFRDCs and other non-
12 profit entities.

13 (b) LIMITATION ON COMPENSATION.—No member of
14 a Board of Directors, Trustees, Overseers, Advisory
15 Group, Special Issues Panel, Visiting Committee, or any
16 similar entity of a defense FFRDC, and no paid consult-
17 ant to any defense FFRDC, may be compensated for his
18 or her services as a member of such entity, or as a paid
19 consultant, except under the same conditions, and to the
20 same extent, as members of the Defense Science Board:
21 *Provided*, That a member of any such entity referred to
22 previously in this subsection shall be allowed travel ex-
23 penses and per diem as authorized under the Federal
24 Joint Travel Regulations, when engaged in the perform-
25 ance of membership duties.

1 (e) Notwithstanding any other provision of law, none
2 of the funds available to the Department of Defense from
3 any source during fiscal year 1997 may be used by a de-
4 fense FFRDC, through a fee or other payment mecha-
5 nism, for charitable contributions, for construction of new
6 buildings, for payment of cost sharing for projects funded
7 by government grants, or for absorption of contract over-
8 runs.

9 SEC. 8036. 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 fa-
12 cility or property under the control of the Department of
13 Defense which were not melted and rolled in the United
14 States or Canada: *Provided*, That these procurement re-
15 strictions shall apply to any and all Federal Supply Class
16 9515, American Society of Testing and Materials (ASTM)
17 or American Iron and Steel Institute (AISI) specifications
18 of carbon, alloy or armor steel plate: *Provided further*,
19 That the Secretary of the military department responsible
20 for the procurement may waive this restriction on a case-
21 by-case basis by certifying in writing to the Committees
22 on Appropriations of the House of Representatives and the
23 Senate that adequate domestic supplies are not available
24 to meet Department of Defense requirements on a timely
25 basis and that such an acquisition must be made in order

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

5 SEC. 8037. For the purposes of this Act, the term
6 “congressional defense committees” means the National
7 Security Committee of the House of Representatives, the
8 Armed Services Committee of the Senate, the subcommit-
9 tee on Defense of the Committee on Appropriations of the
10 Senate, and the subcommittee on National Security of the
11 Committee on Appropriations of the House of Representa-
12 tives.

13 SEC. 8038. Notwithstanding any other provision of
14 law, during the current fiscal year, the Department of De-
15 fense may acquire the modification, depot maintenance
16 and repair of aircraft, vehicles and vessels as well as the
17 production of components and other Defense-related arti-
18 cles, through competition between Department of Defense
19 depot maintenance activities and private firms: *Provided*,
20 That the Senior Acquisition Executive of the military de-
21 partment or defense agency concerned, with power of dele-
22 gation, shall certify that successful bids include com-
23 parable estimates of all direct and indirect costs for both
24 public and private bids: *Provided further*, That Office of

1 Management and Budget Circular A-76 shall not apply
2 to competitions conducted under this section.

3 SEC. 8039. (a)(1) If the Secretary of Defense, after
4 consultation with the United States Trade Representative,
5 determines that a foreign country which is party to an
6 agreement described in paragraph (2) has violated the
7 terms of the agreement by discriminating against certain
8 types of products produced in the United States that are
9 covered by the agreement, the Secretary of Defense shall
10 rescind the Secretary's blanket waiver of the Buy Amer-
11 ican Act with respect to such types of products produced
12 in that foreign country.

13 (2) An agreement referred to in paragraph (1) is any
14 reciprocal defense procurement memorandum of under-
15 standing, between the United States and a foreign country
16 pursuant to which the Secretary of Defense has prospec-
17 tively waived the Buy American Act for certain products
18 in that country.

19 (b) The Secretary of Defense shall submit to Con-
20 gress a report on the amount of Department of Defense
21 purchases from foreign entities in fiscal year 1997. Such
22 report shall separately indicate the dollar value of items
23 for which the Buy American Act was waived pursuant to
24 any agreement described in subsection (a)(2), the Trade
25 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any

1 international agreement to which the United States is a
2 party.

3 (c) For purposes of this section, the term “Buy
4 American Act” means title III of the Act entitled “An Act
5 making appropriations for the Treasury and Post Office
6 Departments for the fiscal year ending June 30, 1934,
7 and for other purposes”, approved March 3, 1933 (41
8 U.S.C. 10a et seq.).

9 SEC. 8040. Appropriations contained in this Act that
10 remain available at the end of the current fiscal year as
11 a result of energy cost savings realized by the Department
12 of Defense shall remain available for obligation for the
13 next fiscal year to the extent, and for the purposes, pro-
14 vided in section 2865 of title 10, United States Code.

15 SEC. 8041. During the current fiscal year and here-
16 after, voluntary separation incentives payable under 10
17 U.S.C. 1175 may be paid in such amounts as are nec-
18 essary from the assets of the Voluntary Separation Incen-
19 tive Fund established by section 1175(h)(1).

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8042. Amounts deposited during the current fis-
22 cal year to the special account established under 40 U.S.C.
23 485(h)(2) and to the special account established under 40
24 U.S.C. 2667(d)(1) are appropriated and shall be available
25 until transferred by the Secretary of Defense to current

1 applicable appropriations or funds of the Department of
2 Defense under the terms and conditions specified by 40
3 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C.
4 2667(d)(1)(B), to be merged with and to be available for
5 the same time period and the same purposes as the appro-
6 priation to which transferred.

7 ~~SEC. 8043.~~ During the current fiscal year, appropria-
8 tions available to the Department of Defense may be used
9 to reimburse a member of a reserve component of the
10 Armed Forces who is not otherwise entitled to travel and
11 transportation allowances and who occupies transient gov-
12 ernment housing while performing active duty for training
13 or inactive duty training: *Provided,* That such members
14 may be provided lodging in kind if transient government
15 quarters are unavailable as if the member was entitled to
16 such allowances under subsection (a) of section 404 of title
17 37, United States Code: *Provided further,* That if lodging
18 in kind is provided, any authorized service charge or cost
19 of such lodging may be paid directly from funds appro-
20 priated for operation and maintenance of the reserve com-
21 ponent of the member concerned.

22 ~~SEC. 8044.~~ The President shall include with each
23 budget for a fiscal year submitted to the Congress under
24 section 1105 of title 31, United States Code, materials
25 that shall identify clearly and separately the amounts re-

1 requested in the budget for appropriation for that fiscal year
2 for salaries and expenses related to administrative activi-
3 ties of the Department of Defense, the military depart-
4 ments, and the Defense Agencies.

5 SEC. 8045. During the current fiscal year, amounts
6 contained in the Department of Defense Overseas Military
7 Facility Investment Recovery Account established by sec-
8 tion 2921(e)(1) of the National Defense Authorization Act
9 of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall
10 be available until expended for the payments specified by
11 section 2921(e)(2) of that Act.

12 SEC. 8046. During the current fiscal year and here-
13 after, annual payments granted under the provisions of
14 section 4416 of the National Defense Authorization Act
15 for Fiscal Year 1993 (Public Law 102-428; 106 Stat.
16 2714) shall be made from appropriations in this Act which
17 are available for the pay of reserve component personnel.

18 SEC. 8047. Of the funds appropriated or otherwise
19 made available by this Act, not more than \$119,200,000
20 shall be available for payment of the operating costs of
21 NATO Headquarters: *Provided*, That the Secretary of De-
22 fense may waive this section for Department of Defense
23 support provided to NATO forces in and around the
24 former Yugoslavia.

1 SEC. 8048. During the current fiscal year, appropria-
2 tions which are available to the Department of Defense
3 for operation and maintenance may be used to purchase
4 items having an investment item unit cost of not more
5 than \$100,000.

6 SEC. 8049. During the current fiscal year and here-
7 after, appropriations available for the pay and allowances
8 of active duty members of the Armed Forces shall be avail-
9 able to pay the retired pay which is payable pursuant to
10 section 4403 of Public Law 102-484 (10 U.S.C. 1293
11 note) under the terms and conditions provided in section
12 4403.

13 SEC. 8050. (a) During the current fiscal year, none
14 of the appropriations or funds available to the Defense
15 Business Operations Fund shall be used for the purchase
16 of an investment item for the purpose of acquiring a new
17 inventory item for sale or anticipated sale during the cur-
18 rent fiscal year or a subsequent fiscal year to customers
19 of the Defense Business Operations Fund if such an item
20 would not have been chargeable to the Defense Business
21 Operations Fund during fiscal year 1994 and if the pur-
22 chase of such an investment item would be chargeable dur-
23 ing the current fiscal year to appropriations made to the
24 Department of Defense for procurement.

1 (b) The fiscal year 1998 budget request for the De-
2 partment of Defense as well as all justification material
3 and other documentation supporting the fiscal year 1998
4 Department of Defense budget shall be prepared and sub-
5 mitted to the Congress on the basis that any equipment
6 which was classified as an end item and funded in a pro-
7 curement appropriation contained in this Act shall be
8 budgeted for in a proposed fiscal year 1998 procurement
9 appropriation and not in the supply management business
10 area or any other area or category of the Defense Business
11 Operations Fund.

12 ~~SEC. 8051.~~ None of the funds provided in this Act
13 shall be available for use by a Military Department to
14 modify an aircraft, weapon, ship or other item of equip-
15 ment, that the Military Department concerned plans to
16 retire or otherwise dispose of within five years after com-
17 pletion of the modification: *Provided,* That this prohibition
18 shall not apply to safety modifications: *Provided further,*
19 That this prohibition may be waived by the Secretary of
20 a Military Department if the Secretary determines it is
21 in the best national security interest of the United States
22 to provide such waiver and so notifies the congressional
23 defense committees in writing.

24 ~~SEC. 8052.~~ None of the funds appropriated by this
25 Act for programs of the Central Intelligence Agency shall

1 remain available for obligation beyond the current fiscal
2 year, except for funds appropriated for the Reserve for
3 Contingencies, which shall remain available until Septem-
4 ber 30, 1998.

5 SEC. 8053. Notwithstanding any other provision of
6 law, funds made available in this Act for the Defense In-
7 telligence Agency may be used for the design, develop-
8 ment, and deployment of General Defense Intelligence
9 Program intelligence communications and intelligence in-
10 formation systems for the Services, the Unified and Speci-
11 fied Commands, and the component commands.

12 SEC. 8054. (a) HIGH PERFORMANCE COMPUTING
13 MODERNIZATION PROGRAM.—Of the funds appropriated
14 in this Act under the heading “Procurement, Defense-
15 Wide”, \$143,235,000 shall be made available for the High
16 Performance Computing Modernization Program (referred
17 to in this section as the “program”). Of the funds appro-
18 priated in this Act under the heading “Research, Develop-
19 ment, Test and Evaluation, Defense-Wide”, \$61,380,000
20 shall be made available for the program. Of the total funds
21 made available for the program pursuant to this sub-
22 section, \$20,000,000 shall be for the Army High Perform-
23 ance Computing Research Center.

24 (b) IMPLEMENTATION OF PROGRAM.—The procure-
25 ment funds made available for the program pursuant to

1 subsection (a) shall be used only for the procurement of
2 computer hardware and ancillary equipment for the high
3 performance computing facilities of the Department of De-
4 fense.

5 (c) ANNUAL PUBLICATION OF PROGRAM PLANS.—

6 Hereafter, the Secretary of Defense shall annually pre-
7 pare, and make available to the public, an updated and
8 unclassified program plan and program implementation
9 plan.

10 (d) REDUCTION OF ACQUISITION DELAYS.—Here-

11 after, the Secretary of Defense shall take such actions as
12 may be necessary to minimize delays in the acquisition of
13 computer hardware under the program.

14 SEC. 8055. Amounts collected for the use of the fa-
15 cilities of the National Science Center for Communications
16 and Electronics during the current fiscal year pursuant
17 to section 1459(g) of the Department of Defense Author-
18 ization Act, 1986 and deposited to the special account es-
19 tablished under subsection 1459(g)(2) of that Act are ap-
20 propriated and shall be available until expended for the
21 operation and maintenance of the Center as provided for
22 in subsection 1459(g)(2).

23 SEC. 8056. None of the funds appropriated in this
24 Act may be used to fill the commander's position at any
25 military medical facility with a health care professional

1 unless the prospective candidate can demonstrate profes-
2 sional administrative skills.

3 SEC. 8057. (a) None of the funds appropriated in this
4 Act may be expended by an entity of the Department of
5 Defense unless the entity, in expending the funds, com-
6 plies with the Buy American Act. For purposes of this
7 subsection, the term "Buy American Act" means title III
8 of the Act entitled "An Act making appropriations for the
9 Treasury and Post Office Departments for the fiscal year
10 ending June 30, 1934, and for other purposes", approved
11 March 3, 1933 (41 U.S.C. 10a et seq.).

12 (b) If the Secretary of Defense determines that a per-
13 son has been convicted of intentionally affixing a label
14 bearing a "Made in America" inscription to any product
15 sold in or shipped to the United States that is not made
16 in America, the Secretary shall determine, in accordance
17 with section 2410f of title 10, United States Code, wheth-
18 er the person should be debarred from contracting with
19 the Department of Defense.

20 (c) In the case of any equipment or products pur-
21 chased with appropriations provided under this Act, it is
22 the sense of the Congress that any entity of the Depart-
23 ment of Defense, in expending the appropriation, purchase
24 only American-made equipment and products, provided
25 that American-made equipment and products are cost-

1 competitive, quality-competitive, and available in a timely
2 fashion.

3 SEC. 8058. None of the funds appropriated by this
4 Act shall be available for a contract for studies, analyses,
5 or consulting services entered into without competition on
6 the basis of an unsolicited proposal unless the head of the
7 activity responsible for the procurement determines—

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

11 (2) the purpose of the contract is to explore an
12 unsolicited proposal which offers significant sci-
13 entific or technological promise, represents the prod-
14 uct of original thinking, and was submitted in con-
15 fidence by one source, or

16 (3) the purpose of the contract is to take ad-
17 vantage of unique and significant industrial accom-
18 plishment by a specific concern, or to insure that a
19 new product or idea of a specific concern is given fi-
20 nancial support.

21 *Provided,* That this limitation shall not apply to contracts
22 in an amount of less than \$25,000, contracts related to
23 improvements of equipment that is in development or pro-
24 duction, or contracts as to which a civilian official of the
25 Department of Defense, who has been confirmed by the

1 Senate, determines that the award of such contract is in
2 the interest of the national defense.

3 SEC. 8059. Funds appropriated by this Act for intel-
4 ligence activities are deemed to be specifically authorized
5 by the Congress for purposes of section 504 of the Na-
6 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
7 year 1997 until the enactment of the Intelligence Author-
8 ization Act for fiscal year 1997.

9 SEC. 8060. (a) None of the funds made available by
10 this Act may be obligated for design, development, acquisi-
11 tion, or operation of more than 47 Titan IV expendable
12 launch vehicles, or for satellite mission-model planning for
13 a Titan IV requirement beyond 47 vehicles.

14 (b) \$59,600,000 made available in this Act for Re-
15 search, Development, Test and Evaluation, Air Force,
16 may only be obligated for development of a new family
17 of medium-lift and heavy-lift expendable launch vehicles
18 evolved from existing technologies.

19 SEC. 8061. None of the funds available to the De-
20 partment of Defense in this Act may be used to establish
21 additional field operating agencies of any element of the
22 Department during fiscal year 1997, except for field oper-
23 ating agencies funded within the National Foreign Intel-
24 ligence Program: *Provided*, That the Secretary of Defense
25 may waive this section by certifying to the House and Sen-

1 ate Committees on Appropriations that the creation of
2 such field operating agencies will reduce either the person-
3 nel and/or financial requirements of the Department of
4 Defense.

5 SEC. 8062. Notwithstanding any other provision of
6 law, for resident classes entering the war colleges after
7 September 30, 1997, the Department of Defense shall re-
8 quire that not less than 20 percent of the total of United
9 States military students at each war college shall be from
10 military departments other than the hosting military de-
11 partment: *Provided*, That each military department will
12 recognize the attendance at a sister military department
13 war college as the equivalent of attendance at its own war
14 college for promotion and advancement of personnel.

15 SEC. 8063. None of the funds provided in this Act
16 may be obligated for payment on new contracts on which
17 allowable costs charged to the government include pay-
18 ments for individual compensation at a rate in excess of
19 \$250,000 per year.

20 SEC. 8064. None of the funds available in this Act
21 may be used to reduce the authorized positions for mili-
22 tary (civilian) technicians of the Army National Guard,
23 the Air National Guard, Army Reserve and Air Force Re-
24 serve for the purpose of applying any administratively im-
25 posed civilian personnel ceiling, freeze, or reduction on

1 military (civilian) technicians, unless such reductions are
2 a direct result of a reduction in military force structure.

3 SEC. 8065. None of the funds appropriated or other-
4 wise made available in this Act may be obligated or ex-
5 pended for assistance to the Democratic People's Republic
6 of North Korea unless specifically appropriated for that
7 purpose.

8 SEC. 8066. During the current fiscal year, funds ap-
9 propriated in this Act are available to compensate mem-
10 bers of the National Guard for duty performed pursuant
11 to a plan submitted by a Governor of a State and approved
12 by the Secretary of Defense under section 112 of title 32,
13 United States Code: *Provided*, That during the perform-
14 ance of such duty, the members of the National Guard
15 shall be under State command and control: *Provided fur-*
16 *ther*, That such duty shall be treated as full-time National
17 Guard duty for purposes of sections 12602 (a)(2) and
18 (b)(2) of title 10, United States Code.

19 SEC. 8067. Funds appropriated in this Act for oper-
20 ation and maintenance of the Military Departments, Uni-
21 fied and Specified Commands and Defense Agencies shall
22 be available for reimbursement of pay, allowances and
23 other expenses which would otherwise be incurred against
24 appropriations for the National Guard and Reserve when
25 members of the National Guard and Reserve provide intel-

1 diction or counter-drug activities may be transferred to
2 any other department or agency of the United States ex-
3 cept as specifically provided in an appropriations law.

4 (b) None of the funds available to the Central Intel-
5 ligence Agency for any fiscal year for drug interdiction
6 and counter-drug activities may be transferred to any
7 other department or agency of the United States except
8 as specifically provided in an appropriations law.

9 (TRANSFER OF FUNDS)

10 SEC. 8072. Appropriations available in this Act under
11 the heading "Operation and Maintenance, Defense-Wide"
12 for increasing energy and water efficiency in Federal
13 buildings may, during their period of availability, be trans-
14 ferred to other appropriations or funds of the Department
15 of Defense for projects related to increasing energy and
16 water efficiency, to be merged with and to be available
17 for the same general purposes, and for the same time pe-
18 riod, as the appropriation or fund to which transferred.

19 SEC. 8073. None of the funds appropriated by this
20 Act may be used for the procurement of ball and roller
21 bearings other than those produced by a domestic source
22 and of domestic origin: *Provided*, That the Secretary of
23 the military department responsible for such procurement
24 may waive this restriction on a case-by-case basis by cer-
25 tifying in writing to the Committees on Appropriations of

1 the House of Representatives and the Senate, that ade-
2 quate domestic supplies are not available to meet Depart-
3 ment of Defense requirements on a timely basis and that
4 such an acquisition must be made in order to acquire ca-
5 pability for national security purposes.

6 SEC. 8074. None of the funds in this Act may be
7 used to purchase any supercomputer which is not manu-
8 factured in the United States, unless the Secretary of De-
9 fense certifies to the congressional defense committees
10 that such an acquisition must be made in order to acquire
11 capability for national security purposes that is not avail-
12 able from United States manufacturers.

13 SEC. 8075. None of the funds appropriated by this
14 Act shall be available to lease or charter a vessel in excess
15 of seventeen months (inclusive of any option periods) to
16 transport fuel or oil for the Department of Defense if the
17 vessel was constructed after October 1, 1995 unless the
18 Secretary of Defense requires that the vessel be con-
19 structed in the United States with a double hull under
20 the long-term lease or charter authority provided in sec-
21 tion 2401 note of title 10, United States Code: *Provided,*
22 That this limitation shall not apply to contracts in force
23 on the date of enactment of this Act: *Provided further,*
24 That by 1997 at least 20 percent of annual leases and
25 charters must be for ships of double hull design con-

1 structured after October 1, 1995 if available in numbers suf-
2 ficient to satisfy this requirement: *Provided further*, That
3 the Military Sealift Command shall plan to achieve the
4 goal of eliminating single hull ship leases by the year
5 2015.

6 SEC. 8076. Notwithstanding any other provision in
7 this Act, the total amount appropriated in this Act is here-
8 by reduced by \$500,000,000 to reflect savings from re-
9 duced carryover of activities funded through the Defense
10 Business Operations Fund, to be distributed as follows:
11 “Operation and Maintenance, Army”, \$60,000,000; and
12 “Operation and Maintenance, Navy”, \$440,000,000.

13 SEC. 8077. During the current fiscal year, the Army
14 shall use the former George Air Force Base as the airhead
15 for the National Training Center at Fort Irwin: *Provided*,
16 That none of the funds in this Act shall be obligated or
17 expended to transport Army personnel into Edwards Air
18 Force Base for training rotations at the National Training
19 Center.

20 SEC. 8078. (a) The Secretary of Defense shall sub-
21 mit, on a quarterly basis, a report to the congressional
22 defense committees, the Committee on International Rela-
23 tions of the House of Representatives and the Committee
24 on Foreign Relations of the Senate setting forth all costs
25 (including incremental costs) incurred by the Department

1 of Defense during the preceding quarter in implementing
2 or supporting resolutions of the United Nations Security
3 Council, including any such resolution calling for inter-
4 national sanctions, international peacekeeping operations,
5 and humanitarian missions undertaken by the Depart-
6 ment of Defense. The quarterly report shall include an ag-
7 gregate of all such Department of Defense costs by oper-
8 ation or mission.

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

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

1 on Foreign Relations of the Senate are notified 15 days
2 in advance 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
7 VI or chapter VII of the United Nations Charter
8 under the authority of a United Nations Security
9 Council resolution; and

10 (B) any other international peacekeeping,
11 peace-enforcement, or humanitarian assistance oper-
12 ation.

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

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

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

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

21 (A) a statement of whether the inventory
22 requirements of all elements of the Armed
23 Forces (including the reserve components) for
24 the type of equipment or supplies to be trans-
25 ferred have 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 pro-
4 vide funds for such replacement.

5 SEC. 8080. None of the funds available to the De-
6 partment of Defense shall be obligated or expended to
7 make a financial contribution to the United Nations for
8 the cost of an United Nations peacekeeping activity
9 (whether pursuant to assessment or a voluntary contribu-
10 tion) or for payment of any United States arrearage to
11 the United Nations.

12 SEC. 8081. None of the funds available to the De-
13 partment of Defense under this Act shall be obligated or
14 expended to pay a contractor under a contract with the
15 Department of Defense for costs of any amount paid by
16 the contractor to an employee when—

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

20 (2) such bonus is part of restructuring costs as-
21 sociated with a business combination.

22 SEC. 8082. The amount otherwise provided by this
23 Act for “Operation and Maintenance, Air Force” is hereby
24 reduced by \$195,000,000, to reflect a reduction in the

1 passthrough to the Air Force business areas of the De-
2 fense Business Operations Fund.

3 SEC. 8083. None of the funds provided in title II of
4 this Act for “Former Soviet Union Threat Reduction”
5 may be obligated or expended to finance housing for any
6 individual who was a member of the military forces of the
7 Soviet Union or for any individual who is or was a member
8 of the military forces of the Russian Federation.

9 SEC. 8084. Beginning in fiscal year 1997 and there-
10 after, and notwithstanding any other provision of law,
11 fixed and mobile telecommunications support shall be pro-
12 vided by the White House Communications Agency
13 (WHCA) to the United States Secret Service (USSS),
14 without reimbursement, in connection with the Secret
15 Service’s duties directly related to the protection of the
16 President or the Vice President or other officer imme-
17 diately next in order of succession to the office of the
18 President at the White House Security Complex in the
19 Washington, D.C. Metropolitan Area and Camp David,
20 Maryland. For these purposes, the White House Security
21 Complex includes the White House, the White House
22 grounds, the Old Executive Office Building, the New Ex-
23 ecutive Office Building, the Blair House, the Treasury
24 Building, and the Vice President’s Residence at the Naval
25 Observatory. *Provided*, That funds made available to the

1 WHCA (or any successor agency) for support services for
2 the President from funds appropriated for the Department
3 of Defense for any fiscal year (beginning with fiscal year
4 1997) may be used only for the provision of telecommuni-
5 cations support to the President and Vice President and
6 related elements (as defined in regulations of that agency
7 and specified by the President with respect to particular
8 individuals within those related elements).

9 SEC. 8085. For purposes of section 1553(b) of title
10 31, United States Code, any subdivision of appropriations
11 made in this Act under the heading “Shipbuilding and
12 Conversion, Navy” shall be considered to be for the same
13 purpose as any subdivision under the heading “Shipbuild-
14 ing and Conversion, Navy” appropriations in any prior
15 year, and the one percent limitation shall apply to the total
16 amount of the appropriation.

17 SEC. 8086. During the current fiscal year, and not-
18 withstanding 31 U.S.C. 1552(a), funds appropriated
19 under the heading “Aircraft Procurement, Air Force” in
20 Public Laws 102-172 and 102-396 which were available
21 and obligated for the B-2 aircraft program shall remain
22 available for expenditure and for adjusting obligations for
23 such program until September 30, 2002.

24 SEC. 8087. During the current fiscal year, in the case
25 of an appropriation account of the Department of Defense

1 for which the period of availability for obligation has ex-
2 pired or which has closed under the provisions of section
3 ~~1552~~ of title ~~31~~, United States Code, and which has a
4 negative unliquidated or unexpended balance, an obliga-
5 tion or an adjustment of an obligation may be charged
6 to any current appropriation account for the same purpose
7 as the expired or closed account if—

8 (1) the obligation would have been properly
9 chargeable (except as to amount) to the expired or
10 closed account before the end of the period of avail-
11 ability or closing of that account;

12 (2) the obligation is not otherwise properly
13 chargeable to any current appropriation account of
14 the Department of Defense; and

15 (3) in the case of an expired account, the obli-
16 gation is not chargeable to a current appropriation
17 of the Department of Defense under the provisions
18 of section 1405(b)(8) of the National Defense Au-
19 thorization Act for Fiscal Year 1991, Public Law
20 101-510, as amended (31 U.S.C. 1551 note): *Pro-*
21 *vided*, That in the case of an expired account, if sub-
22 sequent review or investigation discloses that there
23 was not in fact a negative unliquidated or unex-
24 pended balance in the account, any charge to a cur-
25 rent account under the authority of this section shall

1 be reversed and recorded against the expired ac-
2 count: *Provided further*, That the total amount
3 charged to a current appropriation under this sec-
4 tion may not exceed an amount equal to one percent
5 of the total appropriation for that account.

6 SEC. 8088. During the current fiscal year the Marine
7 Security Guard Program shall be administered under the
8 terms and conditions of the March 29, 1994 Memorandum
9 of Understanding between the Department of Defense and
10 the Department of State concerning such program and the
11 Department of State shall continue to pay, or provide re-
12 imbursement for, Marine Security Guard costs which are
13 the responsibility of the State Department under the pro-
14 visions of such Memorandum.

15 SEC. 8089. Notwithstanding any other provision in
16 this Act, the total amount appropriated in this Act is here-
17 by reduced by \$400,000,000 to reflect savings from im-
18 proved management of spare and repair parts inventories
19 of the Department of Defense, to be distributed as follows:
20 “Operation and Maintenance, Army”, \$91,000,000; “Op-
21 eration and Maintenance, Navy”, \$32,600,000; and “Op-
22 eration and Maintenance, Air Force”, \$276,400,000.

23 SEC. 8090. Notwithstanding any other provision of
24 law, the Air Force shall not introduce any new supplier

1 for the remaining production units for the AN/ALE-47
2 Countermeasure Dispenser System.

3 ~~SEC. 8091. In applying section 9005 of the Depart-~~
4 ~~ment of Defense Appropriations Act, 1993 (Public Law~~
5 ~~102-396)—~~

6 ~~(1) synthetic fabric and coated synthetic fabric~~
7 ~~shall be deemed to include synthetic fiber and yarn~~
8 ~~and their products; and~~

9 ~~(2) such section shall (notwithstanding section~~
10 ~~34 of Public Law 93-400) be treated as being appli-~~
11 ~~cable to contracts and subcontracts for the procure-~~
12 ~~ment of commercial items that are articles or items,~~
13 ~~specialty metals, or tools covered by that section~~
14 ~~9005.~~

15 ~~SEC. 8092. TRADE-OFF STUDY OF CURRENT AND~~
16 ~~FUTURE DEEP-STRIKE CAPABILITIES.—~~

17 ~~(1) The Secretary of Defense shall carry out~~
18 ~~the deep-strike tradeoff study announced by the~~
19 ~~President to study tradeoffs between bombers, land~~
20 ~~and sea-based tactical aircraft, and missiles capable~~
21 ~~of striking targets in an enemy's rear area.~~

22 ~~(2) The Secretary of Defense shall establish an~~
23 ~~ad hoc review committee under the auspices of the~~
24 ~~Defense Science Board to establish the methodologi-~~
25 ~~cal approach to the tradeoff study, to establish a~~

1 broad range of stressing scenarios of interest, and to
2 review assumptions regarding the analyses to be con-
3 ducted.

4 (3) The ad hoc review committee to be estab-
5 lished under paragraph (2) shall include among its
6 members analysts who have performed or partici-
7 pated in bomber trade-off analysis, retired military
8 personnel with broad experience in recent conven-
9 tional warfare operations, and experts on the logis-
10 tics of both initial deployment and sustaining sup-
11 port. These members shall be selected without re-
12 gard for current service on the Defense Science
13 Board.

14 (4) After submitting its recommendations for
15 the conduct of the deep-strike tradeoff study to the
16 Secretary of Defense, the ad hoc review committee
17 shall continue to meet regularly to review prelimi-
18 nary results of the analysis and to recommend addi-
19 tional variations in assumptions that may be re-
20 quired to illuminate particular force trade-off issues.

21 SEC. 8093. TACTICAL AIRCRAFT REQUIREMENT
22 STUDY.—The Secretary of Defense and the Chairman of
23 the Joint Chiefs of Staff shall carry out a joint study
24 under the direct supervision of the Joint Requirements
25 Oversight Council (JROC) assessing future tactical air-

1 craft requirements across service jurisdictions. This study
2 shall determine the best and most affordable mix of weap-
3 on systems to carry out different mission areas and shall
4 include recommendations for changes to the planned num-
5 bers and types of tactical aircraft to be developed and pro-
6 cured over the next ten years if appropriate. Such report
7 shall be submitted to the Congressional defense commit-
8 tees no later than March 30, 1997.

9 SEC. 8094. (a) CONSIDERATION OF PERCENTAGE OF
10 WORK PERFORMED IN THE UNITED STATES.—None of
11 the funds available to the Department of Defense under
12 this Act may be obligated or expended to evaluate sealed
13 bids and competitive proposals for a contract for the pro-
14 curement of property or services except when it is made
15 known to the Federal official having authority to obligate
16 or expend such funds that—

17 (1) a factor in such evaluation is the percentage
18 of work under the contract that the bidder or offeror
19 plans to perform in the United States; and

20 (2) a high importance is assigned to such fac-
21 tor.

22 (b) BREACH OF CONTRACT FOR TRANSFERRING
23 WORK OUTSIDE THE UNITED STATES.—None of the
24 funds available to the Department of Defense under this
25 Act may be obligated or expended to procure property or

1 services except when it is made known to the Federal offi-
2 cial having authority to obligate or expend such funds that
3 each contract for the procurement of property or services
4 includes a clause providing that the contractor is deemed
5 to have breached the contract if the contractor performs
6 less work in the United States than the contractor stated,
7 in its response to the solicitation for the contract, that
8 it planned to perform in the United States.

9 (c) INELIGIBILITY FOR CONTRACT RENEWAL.—(1)
10 None of the funds available to the Department of Defense
11 under this Act may be obligated or expended to renew a
12 covered contract when it is made known to the Federal
13 official having authority to obligate or expend such funds
14 that the amount of work performed outside the United
15 States under the covered contract exceeded the maximum
16 amount of work that the contractor was expected to per-
17 form outside the United States, based on the amount of
18 work that the contractor stated, in its response to the so-
19 licitation for the contract, that it planned to perform in-
20 side the United States.

21 (2) For purposes of this section, a covered contract
22 is a contract for the procurement of property or services
23 that is made pursuant to a solicitation described in sub-
24 section (a).

1 (d) ~~WAIVER.—Subsections (a), (b), and (c) shall not~~
2 ~~apply with respect to funds available to the Department~~
3 ~~of Defense under this Act when it is made known to the~~
4 ~~Federal official having authority to obligate or expend~~
5 ~~such funds that an emergency situation or the national~~
6 ~~security interests of the United States requires the obliga-~~
7 ~~tion or expenditure of such funds.~~

8 (e) ~~EXCEPTION FOR CONTRACTS BELOW SIMPLIFIED~~
9 ~~ACQUISITION THRESHOLD.—This section does not apply~~
10 ~~to contracts for amounts not greater than the simplified~~
11 ~~acquisition threshold (as specified in section 2302(7) of~~
12 ~~title 10, United States Code).~~

13 (f) ~~EFFECTIVE DATE.—This section shall apply with~~
14 ~~respect to contracts entered into more than 60 days after~~
15 ~~the date of the enactment of this Act.~~

16 ~~SEC. 8095. None of the funds available to the De-~~
17 ~~partment of Defense under this Act may be obligated or~~
18 ~~expended to pay a contractor under a contract with the~~
19 ~~Department of Defense for any costs incurred by the con-~~
20 ~~tractor when it is made known to the Federal official hav-~~
21 ~~ing authority to obligate or expend such funds that such~~
22 ~~costs are restructuring costs associated with a business~~
23 ~~combination that were incurred on or after August 15,~~
24 ~~1994.~~

1 SEC. 8096. None of the funds available to the De-
2 partment of Defense under this Act may be obligated or
3 expended to procure landing gear for aircraft except when
4 it is made known to the Federal official having authority
5 to obligate or expend such funds that—

6 (1) the manufacturer of the item is part of the
7 national technology and industrial base;

8 (2) the landing gear is manufactured and as-
9 sembled in the United States; and

10 (3) the contract through which the procurement
11 is made is entered into more than 30 days after the
12 date of the enactment of this Act: *Provided*, That
13 contracts existing on the date of enactment of this
14 Act and existing or subsequent options in such con-
15 tracts through January 1, 2000, are not covered by
16 this section if the Secretary of the military depart-
17 ment which issued the aircraft production contract
18 certifies to the Appropriations Committees of the
19 House and Senate that purchasing landing gear
20 under the terms of this section will create a signifi-
21 cant adverse technical, cost, or schedule impact on
22 the aircraft production program.

23 SEC. 8097. (a) None of the funds appropriated or
24 otherwise made available by this Act for the Department
25 of Defense specimen repository described in subsection (b)

1 may be used for any purpose except in accordance with
2 the requirement in paragraph numbered 3 of the covered
3 Department of Defense policy memorandum that specifi-
4 cally provides that permissible uses of specimen samples
5 in the repository are limited to the following purposes:

6 (1) Identification of human remains.

7 (2) Internal quality assurance activities to vali-
8 date processes for collection, maintenance and analy-
9 sis of samples.

10 (3) A purpose for which the donor of the sam-
11 ple (or surviving next-of-kin) provides consent.

12 (4) As compelled by other applicable law in a
13 case in which all of the following conditions are
14 present:

15 (A) The responsible Department of De-
16 fense official has received a proper judicial
17 order or judicial authorization.

18 (B) The specimen sample is needed for the
19 investigation or prosecution of a crime punish-
20 able by one year or more of confinement.

21 (C) No reasonable alternative means for
22 obtaining a specimen for DNA profile analysis
23 is available.

24 (b) The specimen repository referred to in subsection
25 (a) is the repository that was established pursuant to Dep-

1 uty Secretary of Defense Memorandum 47803, dated De-
2 cember 16, 1991, and designated as the “Armed Forces
3 Repository of Specimen Samples for the Identification of
4 Remains” by paragraph numbered 4 in the covered De-
5 partment of Defense policy memorandum.

6 (c) For purposes of this section, the covered Depart-
7 ment of Defense policy memorandum is the memorandum
8 of the Assistant Secretary of Defense (Health Affairs) for
9 the Secretary of the Army, dated April 2, 1996, issued
10 pursuant to law which states as its subject “Policy Refine-
11 ments for the Armed Forces Repository of Specimen Sam-
12 ples for the Identification of Remains”.

13 SEC. 8098. Hereafter, the Air National Guard may
14 assume responsibility for providing firefighting and rescue
15 services in response to all aircraft-related emergencies at
16 the Lincoln Municipal Airport in Lincoln, Nebraska.

17 SEC. 8099. None of the funds made available to the
18 Department of Defense under this Act may be obligated
19 or expended to enter into or renew a contract with an en-
20 tity when it is made known to the Federal official having
21 authority to obligate or expend such funds that—

22 (1) such entity is otherwise a contractor with
23 the United States and is subject to the requirement
24 in section 4212(d) of title 38, United States Code,
25 regarding submission of an annual report to the Sec-

1 rity Act (42 U.S.C. 429(b)), and to the Department of De-
2 fense Military Retirement Fund; \$20,559,042,000.

3 *MILITARY PERSONNEL, NAVY*

4 *For pay, allowances, individual clothing, subsistence,*
5 *interest on deposits, gratuities, permanent change of station*
6 *travel (including all expenses thereof for organizational*
7 *movements), and expenses of temporary duty travel between*
8 *permanent duty stations, for members of the Navy on active*
9 *duty (except members of the Reserve provided for elsewhere),*
10 *midshipmen, and aviation cadets; and for payments pursu-*
11 *ant to section 156 of Public Law 97-377, as amended (42*
12 *U.S.C. 402 note), to section 229(b) of the Social Security*
13 *Act (42 U.S.C. 429(b)), and to the Department of Defense*
14 *Military Retirement Fund; \$16,943,581,000.*

15 *MILITARY PERSONNEL, MARINE CORPS*

16 *For pay, allowances, individual clothing, subsistence,*
17 *interest on deposits, gratuities, permanent change of station*
18 *travel (including all expenses thereof for organizational*
19 *movements), and expenses of temporary duty travel between*
20 *permanent duty stations, for members of the Marine Corps*
21 *on active duty (except members of the Reserve provided for*
22 *elsewhere); and for payments pursuant to section 156 of*
23 *Public Law 97-377, as amended (42 U.S.C. 402 note), to*
24 *section 229(b) of the Social Security Act (42 U.S.C. 429(b)),*

1 *and to the Department of Defense Military Retirement*
2 *Fund; \$6,099,182,000.*

3 *MILITARY PERSONNEL, AIR FORCE*

4 *For pay, allowances, individual clothing, subsistence,*
5 *interest on deposits, gratuities, permanent change of station*
6 *travel (including all expenses thereof for organizational*
7 *movements), and expenses of temporary duty travel between*
8 *permanent duty stations, for members of the Air Force on*
9 *active duty (except members of reserve components provided*
10 *for elsewhere), cadets, and aviation cadets; and for pay-*
11 *ments pursuant to section 156 of Public Law 97-377, as*
12 *amended (42 U.S.C. 402 note), to section 229(b) of the So-*
13 *cial Security Act (42 U.S.C. 429(b)), and to the Depart-*
14 *ment of Defense Military Retirement Fund;*
15 *\$17,021,810,000.*

16 *RESERVE PERSONNEL, ARMY*

17 *For pay, allowances, clothing, subsistence, gratuities,*
18 *travel, and related expenses for personnel of the Army Re-*
19 *serve on active duty under sections 10211, 10302, and 3038*
20 *of title 10, United States Code, or while serving on active*
21 *duty under section 12301(d) of title 10, United States Code,*
22 *in connection with performing duty specified in section*
23 *12310(a) of title 10, United States Code, or while under-*
24 *going reserve training, or while performing drills or equiva-*
25 *lent duty or other duty, and for members of the Reserve*

1 *Officers' Training Corps, and expenses authorized by sec-*
2 *tion 16131 of title 10, United States Code; and for pay-*
3 *ments to the Department of Defense Military Retirement*
4 *Fund; \$2,052,136,000.*

5 *RESERVE PERSONNEL, NAVY*

6 *For pay, allowances, clothing, subsistence, gratuities,*
7 *travel, and related expenses for personnel of the Navy Re-*
8 *serve on active duty under section 10211 of title 10, United*
9 *States Code, or while serving on active duty under section*
10 *12301(d) of title 10, United States Code, in connection with*
11 *performing duty specified in section 12310(a) of title 10,*
12 *United States Code, or while undergoing reserve training,*
13 *or while performing drills or equivalent duty, and for mem-*
14 *bers of the Reserve Officers' Training Corps, and expenses*
15 *authorized by section 16131 of title 10, United States Code;*
16 *and for payments to the Department of Defense Military*
17 *Retirement Fund; \$1,396,989,000.*

18 *RESERVE PERSONNEL, MARINE CORPS*

19 *For pay, allowances, clothing, subsistence, gratuities,*
20 *travel, and related expenses for personnel of the Marine*
21 *Corps Reserve on active duty under section 10211 of title*
22 *10, United States Code, or while serving on active duty*
23 *under section 12301(d) of title 10, United States Code, in*
24 *connection with performing duty specified in section*
25 *12310(a) of title 10, United States Code, or while under-*

1 *going reserve training, or while performing drills or equiva-*
2 *lent duty, and for members of the Marine Corps platoon*
3 *leaders class, and expenses authorized by section 16131 of*
4 *title 10, United States Code; and for payments to the De-*
5 *partment of Defense Military Retirement Fund;*
6 *\$389,325,000.*

7 *RESERVE PERSONNEL, AIR FORCE*

8 *For pay, allowances, clothing, subsistence, gratuities,*
9 *travel, and related expenses for personnel of the Air Force*
10 *Reserve on active duty under sections 10211, 10305, and*
11 *8038 of title 10, United States Code, or while serving on*
12 *active duty under section 12301(d) of title 10, United States*
13 *Code, in connection with performing duty specified in sec-*
14 *tion 12310(a) of title 10, United States Code, or while un-*
15 *dergoing reserve training, or while performing drills or*
16 *equivalent duty or other duty, and for members of the Air*
17 *Reserve Officers' Training Corps, and expenses authorized*
18 *by section 16131 of title 10, United States Code; and for*
19 *payments to the Department of Defense Military Retire-*
20 *ment Fund; \$785,842,000.*

21 *NATIONAL GUARD PERSONNEL, ARMY*

22 *For pay, allowances, clothing, subsistence, gratuities,*
23 *travel, and related expenses for personnel of the Army Na-*
24 *tional Guard while on duty under section 10211, 10302,*
25 *or 12402 of title 10 or section 708 of title 32, United States*

1 *Code, or while serving on duty under section 12301(d) of*
2 *title 10 or section 502(f) of title 32, 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 training, or while performing drills or equivalent*
6 *duty or other duty, and expenses authorized by section*
7 *16131 of title 10, United States Code; and for payments*
8 *to the Department of Defense Military Retirement Fund;*
9 *\$3,259,169,000.*

10 *NATIONAL GUARD PERSONNEL, AIR FORCE*

11 *For pay, allowances, clothing, subsistence, gratuities,*
12 *travel, and related expenses for personnel of the Air Na-*
13 *tional Guard on duty under section 10211, 10305, or 12402*
14 *of title 10 or section 708 of title 32, United States Code,*
15 *or while serving on duty under section 12301(d) of title 10*
16 *or section 502(f) of title 32, United States Code, in connec-*
17 *tion with performing duty specified in section 12310(a) of*
18 *title 10, United States Code, or while undergoing training,*
19 *or while performing drills or equivalent duty or other duty,*
20 *and expenses authorized by section 16131 of title 10, United*
21 *States Code; and for payments to the Department of Defense*
22 *Military Retirement Fund; \$1,295,511,000.*

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TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$11,437,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; \$17,700,859,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That the amount made available by this paragraph for Army Operation and Maintenance is reduced by \$1,500,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$3,995,000, can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes;

1 \$20,241,517,000 and, in addition, \$50,000,000 shall be de-
2 rived by transfer from the National Defense Stockpile
3 Transaction Fund.

4 OPERATION AND MAINTENANCE, MARINE CORPS

5 For expenses, not otherwise provided for, necessary for
6 the operation and maintenance of the Marine Corps, as au-
7 thorized by law; \$2,275,977,000.

8 OPERATION AND MAINTENANCE, AIR FORCE

9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses, not otherwise provided for, necessary for
11 the operation and maintenance of the Air Force, as author-
12 ized by law; and not to exceed \$8,362,000 can be used for
13 emergencies and extraordinary expenses, to be expended on
14 the approval or authority of the Secretary of the Air Force,
15 and payments may be made on his certificate of necessity
16 for confidential military purposes; \$17,331,309,000 and, in
17 addition, \$50,000,000 shall be derived by transfer from the
18 National Defense Stockpile Transaction Fund.

19 OPERATION AND MAINTENANCE, DEFENSE-WIDE

20 For expenses, not otherwise provided for, necessary for
21 the operation and maintenance of activities and agencies
22 of the Department of Defense (other than the military de-
23 partments), as authorized by law; \$9,953,142,000, of which
24 not to exceed \$25,000,000 may be available for the CINC
25 initiative fund account; and of which not to exceed

1 \$28,500,000 can be used for emergencies and extraordinary
2 expenses, to be expended on the approval or authority of
3 the Secretary of Defense, and payments may be made on
4 his certificate of necessity for confidential military pur-
5 poses: Provided, That of the funds appropriated under this
6 heading, \$20,000,000 shall be made available only for use
7 in federally owned education facilities located on military
8 installations for the purpose of transferring title of such fa-
9 cilities to the local education agency: Provided further, That
10 of the funds appropriated under this heading, \$1,000,000
11 is available, by grant or other transfer, to the Harnett
12 County School Board, Lillington, North Carolina, for use
13 by the school board for the education of dependents of mem-
14 bers of the Armed Forces and employees of the Department
15 of Defense located at Fort Bragg and Pope Air Force Base,
16 North Carolina.

17 *OPERATION AND MAINTENANCE, ARMY RESERVE*

18 *For expenses, not otherwise provided for, necessary for*
19 *the operation and maintenance, including training, organi-*
20 *zation, and administration, of the Army Reserve; repair of*
21 *facilities and equipment; hire of passenger motor vehicles;*
22 *travel and transportation; care of the dead; recruiting; pro-*
23 *curement of services, supplies, and equipment; and commu-*
24 *nications; \$1,129,436,000.*

1 *OPERATION AND MAINTENANCE, NAVY RESERVE*

2 *For expenses, not otherwise provided for, necessary for*
3 *the operation and maintenance, including training, organi-*
4 *zation, and administration, of the Navy Reserve; repair of*
5 *facilities and equipment; hire of passenger motor vehicles;*
6 *travel and transportation; care of the dead; recruiting; pro-*
7 *curement of services, supplies, and equipment; and commu-*
8 *nications; \$861,527,000.*

9 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

10 *For expenses, not otherwise provided for, necessary for*
11 *the operation and maintenance, including training, organi-*
12 *zation, and administration, of the Marine Corps Reserve;*
13 *repair of facilities and equipment; hire of passenger motor*
14 *vehicles; travel and transportation; care of the dead; recruit-*
15 *ing; procurement of services, supplies, and equipment; and*
16 *communications; \$115,367,000.*

17 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

18 *For expenses, not otherwise provided for, necessary for*
19 *the operation and maintenance, including training, organi-*
20 *zation, and administration, of the Air Force Reserve; repair*
21 *of facilities and equipment; hire of passenger motor vehicles;*
22 *travel and transportation; care of the dead; recruiting; pro-*
23 *curement of services, supplies, and equipment; and commu-*
24 *nications; \$1,494,953,000.*

1 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

2 *For expenses of training, organizing, and administer-*
3 *ing the Army National Guard, including medical and hos-*
4 *pital treatment and related expenses in non-Federal hos-*
5 *pitals; maintenance, operation, and repairs to structures*
6 *and facilities; hire of passenger motor vehicles; personnel*
7 *services in the National Guard Bureau; travel expenses*
8 *(other than mileage), as authorized by law for Army person-*
9 *nel on active duty, for Army National Guard division, regi-*
10 *mental, and battalion commanders while inspecting units*
11 *in compliance with National Guard Bureau regulations*
12 *when specifically authorized by the Chief, National Guard*
13 *Bureau; supplying and equipping the Army National*
14 *Guard as authorized by law; and expenses of repair, modi-*
15 *fication, maintenance, and issue of supplies and equipment*
16 *(including aircraft); \$2,294,477,000.*

17 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

18 *For operation and maintenance of the Air National*
19 *Guard, including medical and hospital treatment and relat-*
20 *ed expenses in non-Federal hospitals; maintenance, oper-*
21 *ation, repair, and other necessary expenses of facilities for*
22 *the training and administration of the Air National Guard,*
23 *including repair of facilities, maintenance, operation, and*
24 *modification of aircraft; transportation of things; hire of*
25 *passenger motor vehicles; supplies, materials, and equip-*

1 *ment, as authorized by law for the Air National Guard;*
2 *and expenses incident to the maintenance and use of sup-*
3 *plies, materials, and equipment, including such as may be*
4 *furnished from stocks under the control of agencies of the*
5 *Department of Defense; travel expenses (other than mileage)*
6 *on the same basis as authorized by law for Air National*
7 *Guard personnel on active Federal duty, for Air National*
8 *Guard commanders while inspecting units in compliance*
9 *with National Guard Bureau regulations when specifically*
10 *authorized by the Chief, National Guard Bureau;*
11 *\$2,721,973,000.*

12 *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For expenses directly relating to Overseas Contingency*
15 *Operations by United States military forces;*
16 *\$1,069,957,000: Provided, That the Secretary of Defense*
17 *may transfer these funds only to operation and mainte-*
18 *nance accounts within this title: Provided further, That the*
19 *funds transferred shall be merged with and shall be avail-*
20 *able for the same purposes and for the same time period,*
21 *as the appropriation to which transferred: Provided further,*
22 *That the transfer authority provided in this paragraph is*
23 *in addition to any other transfer authority contained else-*
24 *where in this Act.*

1 *UNITED STATES COURT OF APPEALS FOR THE ARMED*
2 *FORCES*

3 *For salaries and expenses necessary for the United*
4 *States Court of Appeals for the Armed Forces; \$6,185,000,*
5 *of which not to exceed \$2,500 can be used for official rep-*
6 *resentation purposes.*

7 *ENVIRONMENTAL RESTORATION, ARMY*
8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For the Department of the Army, \$356,916,000, to re-*
10 *main available until transferred: Provided, That the Sec-*
11 *retary of the Army shall, upon determining that such funds*
12 *are required for environmental restoration, reduction and*
13 *recycling of hazardous waste, removal of unsafe buildings*
14 *and debris of the Department of the Army, or for similar*
15 *purposes, transfer the funds made available by this appro-*
16 *priation to other appropriations made available to the De-*
17 *partment of the Army, to be merged with and to be available*
18 *for the same purposes and for the same time period as the*
19 *appropriations to which transferred: Provided further, That*
20 *upon a determination that all or part of the funds trans-*
21 *ferred from this appropriation are not necessary for the*
22 *purposes provided herein, such amounts may be transferred*
23 *back to this appropriation: Provided further, That not more*
24 *than twenty-five percent of funds provided under this head-*
25 *ing may be obligated for environmental remediation by the*

1 *Corps of Engineers under total environmental remediation*
2 *contracts.*

3 *ENVIRONMENTAL RESTORATION, NAVY*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For the Department of the Navy, \$302,900,000, to re-*
6 *main available until transferred: Provided, That the Sec-*
7 *retary of the Navy 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 Navy, 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 Navy, 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.*

20 *ENVIRONMENTAL RESTORATION, AIR FORCE*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For the Department of the Air Force, \$414,700,000,*
23 *to remain available until transferred: Provided, That the*
24 *Secretary of the Air Force shall, upon determining that*
25 *such funds are required for environmental restoration, re-*

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

12 *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For the Department of the Defense, \$38,650,000, to re-*
15 *main available until transferred: Provided, That the Sec-*
16 *retary of Defense shall, upon determining that such funds*
17 *are required for environmental restoration, reduction and*
18 *recycling of hazardous waste, removal of unsafe buildings*
19 *and debris of the Department of Defense, or for similar pur-*
20 *poses (including programs and operations at sites formerly*
21 *used by the Department of Defense), transfer the funds made*
22 *available by this appropriation to other appropriations*
23 *made available to the Department of Defense, to be merged*
24 *with and to be available for the same purposes and for the*
25 *same time period as the appropriations to which trans-*

1 *ferred: Provided further, That upon a determination that*
2 *all or part of the funds transferred from this appropriation*
3 *are not necessary for the purposes provided herein, such*
4 *amounts may be transferred back to this appropriation.*

5 *ENVIRONMENTAL RESTORATION, FORMERLY USED*

6 *DEFENSE SITES*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the Department of the Army, \$269,850,000, to re-*
9 *main available until transferred: Provided, That the Sec-*
10 *retary of the Army shall, upon determining that such funds*
11 *are required for environmental restoration, reduction and*
12 *recycling of hazardous waste, removal of unsafe buildings*
13 *and debris at sites formerly used by the Department of De-*
14 *fense, transfer the funds made available by this appropria-*
15 *tion to other appropriations made available to the Depart-*
16 *ment of the Army, to be merged with and to be available*
17 *for the same purposes and for the same time period as the*
18 *appropriations to which transferred: Provided further, That*
19 *upon a determination that all or part of the funds trans-*
20 *ferred from this appropriation are not necessary for the*
21 *purposes provided herein, such amounts may be transferred*
22 *back to this appropriation.*

23 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

24 *For expenses relating to the Overseas Humanitarian,*
25 *Disaster, and Civic Aid programs of the Department of De-*

1 *fense (consisting of the programs provided under sections*
2 *401, 402, 404, 2547, and 2551 of title 10, United States*
3 *Code); \$49,000,000, to remain available until September*
4 *30, 1998.*

5 *FORMER SOVIET UNION THREAT REDUCTION*

6 *For assistance to the republics of the former Soviet*
7 *Union, including assistance provided by contract or by*
8 *grants, for facilitating the elimination and the safe and se-*
9 *cure transportation and storage of nuclear, chemical and*
10 *other weapons; for establishing programs to prevent the pro-*
11 *liferation of weapons, weapons components, and weapon-*
12 *related technology and expertise; for programs relating to*
13 *the training and support of defense and military personnel*
14 *for demilitarization and protection of weapons, weapons*
15 *components and weapons technology and expertise;*
16 *\$327,900,000, to remain available until expended.*

17 *TITLE III*

18 *PROCUREMENT*

19 *AIRCRAFT PROCUREMENT, ARMY*

20 *For construction, procurement, production, modifica-*
21 *tion, and modernization of aircraft, equipment, including*
22 *ordnance, ground handling equipment, spare parts, and ac-*
23 *cessories therefor; specialized equipment and training de-*
24 *vices; expansion of public and private plants, including the*
25 *land necessary therefor, for the foregoing purposes, and such*

1 *lands and interests therein, may be acquired, and construc-*
2 *tion prosecuted thereon prior to approval of title; and pro-*
3 *curement and installation of equipment, appliances, and*
4 *machine tools in public and private plants; reserve plant*
5 *and Government and contractor-owned equipment layaway;*
6 *and other expenses necessary for the foregoing purposes;*
7 *\$1,283,815,000, to remain available for obligation until*
8 *September 30, 1999.*

9 *MISSILE PROCUREMENT, ARMY*

10 *For construction, procurement, production, modifica-*
11 *tion, and modernization of missiles, equipment, including*
12 *ordnance, ground handling equipment, spare parts, and ac-*
13 *cessories therefor; specialized equipment and training de-*
14 *vices; expansion of public and private plants, including the*
15 *land necessary therefor, for the foregoing purposes, and such*
16 *lands and interests therein, may be acquired, and construc-*
17 *tion prosecuted thereon prior to approval of title; and pro-*
18 *curement and installation of equipment, appliances, and*
19 *machine tools in public and private plants; reserve plant*
20 *and Government and contractor-owned equipment layaway;*
21 *and other expenses necessary for the foregoing purposes;*
22 *\$982,829,000, to remain available for obligation until Sep-*
23 *tember 30, 1999: Provided, That of the funds provided in*
24 *this paragraph and notwithstanding the provisions of title*
25 *31, United States Code, section 1502(a), not to exceed*

1 \$25,000,000 is available for the benefit of the Army Na-
2 tional Guard to complete the remaining design and develop-
3 ment of the upgrade and to increase gunner survivability,
4 range, accuracy, and lethality for the fully modernized
5 Super Dragon Missile System, including pre-production en-
6 gineering and systems qualification.

7 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

8 *VEHICLES, ARMY*

9 *For construction, procurement, production, and modi-*
10 *fication of weapons and tracked combat vehicles, equipment,*
11 *including ordnance, spare parts, and accessories therefor;*
12 *specialized equipment and training devices; expansion of*
13 *public and private plants, including the land necessary*
14 *therefor, for the foregoing purposes, and such lands and in-*
15 *terests therein, may be acquired, and construction pros-*
16 *ecuted thereon prior to approval of title; and procurement*
17 *and installation of equipment, appliances, and machine*
18 *tools in public and private plants; reserve plant and Gov-*
19 *ernment and contractor-owned equipment layaway; and*
20 *other expenses necessary for the foregoing purposes;*
21 *\$1,449,714,000, to remain available for obligation until*
22 *September 30, 1999: Provided, That of the funds appro-*
23 *priated in this paragraph and notwithstanding the provi-*
24 *sions of title 31, United States Code, Section 1502(a), not*

1 to exceed \$33,100,000 may be obligated for future year V903
2 diesel engine requirements to maintain the industrial base.

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 *\$1,118,329,000, to remain available for obligation until*
17 *September 30, 1999.*

18 *OTHER PROCUREMENT, ARMY*

19 *For construction, procurement, production, and modi-*
20 *fication of vehicles, including tactical, support, and non-*
21 *tracked combat vehicles; the purchase of not to exceed 14*
22 *passenger motor vehicles for replacement only; communica-*
23 *tions and electronic equipment; other support equipment;*
24 *spare parts, ordnance, and accessories therefor; specialized*
25 *equipment and training devices; expansion of public and*

1 *private plants, including the land necessary therefor, for the*
2 *foregoing purposes, and such lands and interests therein,*
3 *may be acquired, and construction prosecuted thereon prior*
4 *to approval of title; and procurement and installation of*
5 *equipment, appliances, and machine tools in public and*
6 *private plants; reserve plant and Government and contrac-*
7 *tor-owned equipment layaway; and other expenses nec-*
8 *essary for the foregoing purposes; \$3,295,486,000, to remain*
9 *available for obligation until September 30, 1999: Provided,*
10 *That of the funds appropriated in this paragraph and not-*
11 *withstanding the provisions of title 31, United States Code,*
12 *Section 1502(a), not to exceed \$2,400,000 may be obligated*
13 *for future year V903 diesel engine requirements to maintain*
14 *the industrial base.*

15 *AIRCRAFT PROCUREMENT, NAVY*

16 *For construction, procurement, production, modifica-*
17 *tion, and modernization of aircraft, equipment, including*
18 *ordnance, spare parts, and accessories therefor; specialized*
19 *equipment; expansion of public and private plants, includ-*
20 *ing the land necessary therefor, and such lands and inter-*
21 *ests therein, may be acquired, and construction prosecuted*
22 *thereon prior to approval of title; and procurement and in-*
23 *stallation of equipment, appliances, and machine tools in*
24 *public and private plants; reserve plant and Government*
25 *and contractor-owned equipment layaway; \$7,239,704,000,*

1 *to remain available for obligation until September 30,*
2 *1999.*

3 *WEAPONS PROCUREMENT, NAVY*

4 *For construction, procurement, production, modifica-*
5 *tion, and modernization of missiles, torpedoes, other weap-*
6 *ons, other ordnance and ammunition, and related support*
7 *equipment including spare parts, and accessories therefor;*
8 *expansion of public and private plants, including the land*
9 *necessary therefor, and such lands and interests therein,*
10 *may be acquired, and construction prosecuted thereon prior*
11 *to approval of title; and procurement and installation of*
12 *equipment, appliances, and machine tools in public and*
13 *private plants; reserve plant and Government and contrac-*
14 *tor-owned equipment layaway; \$1,500,154,000, to remain*
15 *available for obligation until September 30, 1999: Provided,*
16 *That in addition to the foregoing purposes, the funds appro-*
17 *priated above under this heading shall be available to liq-*
18 *uidate reported deficiencies in appropriations provided*
19 *under this heading in prior Department of Defense appro-*
20 *priations acts, to the extent such deficiencies cannot other-*
21 *wise be liquidated pursuant to 31 U.S.C. 1553(b).*

22 *SHIPBUILDING AND CONVERSION, NAVY*

23 *For expenses necessary for the construction, acquisi-*
24 *tion, or conversion of vessels as authorized by law, includ-*
25 *ing armor and armament thereof, plant equipment, appli-*

1 *ances, and machine tools and installation thereof in public*
2 *and private plants; reserve plant and Government and con-*
3 *tractor-owned equipment layaway; procurement of critical,*
4 *long leadtime components and designs for vessels to be con-*
5 *structed or converted in the future; and expansion of public*
6 *and private plants, including land necessary therefor, and*
7 *such lands and interests therein, may be acquired, and con-*
8 *struction prosecuted thereon prior to approval of title, as*
9 *follows:*

10 *For continuation of the SSN-21 attack sub-*
11 *marine program, \$699,071,000;*

12 *NSSN-1 (AP) \$296,186,000;*

13 *NSSN-2 (AP) \$701,000,000;*

14 *CVN Refuelings, \$237,029,000;*

15 *DDG-51 destroyer program, \$3,909,072,000;*

16 *Oceanographic ship program, \$54,400,000;*

17 *Oceanographic ship SWATH, \$45,000,000;*

18 *LCAC landing craft air cushion program (AP-*
19 *CY), \$3,000,000; and*

20 *For craft, outfitting, post delivery, conversions,*
21 *and first destination transportation, \$248,572,000;*

22 *in all: \$6,193,330,000, to remain available for obligation*
23 *until September 30, 2001: Provided, That additional obli-*
24 *gations may be incurred after September 30, 2001, for engi-*
25 *neering services, tests, evaluations, and other such budgeted*

1 *work that must be performed in the final stage of ship con-*
2 *struction: Provided further, That none of the funds herein*
3 *provided for the construction or conversion of any naval*
4 *vessel to be constructed in shipyards in the United States*
5 *shall be expended in foreign facilities for the construction*
6 *of major components of such vessel: Provided further, That*
7 *none of the funds herein provided shall be used for the con-*
8 *struction of any naval vessel in foreign shipyards: Provided*
9 *further, That the Secretary of the Navy is hereby granted*
10 *the authority to enter into one or more contracts for the*
11 *procurement of not less than 12 Arleigh Burke class destroy-*
12 *ers in fiscal year 1998 through fiscal year 2001 at a pro-*
13 *curement rate of not less than three ships per year.*

14 *OTHER PROCUREMENT, NAVY*

15 *For procurement, production, and modernization of*
16 *support equipment and materials not otherwise provided*
17 *for, Navy ordnance (except ordnance for new aircraft, new*
18 *ships, and ships authorized for conversion); expansion of*
19 *public and private plants, including the land necessary*
20 *therefor, and such lands and interests therein, may be ac-*
21 *quired, and construction prosecuted thereon prior to ap-*
22 *proval of title; and procurement and installation of equip-*
23 *ment, appliances, and machine tools in public and private*
24 *plants; reserve plant and Government and contractor-owned*

1 *equipment layaway; \$2,944,519,000, to remain available*
2 *for obligation until September 30, 1999.*

3 *PROCUREMENT, MARINE CORPS*

4 *For expenses necessary for the procurement, manufac-*
5 *ture, and modification of missiles, armament, military*
6 *equipment, spare parts, and accessories therefor; plant*
7 *equipment, appliances, and machine tools, and installation*
8 *thereof in public and private plants; reserve plant and Gov-*
9 *ernment and contractor-owned equipment layaway; vehicles*
10 *for the Marine Corps, including the purchase of not to ex-*
11 *ceed 88 passenger motor vehicles for replacement only; and*
12 *expansion of public and private plants, including land nec-*
13 *essary therefor, and such lands and interests therein, may*
14 *be acquired and construction prosecuted thereon prior to*
15 *approval of title; \$660,507,000, to remain available for obli-*
16 *gation until September 30, 1999.*

17 *AIRCRAFT PROCUREMENT, AIR FORCE*

18 *For construction, procurement, and modification of*
19 *aircraft and equipment, including armor and armament,*
20 *specialized ground handling equipment, and training de-*
21 *vices, spare parts, and accessories therefor; specialized*
22 *equipment; expansion of public and private plants, Govern-*
23 *ment-owned equipment and installation thereof in such*
24 *plants, erection of structures, and acquisition of land, for*
25 *the foregoing purposes, and such lands and interests therein,*

1 *may be acquired, and construction prosecuted thereon prior*
2 *to approval of title; reserve plant and Government and con-*
3 *tractor-owned equipment layaway; and other expenses nec-*
4 *essary for the foregoing purposes including rents and trans-*
5 *portation of things; \$6,630,370,000, to remain available for*
6 *obligation until September 30, 1999.*

7 *MISSILE PROCUREMENT, AIR FORCE*

8 *For construction, procurement, and modification of*
9 *missiles, spacecraft, rockets, and related equipment, includ-*
10 *ing spare parts and accessories therefor, ground handling*
11 *equipment, and training devices; expansion of public and*
12 *private plants, Government-owned equipment and installa-*
13 *tion thereof in such plants, erection of structures, and ac-*
14 *quisition of land, for the foregoing purposes, and such lands*
15 *and interests therein, may be acquired, and construction*
16 *prosecuted thereon prior to approval of title; reserve plant*
17 *and Government and contractor-owned equipment layaway;*
18 *and other expenses necessary for the foregoing purposes in-*
19 *cluding rents and transportation of things; \$2,713,944,000,*
20 *to remain available for obligation until September 30,*
21 *1999.*

22 *OTHER PROCUREMENT, AIR FORCE*

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

1 *supplies, materials, and spare parts therefor, not otherwise*
2 *provided for; the purchase of not to exceed 506 passenger*
3 *motor vehicles for replacement only; the purchase of 1 vehi-*
4 *cle required for physical security of personnel, notwith-*
5 *standing price limitations applicable to passenger vehicles*
6 *but not to exceed \$287,000 per vehicle; and expansion of*
7 *public and private plants, Government-owned equipment*
8 *and installation thereof in such plants, erection of struc-*
9 *tures, and acquisition of land, for the foregoing purposes,*
10 *and such lands and interests therein, may be acquired, and*
11 *construction prosecuted thereon, prior to approval of title;*
12 *reserve plant and Government and contractor-owned equip-*
13 *ment layaway; \$5,577,787,000, to remain available for obli-*
14 *gation until September 30, 1999.*

15 *PROCUREMENT, DEFENSE-WIDE*

16 *For expenses of activities and agencies of the Depart-*
17 *ment of Defense (other than the military departments) nec-*
18 *essary for procurement, production, and modification of*
19 *equipment, supplies, materials, and spare parts therefor,*
20 *not otherwise provided for; the purchase of not to exceed*
21 *389 passenger motor vehicles for replacement only; expan-*
22 *sion of public and private plants, equipment, and installa-*
23 *tion thereof in such plants, erection of structures, and ac-*
24 *quisition of land for the foregoing purposes, and such lands*
25 *and interests therein, may be acquired, and construction*

1 prosecuted thereon prior to approval of title; reserve plant
2 and Government and contractor-owned equipment layaway;
3 \$1,773,794,000, to remain available for obligation until
4 September 30, 1999.

5 *NATIONAL GUARD AND RESERVE EQUIPMENT*

6 *For procurement of aircraft, missiles, tracked combat*
7 *vehicles, ammunition, other weapons, and other procure-*
8 *ment for the reserve components of the Armed Forces;*
9 *\$759,800,000, to remain available for obligation until Sep-*
10 *tember 30, 1999: Provided, That the Chiefs of the Reserve*
11 *and National Guard components shall, not later than 30*
12 *days after the enactment of this Act, individually submit*
13 *to the congressional defense committees the modernization*
14 *priority assessment for their respective Reserve or National*
15 *Guard component.*

16 *TITLE IV*

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

19 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*

20 *For expenses necessary for basic and applied scientific*
21 *research, development, test and evaluation, including main-*
22 *tenance, rehabilitation, lease, and operation of facilities*
23 *and equipment; \$5,107,283,000, to remain available for ob-*
24 *ligation until September 30, 1998: Provided, That of the*
25 *funds appropriated in this paragraph, \$4,000,000 shall be*

1 available for the procurement of a real-time, automatic
2 cargo tracking and control system.

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

4 *For expenses necessary for basic and applied scientific*
5 *research, development, test and evaluation, including main-*
6 *tenance, rehabilitation, lease, and operation of facilities*
7 *and equipment; \$8,067,543,000, to remain available for ob-*
8 *ligation until September 30, 1998: Provided, That funds*
9 *appropriated in this paragraph which are available for the*
10 *V-22 may be used to meet requirements of the Special Oper-*
11 *ations Forces: Provided further, That of the funds available*
12 *under this paragraph, \$12,000,000 is available for the Pulse*
13 *Doppler Upgrade modification to the AN/SPS-48E radar*
14 *system: Provided further, That of the funds appropriated*
15 *in this paragraph, \$7,500,000 shall be available for 1.5 ship*
16 *years in the university research fleet under the Oceano-*
17 *graphic and Atmospheric Technology program: Provided*
18 *further, That of the funds available under this heading,*
19 *\$1,000,000 is available for evaluation of a nondevelopmental*
20 *Doppler sonar velocity log: Provided further, That of*
21 *the funds appropriated under this heading \$46,600,000*
22 *shall be made available only for the Intercooled Recuperated*
23 *Gas Turbine Engine program: Provided further, That up*
24 *to \$10,000,000 of funds appropriated in this paragraph*
25 *may be used to initiate engineering and manufacturing de-*

1 *velopment for the winning airborne mine countermeasure*
2 *system.*

3 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*
4 *FORCE*

5 *For expenses necessary for basic and applied scientific*
6 *research, development, test and evaluation, including main-*
7 *tenance, rehabilitation, lease, and operation of facilities*
8 *and equipment; \$14,778,540,000, to remain available for*
9 *obligation until September 30, 1998: Provided, That not*
10 *less than \$1,000,000 of the funds appropriated in this para-*
11 *graph shall be made available only to assess the budgetary,*
12 *cost, technical, operational, training, and safety issues asso-*
13 *ciated with a decision to eliminate development of the F-*
14 *22B two-seat training variant of the F-22 advanced tac-*
15 *tical fighter: Provided further, That the assessment required*
16 *by the preceding proviso shall be submitted, in classified*
17 *and unclassified versions, by the Secretary of the Air Force*
18 *to the congressional defense committees not later than Feb-*
19 *ruary 15, 1997: Provided further, That of the funds appro-*
20 *priated under this heading, \$3,000,000 shall be available*
21 *for acceleration of a program to develop thermally stable*
22 *jet fuels using chemicals derived from coal.*

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; \$10,256,108,000, of which*
24 *\$9,936,638,000 shall be for Operation and maintenance,*
25 *and of which \$319,470,000, to remain available for obliga-*

1 *tion until September 30, 1999, shall be for Procurement:*
2 *Provided, That of the funds appropriated under this head-*
3 *ing, \$14,500,000 shall be made available for obtaining*
4 *emergency communications services for members of the*
5 *Armed Forces and their families from the American Na-*
6 *tional Red Cross: Provided further, That of the funds appro-*
7 *priated under this heading, \$10,000,000 shall be available*
8 *for scientific research to be carried out by entities independ-*
9 *ent of the Federal Government on possible causal relation-*
10 *ships between the complex of illnesses and symptoms com-*
11 *monly known as “Gulf War syndrome” and the possible ex-*
12 *posures of members of the Armed Forces to chemical warfare*
13 *agents or other hazardous materials during service on active*
14 *duty as a member of the Armed Forces in the Southwest*
15 *Asia theater of operations during the Persian Gulf War.*

16 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*

17 *DEFENSE*

18 *For expenses, not otherwise provided for, necessary for*
19 *the destruction of the United States stockpile of lethal chem-*
20 *ical agents and munitions in accordance with the provi-*
21 *sions of section 1412 of the Department of Defense Author-*
22 *ization Act, 1986 (50 U.S.C. 1521), and for the destruction*
23 *of other chemical warfare materials that are not in the*
24 *chemical weapon stockpile, \$758,447,000, of which*
25 *\$478,947,000 shall be for Operation and maintenance,*

1 \$191,200,000 shall be for Procurement to remain available
2 until September 30, 1999, and \$88,300,000 shall be for Re-
3 search, development, test and evaluation to remain avail-
4 able until September 30, 1998.

5 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*
6 *DEFENSE*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For drug interdiction and counter-drug activities of*
9 *the Department of Defense, for transfer to appropriations*
10 *available to the Department of Defense for military person-*
11 *nel of the reserve components serving under the provisions*
12 *of title 10 and title 32, United States Code; for Operation*
13 *and maintenance; for Procurement; and for Research, devel-*
14 *opment, test and evaluation; \$789,024,000: Provided, That*
15 *the funds appropriated by this paragraph shall be available*
16 *for obligation for the same time period and for the same*
17 *purpose as the appropriation to which transferred: Pro-*
18 *vided further, That the transfer authority provided in this*
19 *paragraph is in addition to any transfer authority con-*
20 *tained elsewhere in this Act.*

21 *OFFICE OF THE INSPECTOR GENERAL*

22 *For expenses and activities of the Office of the Inspec-*
23 *tor General in carrying out the provisions of the Inspector*
24 *General Act of 1978, as amended; \$139,157,000, of which*
25 *\$137,157,000 shall be for Operation and maintenance, of*

1 *which not to exceed \$500,000 is available for emergencies*
2 *and extraordinary expenses to be expended on the approval*
3 *or authority of the Inspector General, and payments may*
4 *be made on his certificate of necessity for confidential mili-*
5 *tary purposes; and of which \$2,000,000, to remain available*
6 *until September 30, 1999, shall be for Procurement.*

7 *ANTI-TERRORISM ACTIVITIES, DEFENSE*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For anti-terrorism activities of the Department of De-*
10 *fense, \$14,000,000, subject to authorization, for transfer to*
11 *appropriations available to the Department of Defense for*
12 *operation and maintenance, for procurement, and for re-*
13 *search, development, test, and evaluation: Provided, That*
14 *the funds appropriated under this heading shall be avail-*
15 *able for obligation for the same period and for the same*
16 *purposes as the appropriation to which transferred: Pro-*
17 *vided further, That the transfer authority provided under*
18 *this heading is in addition to any other transfer authority*
19 *contained in this Act.*

20 *TITLE VII*

21 *RELATED AGENCIES*

22 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

23 *DISABILITY SYSTEM FUND*

24 *For payment to the Central Intelligence Agency Retire-*
25 *ment and Disability System Fund, to maintain proper*

1 *funding level for continuing the operation of the Central*
2 *Intelligence Agency Retirement and Disability System;*
3 *\$184,200,000.*

4 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

5 *For necessary expenses of the Intelligence Community*
6 *Management Account; \$94,739,000.*

7 *PAYMENT TO KAHO'OLAWE ISLAND CONVEYANCE,*

8 *REMEDICATION, AND ENVIRONMENTAL RESTORATION FUND*

9 *For payment to Kaho'olawe Island Conveyance, Reme-*
10 *diation, and Environmental Restoration Fund, as author-*
11 *ized by law; \$10,000,000, to remain available until ex-*
12 *pended.*

13 *NATIONAL SECURITY EDUCATION TRUST FUND*

14 *For the purposes of title VIII of Public Law 102-183,*
15 *\$5,100,000, to be derived from the National Security Edu-*
16 *cation Trust Fund, to remain available until expended.*

17 *TITLE VIII*

18 *GENERAL PROVISIONS*

19 *SEC. 8001. No part of any appropriation contained*
20 *in this Act shall be used for publicity or propaganda pur-*
21 *poses not authorized by the Congress.*

22 *SEC. 8002. During the current fiscal year, provisions*
23 *of law prohibiting the payment of compensation to, or em-*
24 *ployment of, any person not a citizen of the United States*
25 *shall not apply to personnel of the Department of Defense:*

1 *Provided, That salary increases granted to direct and indi-*
2 *rect hire foreign national employees of the Department of*
3 *Defense funded by this Act shall not be at a rate in excess*
4 *of the percentage increase authorized by law for civilian*
5 *employees of the Department of Defense whose pay is com-*
6 *puted under the provisions of section 5332 of title 5, United*
7 *States Code, or at a rate in excess of the percentage increase*
8 *provided by the appropriate host nation to its own employ-*
9 *ees, whichever is higher: Provided further, That this section*
10 *shall not apply to Department of Defense foreign service*
11 *national employees serving at United States diplomatic*
12 *missions whose pay is set by the Department of State under*
13 *the Foreign Service Act of 1980: Provided further, That the*
14 *limitations of this provision shall not apply to foreign na-*
15 *tional employees of the Department of Defense in the Re-*
16 *public of Turkey.*

17 *SEC. 8003. No part of any appropriation contained*
18 *in this Act shall remain available for obligation beyond the*
19 *current fiscal year, unless expressly so provided herein.*

20 *SEC. 8004. No more than 20 per centum of the appro-*
21 *priations in this Act which are limited for obligation dur-*
22 *ing the current fiscal year shall be obligated during the last*
23 *two months of the fiscal year: Provided, That this section*
24 *shall not apply to obligations for support of active duty*

1 *training of reserve components or summer camp training*
2 *of the Reserve Officers' Training Corps.*

3 *(TRANSFER OF FUNDS)*

4 *SEC. 8005. Upon determination by the Secretary of*
5 *Defense that such action is necessary in the national inter-*
6 *est, he may, with the approval of the Office of Management*
7 *and Budget, transfer not to exceed \$1,200,000,000 of work-*
8 *ing capital funds of the Department of Defense or funds*
9 *made available in this Act to the Department of Defense*
10 *for military functions (except military construction) be-*
11 *tween such appropriations or funds or any subdivision*
12 *thereof, to be merged with and to be available for the same*
13 *purposes, and for the same time period, as the appropria-*
14 *tion or fund to which transferred: Provided, That such au-*
15 *thority to transfer may not be used unless for higher prior-*
16 *ity items, based on unforeseen military requirements, than*
17 *those for which originally appropriated and in no case*
18 *where the item for which funds are requested has been de-*
19 *nied by Congress: Provided further, That the Secretary of*
20 *Defense shall notify the Congress promptly of all transfers*
21 *made pursuant to this authority or any other authority in*
22 *this Act: Provided further, That no part of the funds in*
23 *this Act shall be available to prepare or present a request*
24 *to the Committees on Appropriations for reprogramming*
25 *of funds, unless for higher priority items, based on unfore-*

1 *seen military requirements, than those for which originally*
2 *appropriated and in no case where the item for which re-*
3 *programming is requested has been denied by the Congress.*

4 *(TRANSFER OF FUNDS)*

5 *SEC. 8006. During the current fiscal year, cash bal-*
6 *ances in working capital funds of the Department of De-*
7 *fense established pursuant to section 2208 of title 10, United*
8 *States Code, may be maintained in only such amounts as*
9 *are necessary at any time for cash disbursements to be made*
10 *from such funds: Provided, That transfers may be made be-*
11 *tween such funds and the "Foreign Currency Fluctuations,*
12 *Defense" and "Operation and Maintenance" appropriation*
13 *accounts in such amounts as may be determined by the Sec-*
14 *retary of Defense, with the approval of the Office of Manage-*
15 *ment and Budget, except that such transfers may not be*
16 *made unless the Secretary of Defense has notified the Con-*
17 *gress of the proposed transfer. Except in amounts equal to*
18 *the amounts appropriated to working capital funds in this*
19 *Act, no obligations may be made against a working capital*
20 *fund to procure or increase the value of war reserve mate-*
21 *rial inventory, unless the Secretary of Defense has notified*
22 *the Congress prior to any such obligation.*

23 *SEC. 8007. Funds appropriated by this Act may not*
24 *be used to initiate a special access program without prior*

1 notification 30 calendar days in session in advance to the
2 congressional defense committees.

3 SEC. 8008. None of the funds contained in this Act
4 available for the Civilian Health and Medical Program of
5 the Uniformed Services shall be available for payments to
6 physicians and other non-institutional health care provid-
7 ers in excess of the amounts allowed in fiscal year 1996
8 for similar services, except that: (a) for services for which
9 the Secretary of Defense determines an increase is justified
10 by economic circumstances, the allowable amounts may be
11 increased in accordance with appropriate economic index
12 data similar to that used pursuant to title XVIII of the
13 Social Security Act; and (b) for services the Secretary deter-
14 mines are overpriced based on allowable payments under
15 title XVIII of the Social Security Act, the allowable
16 amounts shall be reduced by not more than 15 percent (ex-
17 cept that the reduction may be waived if the Secretary de-
18 termines that it would impair adequate access to health
19 care services for beneficiaries). The Secretary shall solicit
20 public comment prior to promulgating regulations to imple-
21 ment this section. Such regulations shall include a limita-
22 tion, similar to that used under title XVIII of the Social
23 Security Act, on the extent to which a provider may bill
24 a beneficiary an actual charge in excess of the allowable
25 amount.

1 *SEC. 8009. None of the funds provided in this Act shall*
2 *be available to initiate (1) a multiyear contract that em-*
3 *plloys economic order quantity procurement in excess of*
4 *\$20,000,000 in any one year of the contract or that includes*
5 *an unfunded contingent liability in excess of \$20,000,000,*
6 *or (2) a contract for advance procurement leading to a*
7 *multiyear contract that employs economic order quantity*
8 *procurement in excess of \$20,000,000 in any one year, un-*
9 *less the congressional defense committees have been notified*
10 *at least thirty days in advance of the proposed contract*
11 *award: Provided, That no part of any appropriation con-*
12 *tained in this Act shall be available to initiate a multiyear*
13 *contract for which the economic order quantity advance*
14 *procurement is not funded at least to the limits of the Gov-*
15 *ernment's liability: Provided further, That no part of any*
16 *appropriation contained in this Act shall be available to*
17 *initiate multiyear procurement contracts for any systems*
18 *or component thereof if the value of the multiyear contract*
19 *would exceed \$500,000,000 unless specifically provided in*
20 *this Act: Provided further, That no multiyear procurement*
21 *contract can be terminated without 10-day prior notifica-*
22 *tion to the congressional defense committees: Provided fur-*
23 *ther, That the execution of multiyear authority shall require*
24 *the use of a present value analysis to determine lowest cost*
25 *compared to an annual procurement.*

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

3 *Javelin missiles;*

4 *Arleigh Burke (DDG-51) class destroyers;*

5 *MK19-3 grenade machine guns;*

6 *M16A2 rifles;*

7 *M249 Squad Automatic Weapons;*

8 *M4 carbine rifles; and*

9 *M240B machine guns.*

10 *SEC. 8010. Within the funds appropriated for the oper-*
11 *ation and maintenance of the Armed Forces, funds are here-*
12 *by appropriated pursuant to section 401 of title 10, United*
13 *States Code, for humanitarian and civic assistance costs*
14 *under chapter 20 of title 10, United States Code. Such funds*
15 *may also be obligated for humanitarian and civic assist-*
16 *ance costs incidental to authorized operations and pursuant*
17 *to authority granted in section 401 of chapter 20 of title*
18 *10, United States Code, and these obligations shall be re-*
19 *ported to Congress on September 30 of each year: Provided,*
20 *That funds available for operation and maintenance shall*
21 *be available for providing humanitarian and similar assist-*
22 *ance by using Civic Action Teams in the Trust Territories*
23 *of the Pacific Islands and freely associated states of Micro-*
24 *nesia, pursuant to the Compact of Free Association as au-*
25 *thorized by Public Law 99-239: Provided further, That*

1 *upon a determination by the Secretary of the Army that*
2 *such action is beneficial for graduate medical education*
3 *programs conducted at Army medical facilities located in*
4 *Hawaii, the Secretary of the Army may authorize the pro-*
5 *vision of medical services at such facilities and transpor-*
6 *tation to such facilities, on a nonreimbursable basis, for ci-*
7 *vilian patients from American Samoa, the Commonwealth*
8 *of the Northern Mariana Islands, the Marshall Islands, the*
9 *Federated States of Micronesia, Palau, and Guam.*

10 *SEC. 8011. (a) During fiscal year 1997, the civilian*
11 *personnel of the Department of Defense may not be man-*
12 *aged on the basis of any end-strength, and the management*
13 *of such personnel during that fiscal year shall not be subject*
14 *to any constraint or limitation (known as an end-strength)*
15 *on the number of such personnel who may be employed on*
16 *the last day of such fiscal year.*

17 *(b) The fiscal year 1998 budget request for the Depart-*
18 *ment of Defense as well as all justification material and*
19 *other documentation supporting the fiscal year 1998 De-*
20 *partment of Defense budget request shall be prepared and*
21 *submitted to the Congress as if subsections (a) and (b) of*
22 *this provision were effective with regard to fiscal year 1998.*

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

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

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

14 *SEC. 8014. (a) None of the funds appropriated by this*
15 *Act shall be used to make contributions to the Department*
16 *of Defense Education Benefits Fund pursuant to section*
17 *2006(g) of title 10, United States Code, representing the*
18 *normal cost for future benefits under section 3015(c) of title*
19 *38, United States Code, for any member of the armed serv-*
20 *ices who, on or after the date of enactment of this Act—*

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

23 *(2) receives an enlistment bonus under section*
24 *308a or 308f of title 37, United States Code,*

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

16 *(b) None of the funds appropriated by this Act shall*
17 *be available for the basic pay and allowances of any mem-*
18 *ber of the Army participating as a full-time student and*
19 *receiving benefits paid by the Secretary of Veterans Affairs*
20 *from the Department of Defense Education Benefits Fund*
21 *when time spent as a full-time student is credited toward*
22 *completion of a service commitment: Provided, That this*
23 *subsection shall not apply to those members who have reen-*
24 *listed with this option prior to October 1, 1987: Provided*

1 *gram may be transferred to any other appropriation con-*
2 *tained in this Act solely for the purpose of implementing*
3 *a Mentor-Protégé Program developmental assistance agree-*
4 *ment pursuant to section 831 of the National Defense Au-*
5 *thorization Act for Fiscal Year 1991 (Public Law 101–510;*
6 *10 U.S.C. 2301 note), as amended, under the authority of*
7 *this provision or any other transfer authority contained in*
8 *this Act.*

9 *SEC. 8017. For fiscal year 1997, the total amount ap-*
10 *propriated in this Act to fund the Uniformed Services*
11 *Treatment Facilities program, operated pursuant to section*
12 *911 of Public Law 97–99 (42 U.S.C. 248c), shall not exceed*
13 *\$331,380,000.*

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

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

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

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

1 *States military forces in that host nation, or such real prop-*
2 *erty maintenance and base operating costs that are cur-*
3 *rently executed through monetary transfers to such host na-*
4 *tions: Provided further, That the Department of Defense's*
5 *budget submission for fiscal year 1998 shall identify such*
6 *sums anticipated in residual value settlements, and identify*
7 *such construction, real property maintenance or base oper-*
8 *ating costs that shall be funded by the host nation through*
9 *such credits: Provided further, That all military construc-*
10 *tion projects to be executed from such accounts must be pre-*
11 *viously approved in a prior Act of Congress: Provided fur-*
12 *ther, That each such Executive Agreement with a NATO*
13 *member host nation shall be reported to the congressional*
14 *defense committees, the Committee on International Rela-*
15 *tions of the House of Representatives and the Committee*
16 *on Foreign Relations of the Senate thirty days prior to the*
17 *conclusion and endorsement of any such agreement estab-*
18 *lished under this provision.*

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

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

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

3 *SEC. 8023. Of the funds made available by this Act*
4 *in title III, Procurement, \$8,000,000, drawn pro rata from*
5 *each appropriations account in title III, shall be available*
6 *for incentive payments authorized by section 504 of the In-*
7 *dian Financing Act of 1974, 25 U.S.C. 1544. These pay-*
8 *ments shall be available only to contractors which have sub-*
9 *mitted subcontracting plans pursuant to 15 U.S.C. 637(d),*
10 *and according to regulations which shall be promulgated*
11 *by the Secretary of Defense within 90 days of the passage*
12 *of this Act.*

13 *SEC. 8024. During the current fiscal year, none of the*
14 *funds available to the Department of Defense may be used*
15 *to procure or acquire (1) defensive handguns unless such*
16 *handguns are the M9 or M11 9 mm Department of Defense*
17 *standard handguns, or (2) offensive handguns except for the*
18 *Special Operations Forces: Provided, That the foregoing*
19 *shall not apply to handguns and ammunition for marks-*
20 *manship competitions.*

21 *SEC. 8025. No more than \$500,000 of the funds appro-*
22 *priated or made available in this Act shall be used for any*
23 *single relocation of an organization, unit, activity or func-*
24 *tion of the Department of Defense into or within the Na-*
25 *tional Capital Region: Provided, That the Secretary of De-*

1 *fense may waive this restriction on a case-by-case basis 90*
2 *days after certifying in writing to the Congressional defense*
3 *committees that such a relocation is required in the best*
4 *interest of the Government.*

5 *SEC. 8026. During the current fiscal year, funds ap-*
6 *propriated or otherwise available for any Federal agency,*
7 *the Congress, the judicial branch, or the District of Colum-*
8 *bia may be used for the pay, allowances, and benefits of*
9 *an employee as defined by section 2105 of title 5 or an indi-*
10 *vidual employed by the government of the District of Co-*
11 *lumbia, permanent or temporary indefinite, who—*

12 *(1) is a member of a Reserve component of the*
13 *Armed Forces, as described in section 261 of title 10,*
14 *or the National Guard, as described in section 101 of*
15 *title 32;*

16 *(2) performs, for the purpose of providing mili-*
17 *tary aid to enforce the law or providing assistance to*
18 *civil authorities in the protection or saving of life or*
19 *property or prevention of injury—*

20 *(A) Federal service under sections 331, 332,*
21 *333, or 12406 of title 10, or other provision of*
22 *law, as applicable, or*

23 *(B) full-time military service for his or her*
24 *State, the District of Columbia, the Common-*

1 *wealth of Puerto Rico, or a territory of the Unit-*
2 *ed States; and*

3 *(3) requests and is granted—*

4 *(A) leave under the authority of this section;*

5 *or*

6 *(B) annual leave, which may be granted*
7 *without regard to the provisions of sections 5519*
8 *and 6323(b) of title 5, if such employee is other-*
9 *wise entitled to such annual leave:*

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

16 *SEC. 8027. None of the funds appropriated by this Act*
17 *shall be available to perform any cost study pursuant to*
18 *the provisions of OMB Circular A-76 if the study being*
19 *performed exceeds a period of twenty-four months after ini-*
20 *tiation of such study with respect to a single function activ-*
21 *ity or forty-eight months after initiation of such study for*
22 *a multi-function activity.*

23 *SEC. 8028. Funds appropriated by this Act for the*
24 *American Forces Information Service shall not be used for*

1 *any national or international political or psychological ac-*
2 *tivities.*

3 *SEC. 8029. Notwithstanding any other provision of*
4 *law or regulation, the Secretary of Defense may adjust wage*
5 *rates for civilian employees hired for certain health care*
6 *occupations as authorized for the Secretary of Veterans Af-*
7 *fairs by section 7455 of title 38, United States Code.*

8 *SEC. 8030. None of the funds appropriated or made*
9 *available in this Act shall be used to reduce or disestablish*
10 *the operation of the 53rd Weather Reconnaissance Squad-*
11 *ron of the Air Force Reserve, if such action would reduce*
12 *the WC-130 Weather Reconnaissance mission below the lev-*
13 *els funded in this Act.*

14 *SEC. 8031. (a) Of the funds for the procurement of sup-*
15 *plies or services appropriated by this Act, qualified non-*
16 *profit agencies for the blind or other severely handicapped*
17 *shall be afforded the maximum practicable opportunity to*
18 *participate as subcontractors and suppliers in the perform-*
19 *ance of contracts let by the Department of Defense.*

20 *(b) During the current fiscal year, a business concern*
21 *which has negotiated with a military service or defense*
22 *agency a subcontracting plan for the participation by small*
23 *business concerns pursuant to section 8(d) of the Small*
24 *Business Act (15 U.S.C. 637(d)) shall be given credit to-*
25 *ward meeting that subcontracting goal for any purchases*

1 *made from qualified nonprofit agencies for the blind or*
2 *other severely handicapped.*

3 *(c) For the purpose of this section, the phrase “quali-*
4 *fied nonprofit agency for the blind or other severely handi-*
5 *capped” means a nonprofit agency for the blind or other*
6 *severely handicapped that has been approved by the Com-*
7 *mittee for the Purchase from the Blind and Other Severely*
8 *Handicapped under the Javits-Wagner-O’Day Act (41*
9 *U.S.C. 46–48).*

10 *SEC. 8032. During the current fiscal year, net receipts*
11 *pursuant to collections from third party payers pursuant*
12 *to section 1095 of title 10, United States Code, shall be*
13 *made available to the local facility of the uniformed services*
14 *responsible for the collections and shall be over and above*
15 *the facility’s direct budget amount.*

16 *SEC. 8033. During the current fiscal year, the Depart-*
17 *ment of Defense is authorized to incur obligations of not*
18 *to exceed \$350,000,000 for purposes specified in section*
19 *2350j(c) of title 10, United States Code, in anticipation of*
20 *receipt of contributions, only from the Government of Ku-*
21 *wait, under that section: Provided, That, upon receipt, such*
22 *contributions from the Government of Kuwait shall be cred-*
23 *ited to the appropriation or fund which incurred such obli-*
24 *gations.*

1 *SEC. 8034. Of the funds made available in this Act,*
2 *not less than \$22,700,000 shall be available for the Civil*
3 *Air Patrol, of which \$19,000,000 shall be available for Op-*
4 *eration and Maintenance.*

5 *SEC. 8035. None of the funds in this or any other Act*
6 *shall be available for the preparation of studies on—*

7 *(a) the feasibility of removal and transportation*
8 *of unitary chemical weapons or agents from the eight*
9 *chemical storage sites within the continental United*
10 *States to Johnston Atoll: Provided, That this prohibi-*
11 *tion shall not apply to General Accounting Office*
12 *studies requested by a Member of Congress or a Con-*
13 *gressional Committee; and*

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

20 *SEC. 8036. None of the funds appropriated by this Act*
21 *shall be used for the support of any nonappropriated funds*
22 *activity of the Department of Defense that procures malt*
23 *beverages and wine with nonappropriated funds for resale*
24 *(including such alcoholic beverages sold by the drink) on*
25 *a military installation located in the United States unless*

1 *such malt beverages and wine are procured within that*
2 *State, or in the case of the District of Columbia, within*
3 *the District of Columbia, in which the military installation*
4 *is located: Provided, That in a case in which the military*
5 *installation is located in more than one State, purchases*
6 *may be made in any State in which the installation is lo-*
7 *cated: Provided further, That such local procurement re-*
8 *quirements for malt beverages and wine shall apply to all*
9 *alcoholic beverages only for military installations in States*
10 *which are not contiguous with another State: Provided fur-*
11 *ther, That alcoholic beverages other than wine and malt bev-*
12 *erages, in contiguous States and the District of Columbia*
13 *shall be procured from the most competitive source, price*
14 *and other factors considered.*

15 *SEC. 8037. For the purposes of this Act, the term “con-*
16 *gressional defense committees” means the National Security*
17 *Committee of the House of Representatives, the Armed Serv-*
18 *ices Committee of the Senate, the subcommittee on Defense*
19 *of the Committee on Appropriations of the Senate, and the*
20 *subcommittee on National Security of the Committee on*
21 *Appropriations of the House of Representatives.*

22 *SEC. 8038. Notwithstanding any other provision of*
23 *law, during the current fiscal year, the Department of De-*
24 *fense may acquire the modification, depot maintenance and*
25 *repair of aircraft, vehicles and vessels as well as the produc-*

1 *tion of components and other Defense-related articles,*
2 *through competition between Department of Defense depot*
3 *maintenance activities and private firms: Provided, That*
4 *the Senior Acquisition Executive of the military depart-*
5 *ment or defense agency concerned, with power of delegation,*
6 *shall certify that successful bids include comparable esti-*
7 *mates of all direct and indirect costs for both public and*
8 *private bids: Provided further, That Office of Management*
9 *and Budget Circular A-76 shall not apply to competitions*
10 *conducted under this section.*

11 *SEC. 8039. (a)(1) If the Secretary of Defense, after con-*
12 *sultation with the United States Trade Representative, de-*
13 *termines that a foreign country which is party to an agree-*
14 *ment described in paragraph (2) has violated the terms of*
15 *the agreement by discriminating against certain types of*
16 *products produced in the United States that are covered by*
17 *the agreement, the Secretary of Defense shall rescind the*
18 *Secretary's blanket waiver of the Buy American Act with*
19 *respect to such types of products produced in that foreign*
20 *country.*

21 *(2) An agreement referred to in paragraph (1) is any*
22 *reciprocal defense procurement memorandum of under-*
23 *standing, between the United States and a foreign country*
24 *pursuant to which the Secretary of Defense has prospec-*

1 *tively waived the Buy American Act for certain products*
2 *in that country.*

3 *(b) The Secretary of Defense shall submit to Congress*
4 *a report on the amount of Department of Defense purchases*
5 *from foreign entities in fiscal year 1997. Such report shall*
6 *separately indicate the dollar value of items for which the*
7 *Buy American Act was waived pursuant to any agreement*
8 *described in subsection (a)(2), the Trade Agreement Act of*
9 *1979 (19 U.S.C. 2501 et seq.), or any international agree-*
10 *ment to which the United States is a party.*

11 *(c) For purposes of this section, the term “Buy Amer-*
12 *ican Act” means title III of the Act entitled “An Act mak-*
13 *ing appropriations for the Treasury and Post Office De-*
14 *partments for the fiscal year ending June 30, 1934, and*
15 *for other purposes”, approved March 3, 1933 (41 U.S.C.*
16 *10a et seq.).*

17 *SEC. 8040. Appropriations contained in this Act that*
18 *remain available at the end of the current fiscal year as*
19 *a result of energy cost savings realized by the Department*
20 *of Defense shall remain available for obligation for the next*
21 *fiscal year to the extent, and for the purposes, provided in*
22 *section 2865 of title 10, United States Code.*

23 *SEC. 8041. During the current fiscal year and here-*
24 *after, voluntary separation incentives payable under 10*
25 *U.S.C. 1175 may be paid in such amounts as are necessary*

1 *from the assets of the Voluntary Separation Incentive Fund*
2 *established by section 1175(h)(1).*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 8042. Amounts deposited during the current fis-*
5 *cal year to the special account established under 40 U.S.C.*
6 *485(h)(2) and to the special account established under 10*
7 *U.S.C. 2667(d)(1) are appropriated and shall be available*
8 *until transferred by the Secretary of Defense to current ap-*
9 *plicable appropriations or funds of the Department of De-*
10 *fense under the terms and conditions specified by 40 U.S.C.*
11 *485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be*
12 *merged with and to be available for the same time period*
13 *and the same purposes as the appropriation to which trans-*
14 *ferred.*

15 *SEC. 8043. During the current fiscal year, appropria-*
16 *tions available to the Department of Defense may be used*
17 *to reimburse a member of a reserve component of the Armed*
18 *Forces who is not otherwise entitled to travel and transpor-*
19 *tation allowances and who occupies transient government*
20 *housing while performing active duty for training or inac-*
21 *tive duty training: Provided, That such members may be*
22 *provided lodging in kind if transient government quarters*
23 *are unavailable as if the member was entitled to such allow-*
24 *ances under subsection (a) of section 404 of title 37, United*
25 *States Code: Provided further, That if lodging in kind is*

1 *provided, any authorized service charge or cost of such lodg-*
2 *ing may be paid directly from funds appropriated for oper-*
3 *ation and maintenance of the reserve component of the*
4 *member concerned.*

5 *SEC. 8044. Notwithstanding any other provision of*
6 *law, funds available for “Drug Interdiction and Counter-*
7 *Drug Activities, Defense” may be obligated for the Young*
8 *Marines program.*

9 *SEC. 8045. During the current fiscal year, amounts*
10 *contained in the Department of Defense Overseas Military*
11 *Facility Investment Recovery Account established by section*
12 *2921(c)(1) of the National Defense Authorization Act of*
13 *1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be*
14 *available until expended for the payments specified by sec-*
15 *tion 2921(c)(2) of that Act.*

16 *SEC. 8046. During the current fiscal year and here-*
17 *after, annual payments granted under the provisions of sec-*
18 *tion 4416 of the National Defense Authorization Act for Fis-*
19 *cal Year 1993 (Public Law 102–428; 106 Stat. 2714) shall*
20 *be made from appropriations in this Act which are avail-*
21 *able for the pay of reserve component personnel.*

22 *SEC. 8047. Of the funds appropriated or otherwise*
23 *made available by this Act, not more than \$119,200,000*
24 *shall be available for payment of the operating costs of*
25 *NATO Headquarters: Provided, That the Secretary of De-*

1 *fense may waive this section for Department of Defense sup-*
2 *port provided to NATO forces in and around the former*
3 *Yugoslavia.*

4 *SEC. 8048. During the current fiscal year, appropria-*
5 *tions which are available to the Department of Defense for*
6 *operation and maintenance may be used to purchase items*
7 *having an investment item unit cost of not more than*
8 *\$100,000.*

9 *SEC. 8049. During the current fiscal year and here-*
10 *after, appropriations available for the pay and allowances*
11 *of active duty members of the Armed Forces shall be avail-*
12 *able to pay the retired pay which is payable pursuant to*
13 *section 4403 of Public Law 102-484 (10 U.S.C. 1293 note)*
14 *under the terms and conditions provided in section 4403.*

15 *SEC. 8050. (a) During the current fiscal year, none*
16 *of the appropriations or funds available to the Defense*
17 *Business Operations Fund shall be used for the purchase*
18 *of an investment item for the purpose of acquiring a new*
19 *inventory item for sale or anticipated sale during the cur-*
20 *rent fiscal year or a subsequent fiscal year to customers of*
21 *the Defense Business Operations Fund if such an item*
22 *would not have been chargeable to the Defense Business Op-*
23 *erations Fund during fiscal year 1994 and if the purchase*
24 *of such an investment item would be chargeable during the*

1 *current fiscal year to appropriations made to the Depart-*
2 *ment of Defense for procurement.*

3 **(b)** *The fiscal year 1998 budget request for the Depart-*
4 *ment of Defense as well as all justification material and*
5 *other documentation supporting the fiscal year 1998 De-*
6 *partment of Defense budget shall be prepared and submitted*
7 *to the Congress on the basis that any equipment which was*
8 *classified as an end item and funded in a procurement ap-*
9 *propriation contained in this Act shall be budgeted for in*
10 *a proposed fiscal year 1998 procurement appropriation and*
11 *not in the supply management business area or any other*
12 *area or category of the Defense Business Operations Fund.*

13 **SEC. 8051.** *None of the funds provided in this Act shall*
14 *be available for use by a Military Department to modify*
15 *an aircraft, weapon, ship or other item of equipment, that*
16 *the Military Department concerned plans to retire or other-*
17 *wise dispose of within five years after completion of the*
18 *modification: Provided, That this prohibition shall not*
19 *apply to safety modifications: Provided further, That this*
20 *prohibition may be waived by the Secretary of a Military*
21 *Department if the Secretary determines it is in the best na-*
22 *tional security interest of the United States to provide such*
23 *waiver and so notifies the congressional defense committees*
24 *in writing.*

1 *SEC. 8052. None of the funds appropriated by this Act*
2 *for programs of the Central Intelligence Agency shall re-*
3 *main available for obligation beyond the current fiscal year,*
4 *except for funds appropriated for the Reserve for Contin-*
5 *gencies, which shall remain available until September 30,*
6 *1998.*

7 *SEC. 8053. Notwithstanding any other provision of*
8 *law, funds made available in this Act for the Defense Intel-*
9 *ligence Agency may be used for the design, development, and*
10 *deployment of General Defense Intelligence Program intel-*
11 *ligence communications and intelligence information sys-*
12 *tems for the Services, the Unified and Specified Commands,*
13 *and the component commands.*

14 *SEC. 8054. Of the funds appropriated to the Depart-*
15 *ment of Defense under the heading “Operation and Mainte-*
16 *nance, Defense-Wide”, not less than \$8,000,000 shall be*
17 *made available only for the mitigation of environmental*
18 *impacts, including training and technical assistance to*
19 *tribes, related administrative support, the gathering of in-*
20 *formation, documenting of environmental damage, and de-*
21 *veloping a system for prioritization of mitigation, on In-*
22 *dian lands resulting from Department of Defense activities.*

23 *SEC. 8055. Amounts collected for the use of the facili-*
24 *ties of the National Science Center for Communications and*
25 *Electronics during the current fiscal year pursuant to sec-*

1 *tion 1459(g) of the Department of Defense Authorization*
2 *Act, 1986 and deposited to the special account established*
3 *under subsection 1459(g)(2) of that Act are appropriated*
4 *and shall be available until expended for the operation and*
5 *maintenance of the Center as provided for in subsection*
6 *1459(g)(2).*

7 *SEC. 8056. None of the funds appropriated in this Act*
8 *may be used to fill the commander's position at any mili-*
9 *tary medical facility with a health care professional unless*
10 *the prospective candidate can demonstrate professional ad-*
11 *ministrative skills.*

12 *SEC. 8057. None of the funds appropriated in this Act*
13 *may be expended by an entity of the Department of Defense*
14 *unless the entity, in expending the funds, complies with the*
15 *Buy American Act. For purposes of this subsection, the term*
16 *"Buy American Act" means title III of the Act entitled "An*
17 *Act making appropriations for the Treasury and Post Of-*
18 *fice Departments for the fiscal year ending June 30, 1934,*
19 *and for other purposes", approved March 3, 1933 (41*
20 *U.S.C. 10a et seq.).*

21 *SEC. 8058. None of the funds appropriated by this Act*
22 *shall be available for a contract for studies, analyses, or*
23 *consulting services entered into without competition on the*
24 *basis of an unsolicited proposal unless the head of the activ-*
25 *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. 8059. Of the funds provided in title VI, under*
22 *the heading "Chemical Agents and Munitions Destruction,*
23 *Defense", \$40,000,000 shall only be available for the initi-*
24 *ation of a pilot program to identify and demonstrate not*
25 *less than two alternatives to the baseline incineration proc-*

1 *ess for the demilitarization of assembled chemical muni-*
2 *tions: Provided, That the Under Secretary of Defense for*
3 *Acquisition and Technology shall, not later than November*
4 *1, 1996, designate a program executive officer to carry out*
5 *the pilot program who is not, nor has been, in direct or*
6 *immediate control of the baseline reverse assembly inciner-*
7 *ation demilitarization program: Provided further, That the*
8 *Under Secretary of Defense for Acquisition and Technology*
9 *shall evaluate the effectiveness of each alternative chemical*
10 *munitions demilitarization technology identified and dem-*
11 *onstrated under the pilot program to demilitarize assembled*
12 *chemical munitions while meeting all applicable Federal*
13 *and State environmental and safety requirements: Provided*
14 *further, That the Under Secretary of Defense for Acquisition*
15 *and Technology shall transmit, by December 15 of each*
16 *year, a report to the congressional defense committees on*
17 *the activities carried out under the pilot program during*
18 *the preceding fiscal year in which the report is to be made:*
19 *Provided further, That no funds may be obligated for the*
20 *initiation of construction of a baseline incineration facility*
21 *at the Lexington Blue Grass Army Depot or the Pueblo*
22 *Depot activity until 180 days after the Secretary of Defense*
23 *has submitted to the congressional defense committees a re-*
24 *port detailing the effectiveness of each alternative chemical*
25 *munitions demilitarization technology identified and dem-*

1 *“Missile Procurement, Air Force, 1995/1997”,*
2 \$31,900,000;

3 *“Missile Procurement, Air Force, 1996/1998”,*
4 \$20,000,000;

5 *“Research, Development, Test and Evaluation,*
6 *Air Force, 1996/1997”, \$75,000,000.*

7 *SEC. 8063. Of the funds appropriated in the Depart-*
8 *ment of Defense Appropriations Act, 1996 (Public Law*
9 *104–61), under the heading “Other Procurement, Army”,*
10 *the Department of the Army shall grant \$477,000 to the*
11 *Kansas Unified School District 207 for the purpose of inte-*
12 *grating schools at Fort Leavenworth into the existing fiber*
13 *optic network on post.*

14 *SEC. 8064. None of the funds available in this Act may*
15 *be used to reduce the authorized positions for military (ci-*
16 *vilian) technicians of the Army National Guard, the Air*
17 *National Guard, Army Reserve and Air Force Reserve for*
18 *the purpose of applying any administratively imposed ci-*
19 *vilian personnel ceiling, freeze, or reduction on military (ci-*
20 *vilian) technicians, unless such reductions are a direct re-*
21 *sult of a reduction in military force structure.*

22 *SEC. 8065. None of the funds appropriated or other-*
23 *wise made available in this Act may be obligated or ex-*
24 *pended for assistance to the Democratic People’s Republic*

1 of North Korea unless specifically appropriated for that
2 purpose.

3 *SEC. 8066. During the current fiscal year, funds ap-*
4 *propriated in this Act are available to compensate members*
5 *of the National Guard for duty performed pursuant to a*
6 *plan submitted by a Governor of a State and approved by*
7 *the Secretary of Defense under section 112 of title 32, Unit-*
8 *ed States Code: Provided, That during the performance of*
9 *such duty, the members of the National Guard shall be*
10 *under State command and control: Provided further, That*
11 *such duty shall be treated as full-time National Guard duty*
12 *for purposes of sections 12602 (a)(2) and (b)(2) of title 10,*
13 *United States Code.*

14 *SEC. 8067. Funds appropriated in this Act for oper-*
15 *ation and maintenance of the Military Departments, Uni-*
16 *fied and Specified Commands and Defense Agencies shall*
17 *be available for reimbursement of pay, allowances and other*
18 *expenses which would otherwise be incurred against appro-*
19 *priations for the National Guard and Reserve when mem-*
20 *bers of the National Guard and Reserve provide intelligence*
21 *support to Unified Commands, Defense Agencies and Joint*
22 *Intelligence Activities, including the activities and pro-*
23 *grams included within the General Defense Intelligence*
24 *Program and the Consolidated Cryptologic Program: Pro-*
25 *vided, That nothing in this section authorizes deviation*

1 *from established Reserve and National Guard personnel and*
2 *training procedures.*

3 *SEC. 8068. During the current fiscal year, none of the*
4 *funds appropriated in this Act may be used to reduce the*
5 *civilian medical and medical support personnel assigned to*
6 *military treatment facilities below the September 30, 1996*
7 *level.*

8 *SEC. 8069. All refunds or other amounts collected in*
9 *the administration of the Civilian Health and Medical Pro-*
10 *gram of the Uniformed Services (CHAMPUS) shall be cred-*
11 *ited to current year appropriations.*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 8070. None of the funds appropriated in this Act*
14 *may be transferred to or obligated from the Pentagon Res-*
15 *ervation Maintenance Revolving Fund, unless the Secretary*
16 *of Defense certifies that the total cost for the planning, de-*
17 *sign, construction and installation of equipment for the ren-*
18 *ovation of the Pentagon Reservation will not exceed*
19 *\$1,118,000,000.*

20 *SEC. 8071. (a) None of the funds available to the De-*
21 *partment of Defense for any fiscal year for drug interdic-*
22 *tion or counter-drug activities may be transferred to any*
23 *other department or agency of the United States except as*
24 *specifically provided in an appropriations law.*

25 *(b) None of the funds available to the Central Intel-*
26 *ligence Agency for any fiscal year for drug interdiction and*

1 counter-drug activities may be transferred to any other de-
2 partment or agency of the United States except as specifi-
3 cally provided in an appropriations law.

4 (TRANSFER OF FUNDS)

5 SEC. 8072. Appropriations available in this Act under
6 the heading "Operation and Maintenance, Defense-Wide"
7 for increasing energy and water efficiency in Federal build-
8 ings may, during its period of availability, be transferred
9 to other appropriations or funds of the Department of De-
10 fense for projects related to increasing energy and water ef-
11 ficiency, to be merged with and to be available for the same
12 general purposes, and for the same time period, as the ap-
13 propriation or fund to which transferred.

14 SEC. 8073. Notwithstanding any other provision of
15 law, funds available to the Department of Defense shall be
16 made available to provide transportation of medical sup-
17 plies and equipment, on a nonreimbursable basis, to Amer-
18 ican Samoa: Provided, That notwithstanding any other
19 provision of law, funds available to the Department of De-
20 fense shall be made available to provide transportation of
21 medical supplies and equipment, on a nonreimbursable
22 basis, to the Indian Health Service when it is in conjunc-
23 tion with a civil-military project.

24 SEC. 8074. Notwithstanding any other provision of
25 law, the Naval shipyards of the United States shall be eligi-

1 ble to participate in any manufacturing extension program
2 financed by funds appropriated in this or any other Act.

3 (TRANSFER OF FUNDS)

4 SEC. 8075. In addition to amounts appropriated or
5 otherwise made available by this Act, \$300,000,000 is here-
6 by appropriated to the Department of Defense and shall be
7 available only for transfer to the United States Coast
8 Guard.

9 SEC. 8076. Notwithstanding any other provision of
10 law, each contract awarded by the Department of Defense
11 during the current fiscal year for construction or service
12 performed in whole or in part in a State which is not con-
13 tiguous with another State and has an unemployment rate
14 in excess of the national average rate of unemployment as
15 determined by the Secretary of Labor, shall include a provi-
16 sion requiring the contractor to employ, for the purpose of
17 performing that portion of the contract in such State that
18 is not contiguous with another State, individuals who are
19 residents of such State and who, in the case of any craft
20 or trade, possess or would be able to acquire promptly the
21 necessary skills: Provided, That the Secretary of Defense
22 may waive the requirements of this section, on a case-by-
23 case basis, in the interest of national security.

24 SEC. 8077. Notwithstanding any other provision of
25 law, within the funds available in this Act, the Secretary
26 of the Air Force may enter into agreements to modify leases

1 *of housing units being constructed if deemed to be in the*
2 *best interest of the Department. The housing units shall be*
3 *assigned, without rental charge, as family housing to mem-*
4 *bers of the Armed Forces who are eligible for assignment*
5 *to military family housing.*

6 *SEC. 8078. (a) The Secretary of Defense shall submit,*
7 *on a quarterly basis, a report to the congressional defense*
8 *committees, the Committee on International Relations of*
9 *the House of Representatives and the Committee on Foreign*
10 *Relations of the Senate setting forth all costs (including in-*
11 *cremental costs) incurred by the Department of Defense*
12 *during the preceding quarter in implementing or support-*
13 *ing resolutions of the United Nations Security Council, in-*
14 *cluding any such resolution calling for international sanc-*
15 *tions, international peacekeeping operations, and humani-*
16 *tarian missions undertaken by the Department of Defense.*
17 *The quarterly report shall include an aggregate of all such*
18 *Department of Defense costs by operation or mission.*

19 *(b) The Secretary of Defense shall detail in the quar-*
20 *terly reports all efforts made to seek credit against past*
21 *United Nations expenditures and all efforts made to seek*
22 *compensation from the United Nations for costs incurred*
23 *by the Department of Defense in implementing and sup-*
24 *porting United Nations activities.*

1 *SEC. 8079. To the extent authorized by subchapter VI*
2 *of Chapter 148 of title 10, United States Code, the Secretary*
3 *of Defense shall issue loan guarantees in support of U.S.*
4 *defense exports not otherwise provided for: Provided, That*
5 *the total contingent liability of the United States for guar-*
6 *antees issued under the authority of this section may not*
7 *exceed \$15,000,000,000: Provided further, That the exposure*
8 *fees charged and collected by the Secretary for each guaran-*
9 *tee, shall be paid by the country involved and shall not be*
10 *financed as part of a loan guaranteed by the United States:*
11 *Provided further, That the Secretary shall provide quarterly*
12 *reports to the Committees on Appropriations, Armed Serv-*
13 *ices and Foreign Relations of the Senate and the Commit-*
14 *tees on Appropriations, National Security and Inter-*
15 *national Relations in the House of Representatives on the*
16 *implementation of this program: Provided further, That*
17 *amounts charged for administrative fees and deposited to*
18 *the special account provided for under section 2540c(d) of*
19 *title 10, shall be available for paying the costs of adminis-*
20 *trative expenses of the Department of Defense that are at-*
21 *tributable to the loan guarantee program under subchapter*
22 *VI of Chapter 148 of title 10.*

23 *SEC. 8080. None of the funds available to the Depart-*
24 *ment of Defense shall be obligated or expended to make a*
25 *financial contribution to the United Nations for the cost*

1 *of an United Nations peacekeeping activity (whether pursu-*
2 *ant to assessment or a voluntary contribution) or for pay-*
3 *ment of any United States arrearage to the United Nations.*

4 *SEC. 8081. None of the funds available to the Depart-*
5 *ment of Defense under this Act shall be obligated or ex-*
6 *pended to pay a contractor under a contract with the De-*
7 *partment of Defense for costs of any amount paid by the*
8 *contractor to an employee when—*

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

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

14 *SEC. 8082. (a) None of the funds appropriated or oth-*
15 *erwise made available in this Act may be used to transport*
16 *or provide for the transportation of chemical munitions or*
17 *agents to the Johnston Atoll for the purpose of storing or*
18 *demilitarizing such munitions or agents.*

19 *(b) The prohibition in subsection (a) shall not apply*
20 *to any obsolete World War II chemical munition or agent*
21 *of the United States found in the World War II Pacific*
22 *Theater of Operations.*

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

1 *SEC. 8083. During the current fiscal year, appropria-*
2 *tions made in this Act under the heading “Operation and*
3 *Maintenance, Defense-Wide” may be transferred to appro-*
4 *priations available for the pay of military personnel, to be*
5 *merged with, and to be available for the same time period*
6 *as the appropriations to which transferred, to be used for*
7 *the purposes of expenses incurred in connection with a pilot*
8 *program to increase the use of Reserve personnel in support*
9 *of missions of the Armed Forces and for the use of such*
10 *personnel in connection with support and services for eligi-*
11 *ble organizations and activities outside the Department of*
12 *Defense pursuant to section 2012 of title 10, United States*
13 *Code.*

14 *SEC. 8084. None of the funds provided in this Act may*
15 *be obligated or expended for the sale of zinc in the National*
16 *Defense Stockpile if zinc commodity prices decline more*
17 *than five percent below the London Metals Exchange market*
18 *price reported on the date of enactment of this Act.*

19 *SEC. 8085. For purposes of section 1553(b) of title 31,*
20 *United States Code, any subdivision of appropriations*
21 *made in this Act under the heading “Shipbuilding and*
22 *Conversion, Navy” shall be considered to be for the same*
23 *purpose as any subdivision under the heading “Shipbuild-*
24 *ing and Conversion, Navy” appropriations in any prior*

1 *year, and the one percent limitation shall apply to the total*
2 *amount of the appropriation.*

3 *SEC. 8086. During the current fiscal year, and not-*
4 *withstanding 31 U.S.C. 1552(a), not more than*
5 *\$107,000,000 appropriated under the heading “Aircraft*
6 *Procurement, Air Force” in Public Law 101–511 and not*
7 *more than \$15,000,000 appropriated under the heading*
8 *“Aircraft Procurement, Air Force” in Public Law 102–172*
9 *which were available and obligated for the B–2 Aircraft*
10 *Program shall remain available for expenditure and for ad-*
11 *justing obligations for such Program until September 30,*
12 *2002.*

13 *SEC. 8087. During the current fiscal year, in the case*
14 *of an appropriation account of the Department of Defense*
15 *for which the period of availability for obligation has ex-*
16 *pired or which has closed under the provisions of section*
17 *1552 of title 31, United States Code, and which has a nega-*
18 *tive unliquidated or unexpended balance, an obligation or*
19 *an adjustment of an obligation may be charged to any cur-*
20 *rent appropriation account for the same purpose as the ex-*
21 *pired or closed account if—*

22 *(1) the obligation would have been properly*
23 *chargeable (except as to amount) to the expired or*
24 *closed account before the end of the period of avail-*
25 *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 Conver-*
5 *sion, Navy, 1985/1995”:*

6 *For craft, outfitting, and post delivery,*
7 *\$2,000,000;*

8 *To:*

9 *Under the heading, “Shipbuilding and Conver-*
10 *sion, Navy, 1985/1995”:*

11 *DDG–51 Destroyer program, \$2,000,000;*

12 *From:*

13 *Under the heading, “Shipbuilding and Conver-*
14 *sion, Navy, 1986/1996”:*

15 *LHD–1 amphibious assault ship program,*
16 *\$2,154,000;*

17 *To:*

18 *Under the heading, “Shipbuilding and Conver-*
19 *sion, Navy, 1986/1996”:*

20 *For craft, outfitting and post delivery,*
21 *\$2,154,000;*

22 *From:*

23 *Under the heading, “Shipbuilding and Conver-*
24 *sion, Navy, 1987/1996”:*

25 *T–AO fleet oiler program, \$1,095,000;*

1 *Oceanographic ship program, \$735,000;*

2 *To:*

3 *Under the heading, “Shipbuilding and Conver-*
4 *sion, Navy, 1987/1996”:*

5 *For craft, outfitting, and post delivery,*
6 *\$1,830,000;*

7 *From:*

8 *Under the heading, “Shipbuilding and Conver-*
9 *sion, Navy, 1989/2000”:*

10 *T–AO fleet oiler program, \$6,571,000;*

11 *To:*

12 *Under the heading, “Shipbuilding and Conver-*
13 *sion, Navy, 1989/2000”:*

14 *SSN–21 attack submarine program,*
15 *\$6,571,000;*

16 *From:*

17 *Under the heading, “Shipbuilding and Conver-*
18 *sion, Navy, 1991/2001”:*

19 *DDG–51 destroyer program, \$12,687,000;*

20 *To:*

21 *Under the heading, “Shipbuilding and Conver-*
22 *sion, Navy, 1991/2001”:*

23 *LHD–1 amphibious assault ship program,*
24 *\$9,387,000;*

1 *MHC coastal mine hunter program,*
2 \$3,300,000;

3 *From:*

4 *Under the heading, “Shipbuilding and Conver-*
5 *sion, Navy, 1992/1996”:*

6 *For escalation, \$1,600,000;*

7 *To:*

8 *Under the heading, “Shipbuilding and Conver-*
9 *sion, Navy, 1992/1996”:*

10 *MHC coastal mine hunter program,*
11 \$1,600,000;

12 *From:*

13 *Under the heading, “Shipbuilding and Conver-*
14 *sion, Navy, 1993/1997”:*

15 *DDG–51 destroyer program, \$5,000,000;*

16 *LSD–41 cargo variant ship program,*
17 \$2,700,000;

18 *For craft, outfitting, post delivery, and first*
19 *destination transportation, and inflation adjust-*
20 *ments, \$1,577,000;*

21 *To:*

22 *Under the heading, “Shipbuilding and Conver-*
23 *sion, Navy, 1993/1997”:*

24 *AOE combat support ship program,*
25 \$9,277,000;

1 *From:*

2 *Under the heading, “Shipbuilding and Conver-*
3 *sion, Navy, 1995/1999”:*

4 *Carrier replacement program, \$18,023,000;*

5 *To:*

6 *Under the heading, “Shipbuilding and Conver-*
7 *sion, Navy, 1993/1997”:*

8 *MHC coastal mine hunter program,*
9 *\$6,700,000;*

10 *AOE combat support ship program,*
11 *\$11,323,000;*

12 *From:*

13 *Under the heading, “Shipbuilding and Conver-*
14 *sion, Navy, 1994/1998”:*

15 *LHD-1 amphibious assault ship program,*
16 *\$4,100,000;*

17 *Mine warfare command and control ship,*
18 *\$1,000,000;*

19 *For craft, outfitting, post delivery, and first*
20 *destination transportation, \$2,000,000;*

21 *From:*

22 *Under the heading, “Shipbuilding and Conver-*
23 *sion, Navy, 1995/1999”:*

24 *Carrier replacement program, \$9,477,000;*

25 *From:*

1 Under the heading, “Shipbuilding and Conver-
2 sion, Navy, 1996/2000”:

3 NSSN-1 (AP), \$3,791,000;

4 DDG-51 destroyer program, \$4,075,000;

5 CVN Refuelings, \$5,212,000;

6 T-AGS-64 multi-purpose oceanographic
7 survey ship, \$375,000;

8 For craft, outfitting, post delivery, conver-
9 sions and first destination transportation,
10 \$11,770,000;

11 To:

12 Under the heading, “Shipbuilding and Conver-
13 sion, Navy, 1994/1998”:

14 DDG-51 destroyer program, \$41,800,000.

15 SEC. 8089. (a) The Secretary of Defense shall require
16 not later than June 30, 1997, each disbursement by the De-
17 partment of Defense in an amount in excess of \$3,000,000
18 be matched to a particular obligation before the disburse-
19 ment is made.

20 (b) The Secretary shall ensure that a disbursement in
21 excess of the threshold amount applicable under section (a)
22 is not divided into multiple disbursements of less than that
23 amount for the purpose of avoiding the applicability of such
24 section to that disbursement.

1 *SEC. 8090. The Under Secretary of Defense (Comptrol-*
2 *ler) shall submit to the Congressional defense committees*
3 *a detailed report identifying, by amount and by separate*
4 *budget activity, activity group, subactivity group, line*
5 *item, program element, program, project, subproject, and*
6 *activity, any activity for which the fiscal year 1998 budget*
7 *request was reduced because Congress appropriated funds*
8 *above the President's budget request for that specific activ-*
9 *ity for fiscal year 1997.*

10 *SEC. 8091. Notwithstanding any other provision of*
11 *law, of the funds appropriated under the heading "Aircraft*
12 *Procurement, Navy" in Public Law 104-61, \$45,000,000*
13 *shall be made available only for procurement of T-39N air-*
14 *craft, simulators, and support equipment currently used for*
15 *training naval flight officers under an existing contract.*

16 *SEC. 8092. Notwithstanding 31 U.S.C. 1552(a), of the*
17 *funds provided in Department of Defense Appropriations*
18 *Acts, not more than the specified amounts of funds from*
19 *the following accounts shall remain available for the pay-*
20 *ment of satellite on-orbit incentive fees until the fees are*
21 *paid:*

22 *"Missile Procurement, Air Force, 1990/1992",*
23 *\$17,800,000;*

24 *"Missile Procurement, Air Force, 1991/1993",*
25 *\$19,330,000;*

1 *“Missile Procurement, Air Force, 1992/1994”,*
2 \$23,570,000;

3 *“Missile Procurement, Air Force, 1993/1995”,*
4 \$16,780,000;

5 *“Missile Procurement, Air Force, 1994/1996”,*
6 \$16,780,000.

7 *SEC. 8093. (a) Notwithstanding any other provision*
8 *of law, of the amounts available to the Department of De-*
9 *fense (department) during fiscal year 1997, not more than*
10 *\$1,162,650,000 may be obligated for financing activities of*
11 *defense federally funded research and development centers*
12 *(FFRDCs): Provided, That of the specific amount referred*
13 *to previously in this subsection, not more than*
14 *\$206,650,000 may be obligated for financing activities of*
15 *the defense studies and analysis FFRDCs: Provided further,*
16 *That the total amounts appropriated in titles II, III, and*
17 *IV of this Act are hereby reduced by \$52,286,000 to reflect*
18 *the overall funding ceiling contained in this subsection.*

19 *(b) Within 60 days after enactment of this Act, the*
20 *Secretary of Defense shall submit to the Congressional de-*
21 *fense committees a report presenting the specific amounts—*
22 *in dollars and staff years of technical effort—to be allocated*
23 *by the department for each defense FFRDC during fiscal*
24 *year 1997.*

1 (c) *The Secretary of Defense shall, with the submission*
2 *of the department's fiscal year 1998 budget request, submit*
3 *a report presenting the specific amounts—in dollars and*
4 *staff years of technical effort—to be allocated for each de-*
5 *fense FFRDC during that fiscal year.*

6 (d) *The Secretary of Defense may, pursuant to the gen-*
7 *eral transfer authority granted in Section 8005 of this Act,*
8 *provide additional funds to a defense FFRDC: Provided,*
9 *That any such transfer, irrespective of amount, shall be sub-*
10 *ject to a Form DD-1415 reprogramming action request.*

11 *SEC. 8094. None of the funds available to the Depart-*
12 *ment of the Navy may be used to enter into any contract*
13 *for the overhaul, repair, or maintenance of any naval vessel*
14 *homeported on the West Coast of the United States which*
15 *includes charges for interport differential as an evaluation*
16 *factor for award.*

17 *SEC. 8095. Notwithstanding any other provision of*
18 *law, none of the funds appropriated in this Act may be*
19 *used to purchase, install, replace, or otherwise repair any*
20 *lock on a safe or security container which protects informa-*
21 *tion critical to national security or any other classified ma-*
22 *terials and which has not been certified as passing the secu-*
23 *rity lock specifications contained in regulation FF-L-2740*
24 *dated October 12, 1989, and has not passed all testing cri-*
25 *teria and procedures established through February 28,*

1 1992: *Provided, That the Director of Central Intelligence*
2 *may waive this provision, on a case-by-case basis only,*
3 *upon certification that the above cited locks are not ade-*
4 *quate for the protection of sensitive intelligence informa-*
5 *tion.*

6 *SEC. 8096. (a) None of the funds available to the De-*
7 *partment of Defense during fiscal year 1997 may be obli-*
8 *gated or expended to modify established reprogramming*
9 *procedures, including modifying the below threshold re-*
10 *programming dollar thresholds, until 90 days after any*
11 *proposed modification is reported to the Congressional de-*
12 *fense committees along with a detailed justification for that*
13 *proposed modification.*

14 *(b) The Department of Defense may not modify its*
15 *policies with respect to budgeting for low rate initial pro-*
16 *duction test articles until 90 days after any proposed modi-*
17 *fication is reported to the Congressional defense committees*
18 *along with a detailed justification for that proposed modi-*
19 *fication.*

20 *(c) For the purposes of this section, the terms “estab-*
21 *lished reprogramming procedures” and the terms “policies*
22 *with respect to budgeting for low rate initial production*
23 *test articles” refer to those procedures and policies which*
24 *were in effect on January 1, 1996.*

(TRANSFER OF FUNDS)

1
2 *SEC. 8097. Of the funds provided in title IV of this*
3 *Act, \$93,000,000 shall be made available for prostate cancer*
4 *research: Provided, That these funds shall be transferred to*
5 *the Department of the Army for the execution of a peer re-*
6 *view research program: Provided further, That the transfer*
7 *authority provided in this section is in addition to any*
8 *transfer authority contained elsewhere in this Act.*

9 *SEC. 8098. Section 8110 of Public Law 104–61 (109*
10 *Stat. 674) is hereby repealed.*

11 *SEC. 8099. (a) Notwithstanding any other provision*
12 *of this Act, the number for Military Personnel, Navy shall*
13 *be \$16,948,481,000, the number for Military Personnel, Air*
14 *Force shall be \$17,026,210,000, the number for Operation*
15 *and Maintenance, Army shall be \$17,696,659,000, the num-*
16 *ber for Operation and Maintenance, Air Force shall be*
17 *\$17,326,909,000, the number for Operation and Mainte-*
18 *nance, Defense-Wide shall be \$9,887,142,000, the number*
19 *for Overseas Contingency Operations Transfer Fund shall*
20 *be \$1,140,157,000, the number for Defense Health Program*
21 *shall be \$10,251,208,000, and the number for Defense*
22 *Health Program Operation and Maintenance shall be*
23 *\$9,931,738,000.*

1 (b) *Of the funds appropriated under the heading Air-*
2 *craft Procurement, Air Force, \$11,500,000 shall be made*
3 *available only for modifications to B-52 bomber aircraft.*

4 (c) *Of the funds appropriated in title VI of this Act,*
5 *under the heading Chemical Agents and Munitions Destruc-*
6 *tion, Defense for research, development, test and evaluation,*
7 *\$3,000,000 shall only be for the accelerated development of*
8 *advanced sensors for the Army's Mobile Munitions Assess-*
9 *ment System.*

10 (d) *Of the funds appropriated in title IV of this Act,*
11 *under the heading Research, Development, Test and Eval-*
12 *uation, Defense-Wide, \$56,200,000 shall be available for the*
13 *Corps Surface-to-Air Missile (CORPS SAM) program and*
14 *\$515,743,000 shall be available for the Other Theater Mis-*
15 *sile Defense/Follow-On TMD Activities program.*

16 (e) *Funds appropriated in title II of this Act for super-*
17 *vision and administration costs for facilities maintenance*
18 *and repair, minor construction, or design projects may be*
19 *obligated at the time the reimbursable order is accepted by*
20 *the performing activity: Provided, That for the purpose of*
21 *this section, supervision and administration costs includes*
22 *all in-house Government cost.*

23 (f) *Of the funds appropriated in title IV of this Act,*
24 *under the heading Research, Development, Test and Eval-*

1 uation, Navy, \$2,000,000 is available for titanium process-
2 ing technology.

3 (g) Advance billing for services provided or work per-
4 formed by the Navy's defense business operating fund activi-
5 ties is prohibited: Provided, That of the funds appropriated
6 under the heading Operation and Maintenance, Navy,
7 \$2,976,000,000 shall be available only for depot mainte-
8 nance activities and programs, and \$989,700,000 shall be
9 available only for real property maintenance activities.

10 (h) The Secretary of Defense may waive reimburse-
11 ment of the cost of conferences, seminars, courses of instruc-
12 tion, or similar educational activities of the Asia-Pacific
13 Center for Security Studies for military officers and civil-
14 ian officials of foreign nations if the Secretary determines
15 that attendance by such personnel, without reimbursement,
16 is in the national security interest of the United States:
17 Provided, That costs for which reimbursement is waived
18 pursuant to this subsection shall be paid from appropri-
19 ations available for the Asia-Pacific Center.

20 (i) Of the funds appropriated in title IV of this Act,
21 under the heading Research, Development, Test and Eval-
22 uation, Defense-Wide, \$3,000,000 shall be available for a
23 defense technology transfer pilot program.

24 (j) Of the funds appropriated in title IV of this Act,
25 under the heading Research, Development, Test and Eval-

1 uation, Navy, \$4,000,000 is available for the establishment
2 of the National Coastal Data Centers required by section
3 7901(c) of title 10, United States Code, as added by the
4 National Defense Authorization Act for fiscal year 1997.

5 (k)(1) Of the amounts appropriated or otherwise made
6 available by this Act for the Department of the Air Force,
7 \$2,000,000 shall be available to provide comprehensive care
8 and rehabilitation services to children with disabilities who
9 are dependents of members of the Armed Forces at Lackland
10 Air Force Base, Texas.

11 (2) Subject to paragraph (3), the Secretary of the Air
12 Force shall grant the funds available under subsection (a)
13 to the Children's Association for Maximum Potential
14 (CAMP) for use by the association to defray the costs of
15 designing and constructing the facility referred to in para-
16 graph (1).

17 (3)(A) The Secretary may not make a grant of funds
18 under paragraph (2) until the Secretary and the associa-
19 tion enter into an agreement under which the Secretary
20 leases to the association the facility to be constructed using
21 the funds.

22 (B)(i) The term of the lease under paragraph (1) may
23 not be less than 25 years.

24 (ii) As consideration for the lease of the facility, the
25 association shall assume responsibility for the operation

1 *and maintenance of the facility, including the costs of such*
2 *operation and maintenance.*

3 *(C) The Secretary may require such additional terms*
4 *and conditions in connection with the lease as the Secretary*
5 *considers appropriate to protect the interests of the United*
6 *States.*

7 *SEC. 8100. None of the funds appropriated by this Act*
8 *may be obligated or expended—*

9 *(1) to reduce the number of units of special oper-*
10 *ations forces of the Army National Guard during fis-*
11 *cal year 1997;*

12 *(2) to reduce the authorized strength of any such*
13 *unit below the strength authorized for the unit as of*
14 *September 30, 1996; or*

15 *(3) to apply any administratively imposed limi-*
16 *tation on the assigned strength of any such unit at*
17 *less than the strength authorized for that unit as of*
18 *September 30, 1996.*

19 *SEC. 8101. (a) The Secretary of the Army shall ensure*
20 *that solicitations for contracts for unrestricted procurement*
21 *to be entered into using funds appropriated for the Army*
22 *by this Act include, where appropriate, specific goals for*
23 *subcontracts with small businesses, small disadvantages*
24 *businesses, and women owned small businesses.*

1 **(b)** *The Secretary shall ensure that any subcontract en-*
2 *tered into pursuant to a solicitation referred to in sub-*
3 *section (a) that meets a specific goal referred to in that sub-*
4 *section is credited toward the overall goal of the Army for*
5 *subcontracts with the businesses referred to in that sub-*
6 *section.*

7 **SEC. 8102. (a)** *The Secretary of the Air Force and the*
8 *Director of the Office of Personnel Management shall submit*
9 *a joint report describing in detail the benefits, allowances,*
10 *services, and any other forms of assistance which may or*
11 *shall be provided to any civilian employee of the Federal*
12 *Government or to any private citizen, or to the family of*
13 *such an individual, who is injured or killed while traveling*
14 *on an aircraft owned, leased, chartered, or operated by the*
15 *Government of the United States.*

16 **(b)** *The report required by subsection (a) above shall*
17 *be submitted to the congressional defense committees and*
18 *to the Committee on Governmental Affairs of the Senate*
19 *and the Committee on Government Reform and Oversight*
20 *of the House of Representatives not later than December 15,*
21 *1996.*

22 **SEC. 8103. (a)** *Not later than March 1, 1997, the Dep-*
23 *uty Secretary of Defense shall submit to the defense commit-*
24 *tees a report on Department of Defense procurements of pro-*
25 *pellant raw materials.*

1 **(b)** *The report shall include the following:*

2 **(1)** *The projected future requirements of the De-*
3 *partment of Defense for propellant raw materials,*
4 *such as nitrocellulose.*

5 **(2)** *The capacity, ability, and production cost*
6 *rates of the national technology and industrial base,*
7 *including Government-owned, contractor-operated fa-*
8 *cilities, contractor owned and operated facilities, and*
9 *Government-owned, Government-operated facilities,*
10 *for meeting such requirements.*

11 **(3)** *The national security benefits of preserving*
12 *in the national technology and industrial base con-*
13 *tractor owned and operated facilities for producing*
14 *propellant raw materials, including nitrocellulose.*

15 **(4)** *The extent to which the cost rates for produc-*
16 *tion of nitrocellulose in Government-owned, contrac-*
17 *tor-operated facilities is lower because of the relation-*
18 *ship of those facilities with the Department of Defense*
19 *than such rates would be without that relationship.*

20 **(5)** *The advantages and disadvantages of permit-*
21 *ting commercial facilities to compete for award of De-*
22 *partment of Defense contracts for procurement of pro-*
23 *pellant raw materials, such as nitrocellulose.*

24 **SEC. 8104.** *Not later than six months after the date*
25 *of the enactment of this Act, the Secretary of the Air Force*

1 *shall submit to Congress a cost-benefit analysis of consoli-*
2 *dating the ground station infrastructure of the Air Force*
3 *that supports polar orbiting satellites.*

4 *SEC. 8105. (a) Not later than April 1, 1997, the Comp-*
5 *troller General shall, in consultation with the Inspector*
6 *General of the Department of Defense, the Secretary of De-*
7 *fense, and the Secretary of Labor, submit to Congress a re-*
8 *port which shall include the following—*

9 *(1) an analysis and breakdown of the restructur-*
10 *ing costs paid by or submitted to the Department of*
11 *Defense to companies involved in business combina-*
12 *tions since 1993;*

13 *(2) an analysis of the specific costs associated*
14 *with workforce reductions;*

15 *(3) an analysis of the services provided to the*
16 *workers affected by business combinations;*

17 *(4) an analysis of the effectiveness of the restruc-*
18 *turing costs used to assist laid off workers in gaining*
19 *employment;*

20 *(5) in accordance with section 818 of 10 U.S.C.*
21 *2324, an analysis of the savings reached from the*
22 *business combination relative to the restructuring*
23 *costs paid by the Department of Defense.*

24 *(b) The report should set forth recommendations to*
25 *make this program more effective for workers affected by*

1 *business combinations and more efficient in terms of the*
2 *use of Federal dollars.*

3 SEC. 8106. (a) *LEASE OF PROPERTY FOR CONSTRUC-*
4 *TION OF RESERVE CENTER.*—(1) *The Secretary of the Navy*
5 *may lease, without reimbursement, to the State of Mis-*
6 *issippi (in this section referred to as the “State”), approxi-*
7 *mately five acres of real property located at Naval Air Sta-*
8 *tion, Meridian, Mississippi, only for use by the State to*
9 *construct a reserve center of approximately 22,000 square*
10 *feet and ancillary supporting facilities.*

11 (2) *The term of the lease under this subsection shall*
12 *expire on the same date that the lease authorized by sub-*
13 *section (b) expires.*

14 (b) *LEASEBACK OF RESERVE CENTER.*—(1) *The Sec-*
15 *retary may lease from the State the property and improve-*
16 *ments constructed pursuant to subsection (a) for a five-year*
17 *period. The term of the lease shall begin on the date on*
18 *which the improvements are available for occupancy, as de-*
19 *termined by the Secretary.*

20 (2) *Rental payments under the lease under paragraph*
21 *(1) may not exceed \$200,000 per year, and the total amount*
22 *of the rental payments for the entire period may not exceed*
23 *20 percent of the total cost of constructing the reserve center*
24 *and ancillary supporting facilities.*

1 (3) *Subject to the availability of appropriations for*
2 *this purpose, the Secretary may use funds appropriated*
3 *pursuant to an authorization of appropriations for the op-*
4 *eration and maintenance of the Naval Reserve to make rent-*
5 *al payments required under this subsection.*

6 (c) *EFFECT OF TERMINATION OF LEASES.—At the end*
7 *of the lease term under subsection (b), the State shall con-*
8 *vey, without reimbursement, to the United States all right,*
9 *title, and interest of the State in the reserve center and an-*
10 *cillary supporting facilities subject to the lease.*

11 (d) *ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
12 *retary may require such additional terms and conditions*
13 *in connection with the leases under this section as the Sec-*
14 *retary considers appropriate to protect the interests of the*
15 *United States.*

16 *SEC. 8107. None of the funds provided for the purchase*
17 *of the T-39N may be obligated until the Under Secretary*
18 *of Defense for Acquisition certifies to the defense committees*
19 *that the contract was awarded on the basis of and following*
20 *a full and open competition consistent with current Federal*
21 *acquisition statutes.*

22 *SEC. 8108. (a) REPEAL OF TEMPORARY REQUIRE-*
23 *MENT RELATING TO EMPLOYMENT.—Title VII of the De-*
24 *partment of Defense Appropriations Act, 1996 (Public Law*
25 *104-61; 109 Stat. 650), is amended under the heading “NA-*

1 *TIONAL SECURITY EDUCATION TRUST FUND*” by striking
2 *out the proviso.*

3 (b) *GENERAL PROGRAM REQUIREMENTS.*—Subsection
4 (a)(1) of section 802 of the David L. Boren National Security
5 Education Act of 1991 (title VIII of Public Law 102–
6 183; 50 U.S.C. 1902) is amended—

7 (1) by striking out subparagraph (A) and insert-
8 *ing in lieu thereof the following new subparagraph*
9 (A):

10 “(A) *awarding scholarships to undergradu-*
11 *ate students who—*

12 “(i) *are United States citizens in order*
13 *to enable such students to study, for at least*
14 *one academic semester or equivalent term,*
15 *in foreign countries that are critical coun-*
16 *tries (as determined under section*
17 *803(d)(4)(A) of this title) in those languages*
18 *and study areas where deficiencies exist (as*
19 *identified in the assessments undertaken*
20 *pursuant to section 806(d) of this title); and*

21 “(ii) *pursuant to subsection (b)(2)(A)*
22 *of this section, enter into an agreement to*
23 *work for, and make their language skills*
24 *available to, an agency or office of the Fed-*
25 *eral Government or work in the field of*

1 *higher education in the area of study for*
2 *which the scholarship was awarded;”*; and

3 (2) *in subparagraph (B)—*

4 (A) *in clause (i), by inserting “relating to*
5 *the national security interests of the United*
6 *States” after “international fields”; and*

7 (B) *in clause (ii)—*

8 (i) *by striking out “subsection (b)(2)”*
9 *and inserting in lieu thereof “subsection*
10 *(b)(2)(B)”*; and

11 (ii) *by striking out “work for an agen-*
12 *cy or office of the Federal Government or*
13 *in” and inserting in lieu thereof “work for,*
14 *and make their language skills available to,*
15 *an agency or office of the Federal Govern-*
16 *ment or work in”.*

17 (c) *SERVICE AGREEMENT.—Subsection (b) of that sec-*
18 *tion is amended—*

19 (1) *in the matter preceding paragraph (1), by*
20 *striking out “, or of scholarships” and all that follows*
21 *through “12 months or more,” and inserting in lieu*
22 *thereof “or any scholarship”.*

23 (2) *by striking out paragraph (2) and inserting*
24 *in lieu thereof the following new paragraph (2):*

25 “(2) *will—*

1 “(A) not later than eight years after such
2 recipient’s completion of the study for which
3 scholarship assistance was provided under the
4 program, and in accordance with regulations is-
5 sued by the Secretary—

6 “(i) work in an agency or office of the
7 Federal Government having national secu-
8 rity responsibilities (as determined by the
9 Secretary in consultation with the National
10 Security Education Board) and make avail-
11 able such recipient’s foreign language skills
12 to an agency or office of the Federal Gov-
13 ernment approved by the Secretary (in con-
14 sultation with the Board), upon the request
15 of the agency or office, for a period specified
16 by the Secretary, which period shall be no
17 longer than the period for which scholarship
18 assistance was provided; or

19 “(ii) if the recipient demonstrates to
20 the Secretary (in accordance with such reg-
21 ulations) that no position in an agency or
22 office of the Federal Government having na-
23 tional security responsibilities is available,
24 work in the field of higher education in a
25 discipline relating to the foreign country,

1 *foreign language, area study, or inter-*
2 *national field of study for which the schol-*
3 *arship was awarded, for a period specified*
4 *by the Secretary, which period shall be de-*
5 *termined in accordance with clause (i); or*

6 “(B) *upon completion of such recipient’s*
7 *education under the program, and in accordance*
8 *with such regulations—*

9 “(i) *work in an agency or office of the*
10 *Federal Government having national secu-*
11 *rity responsibilities (as so determined) and*
12 *make available such recipient’s foreign lan-*
13 *guage skills to an agency or office of the*
14 *Federal Government approved by the Sec-*
15 *retary (in consultation with the Board),*
16 *upon the request of the agency or office, for*
17 *a period specified by the Secretary, which*
18 *period shall be not less than one and not*
19 *more than three times the period for which*
20 *the fellowship assistance was provided; or*

21 “(ii) *if the recipient demonstrates to*
22 *the Secretary (in accordance with such reg-*
23 *ulations) that no position in an agency or*
24 *office of the Federal Government having na-*
25 *tional security responsibilities is available*

1 upon the completion of the degree, work in
2 the field of higher education in a discipline
3 relating to the foreign country, foreign lan-
4 guage, area study, or international field of
5 study for which the fellowship was awarded,
6 for a period specified by the Secretary,
7 which period shall be established in accord-
8 ance with clause (i); and”.

9 (d) *EVALUATION OF PROGRESS IN LANGUAGE*

10 *SKILLS.—Such section 802 is further amended by—*

11 (1) redesignating subsections (c), (d), and (e) as
12 subsections (d), (e), and (f), respectively; and

13 (2) by inserting after subsection (b) the following
14 new subsection (c):

15 “(c) *EVALUATION OF PROGRESS IN LANGUAGE*

16 *SKILLS.—The Secretary shall, through the National Secu-*
17 *rity Education Program office, administer a test of the for-*
18 *eign language skills of each recipient of a scholarship or*
19 *fellowship under this title before the commencement of the*
20 *study or education for which the scholarship or fellowship*
21 *is awarded and after the completion of such study or edu-*
22 *cation. The purpose of the tests is to evaluate the progress*
23 *made by recipients of scholarships and fellowships in devel-*
24 *oping foreign language skills as a result of assistance under*
25 *this title.”.*

1 (e) *FUNCTIONS OF THE NATIONAL SECURITY EDU-*
2 *CATION BOARD.—Section 803(d) of that Act (50 U.S.C.*
3 *1903(d)) is amended—*

4 (1) *in paragraph (1), by inserting “, including*
5 *an order of priority in such awards that favors indi-*
6 *viduals expressing an interest in national security is-*
7 *ssues or pursuing a career in an agency or office of*
8 *the Federal Government having national security re-*
9 *sponsibilities” before the period;*

10 (2) *in paragraph (4)—*

11 (A) *in the matter preceding subparagraph*
12 *(A), by striking out “Make recommendations”*
13 *and inserting in lieu thereof “After taking into*
14 *account the annual analyses of trends in lan-*
15 *guage, international, and area studies under sec-*
16 *tion 806(b)(1), make recommendations”;*

17 (B) *in subparagraph (A), by inserting “and*
18 *countries which are of importance to the na-*
19 *tional security interests of the United States”*
20 *after “are studying”; and*

21 (C) *in subparagraph (B), by inserting “re-*
22 *lating to the national security interests of the*
23 *United States” after “of this title”;*

24 (3) *by redesignating paragraph (5) as para-*
25 *graph (7); and*

1 (4) *by inserting after paragraph (4) the follow-*
2 *ing new paragraphs:*

3 “(5) *Encourage applications for fellowships*
4 *under this title from graduate students having an*
5 *educational background in disciplines relating to*
6 *science or technology.*

7 “(6) *Provide the Secretary on an on-going basis*
8 *with a list of scholarship recipients and fellowship re-*
9 *ipients who are available to work for, or make their*
10 *language skills available to, an agency or office of the*
11 *Federal Government having national security respon-*
12 *sibilities.”.*

13 (f) *REPORT ON PROGRAM.—(1) Not later than six*
14 *months after the date of the enactment of this Act, the Sec-*
15 *retary of Defense shall submit to Congress a report assessing*
16 *the improvements to the program established under the*
17 *David L. Boren National Security Education Act of 1991*
18 *(title VIII of Public Law 102–183; 50 U.S.C. 1901 et seq.)*
19 *that result from the amendments made by this section.*

20 (2) *The report shall also include an assessment of the*
21 *contribution of the program, as so improved, in meeting*
22 *the national security objectives of the United States.*

23 *SEC. 8109. Any college or university that receives Fed-*
24 *eral funding under this Act must report annually to the*
25 *Office of Management and Budget on the average cost of*

1 *tuition at their school for that year and the previous two*
2 *years.*

3 *SEC. 8110. (a) The Secretary of Defense and the Sec-*
4 *retary of State shall jointly conduct an audit of security*
5 *measures at all United States military installations outside*
6 *the United States to determine the adequacy of such meas-*
7 *ures to prevent or limit the effects of terrorist attacks on*
8 *United States military personnel.*

9 *(b) Not later than March 31, 1997, the Secretary of*
10 *Defense and the Secretary of State shall jointly submit to*
11 *Congress a report on the results of the audit conducted*
12 *under subsection (a), including a description of the ade-*
13 *quacy of—*

14 *(1) physical and operational security measures;*

15 *(2) access and perimeter control;*

16 *(3) communications security;*

17 *(4) crisis planning in the event of a terrorist at-*
18 *tack, including evacuation and medical planning;*

19 *(5) special security considerations at nonperma-*
20 *nent facilities;*

21 *(6) potential solutions to inadequate security,*
22 *where identified; and*

23 *(7) cooperative security measures with host na-*
24 *tions.*

1 *SEC. 8111. (a) FUTURE-YEARS DEFENSE PRO-*
2 *GRAMS.—Section 221 of title 10, United States Code, is*
3 *amended by adding at the end the following:*

4 *“(d) The President shall submit to Congress each year,*
5 *at the same time the President submits to Congress the*
6 *budget for that year under section 1105(a) of title 31, the*
7 *future-years defense program (including associated an-*
8 *nexes) that the Chief of the National Guard Bureau and*
9 *the chiefs of the reserve components submitted to the Sec-*
10 *retary of Defense in that year in order to assist the Sec-*
11 *retary in preparing the future-years defense program in*
12 *that year under subsection (a).”.*

13 *(b) EFFECTIVE DATE.—This section shall take effect*
14 *beginning with the President’s budget submission for fiscal*
15 *year 1999.*

16 *SEC. 8112. Beginning with fiscal year 1997, the Sec-*
17 *retary of Defense shall establish a program element for the*
18 *Office of the Secretary of Defense for the purpose of funding*
19 *emergency anti-terrorism activities. Funds available for*
20 *that program element for fiscal year 1997 shall be in addi-*
21 *tion to funds appropriated under other provisions of this*
22 *Act for anti-terrorism and are available for the Secretary*
23 *of Defense to respond quickly to emergency anti-terrorism*
24 *requirements that are identified by commanders of the uni-*

1 *fied combatant commands or commanders of joint task*
2 *forces in response to a change in terrorist threat level.*

3 *SEC. 8113. Of the funds appropriated in title II of*
4 *this Act, not less than \$7,100,000 is available to perform*
5 *the environmental impact statement and associated baseline*
6 *studies necessary to prepare an application for renewal of*
7 *use of the McGregor Range at Fort Bliss, Texas.*

8 *SEC. 8114. Of the total amount appropriated under*
9 *title II, \$20,000,000 shall be available subject to authoriza-*
10 *tion, until expended, for payments to Vietnamese comman-*
11 *dos captured and incarcerated by North Vietnam after hav-*
12 *ing entered the Democratic Republic of Vietnam pursuant*
13 *to operations under a Vietnam era operation plan known*
14 *as “OPLAN 34A”, or its predecessor, and to Vietnamese*
15 *operatives captured and incarcerated by North Vietnamese*
16 *forces while participating in operations in Laos or along*
17 *the Lao-Vietnamese border pursuant to “OPLAN 35”, who*
18 *died in captivity or who remained in captivity after 1973,*
19 *and who have not received payment from the United States*
20 *for the period spent in captivity.*

21 *SEC. 8115. In addition to amounts provided elsewhere*
22 *in this Act, \$150,000,000 is appropriated for defense*
23 *against weapons of mass destruction, including domestic*
24 *preparedness, interdiction of weapons of mass destruction*
25 *and related materials, control and disposition of weapons*

1 of mass destruction and related materials threatening the
2 United States, coordination of policy and countermeasures
3 against proliferation of weapons of mass destruction, and
4 miscellaneous related programs, projects, and activities as
5 authorized by law: Provided, That the total amount avail-
6 able under the heading “Research, Development, Test and
7 Evaluation, Defense-Wide” for the Joint Technology Inser-
8 tion program shall be \$2,523,000: Provided further, That
9 the total amount appropriated under the heading “Re-
10 search, Development, Test and Evaluation, Defense-Wide”
11 is hereby reduced by \$12,000,000: Provided further, That
12 the total amount appropriated under the heading “Oper-
13 ation and Maintenance, Defense-Wide” is hereby reduced
14 by \$138,000,000.

15 SEC. 8116. (a) Not more than 90 percent of the funds
16 appropriated or otherwise made available by this Act for
17 the procurement of F/A–18E/F aircraft may be obligated
18 or expended for the procurement of such aircraft until 30
19 days after the Secretary of Defense has submitted to the con-
20 gressional defense committees a report on the F/A–18E/F
21 aircraft program which contains the following:

22 (1) A review of the F/A–18E/F aircraft program.

23 (2) An analysis and estimate of the production
24 costs of the program for the total number of aircraft

1 *realistically expected to be procured at each of four*
2 *annual production rates as follows:*

3 *(A) 18 aircraft*

4 *(B) 24 aircraft.*

5 *(C) 36 aircraft.*

6 *(D) 48 aircraft.*

7 *(3) A comparison of the costs and benefits of the*
8 *F/A–18E/F program with the costs and benefits of the*
9 *F/A–18C/D aircraft program taking into account the*
10 *operational combat effectiveness of the aircraft.*

11 *(b) Not later than 30 days after the Secretary of De-*
12 *fense has submitted the report required by subsection (a),*
13 *the Comptroller General of the United States shall submit*
14 *to the congressional defense committees an analysis of the*
15 *report submitted by the Secretary.*

16 *This Act may be cited as the “Department of Defense*
17 *Appropriations Act, 1997”.*

Passed the House of Representatives June 13, 1996.

Attest: ROBIN H. CARLE,
Clerk.

Passed the Senate July 18, 1996.

Attest: KELLY D. JOHNSTON,
Secretary.