



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 \$20,908,851,000.

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 \$16,560,253,000.

## 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, \$6,241,189,000.

## 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 \$17,201,583,000.



1 10, United States Code; and for payments to the Depart-  
2 ment of Defense Military Retirement Fund,  
3 \$1,427,979,000.

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 \$403,513,000.

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, \$850,576,000.

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, \$3,413,195,000.

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 \$1,372,997,000.

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 \$16,936,503,000 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, \$596,803,000 shall not be obli-  
25 gated or expended until authorized by law.

## 1           OPERATION AND MAINTENANCE, NAVY

2                   (INCLUDING TRANSFER OF FUNDS)

3           For expenses, not otherwise provided for, necessary  
4 for the operation and maintenance of the Navy and the  
5 Marine Corps, as authorized by law; and not to exceed  
6 \$5,360,000 can be used for emergencies and extraordinary  
7 expenses, to be expended on the approval or authority of  
8 the Secretary of the Navy, and payments may be made  
9 on his certificate of necessity for confidential military pur-  
10 poses, \$21,638,999,000 and, in addition, \$50,000,000  
11 shall be derived by transfer from the National Defense  
12 Stockpile Transaction Fund.

## 13           OPERATION AND MAINTENANCE, MARINE CORPS

14           For expenses, not otherwise provided for, necessary  
15 for the operation and maintenance of the Marine Corps,  
16 as authorized by law, \$2,585,118,000: *Provided*, That of  
17 the funds appropriated in this paragraph, \$45,415,000  
18 shall not be obligated or expended until authorized by law.

## 19           OPERATION AND MAINTENANCE, AIR FORCE

20                   (INCLUDING TRANSFER OF FUNDS)

21           For expenses, not otherwise provided for, necessary  
22 for the operation and maintenance of the Air Force, as  
23 authorized by law; and not to exceed \$7,968,000 can be  
24 used for emergencies and extraordinary expenses, to be ex-  
25 pended on the approval or authority of the Secretary of

1 the Air Force, and payments may be made on his certifi-  
2 cate of necessity for confidential military purposes;  
3 \$19,024,233,000 and, in addition, \$50,000,000 shall be  
4 derived by transfer from the National Defense Stockpile  
5 Transaction Fund: *Provided*, That of the funds appro-  
6 priated in this paragraph, \$208,125,000 shall not be obli-  
7 gated or expended until authorized by law.

8 OPERATION AND MAINTENANCE, DEFENSE-WIDE

9 For expenses, not otherwise provided for, necessary  
10 for the operation and maintenance of activities and agen-  
11 cies of the Department of Defense (other than the military  
12 departments), as authorized by law, \$10,804,542,000, of  
13 which not to exceed \$25,000,000 may be available for the  
14 CINC initiative fund account; and of which not to exceed  
15 \$29,000,000 can be used for emergencies and extraor-  
16 dinary expenses, to be expended on the approval or author-  
17 ity of the Secretary of Defense, and payments may be  
18 made on his certificate of necessity for confidential mili-  
19 tary purposes: *Provided*, That of the funds appropriated  
20 in this paragraph, \$450,326,000 shall not be obligated or  
21 expended until authorized by law.

22 OPERATION AND MAINTENANCE, ARMY RESERVE

23 For expenses, not otherwise provided for, necessary  
24 for the operation and maintenance, including training, or-  
25 ganization, and administration, of the Army Reserve; re-

1 pair of facilities and equipment; hire of passenger motor  
 2 vehicles; travel and transportation; care of the dead; re-  
 3 cruiting; procurement of services, supplies, and equip-  
 4 ment; and communications, \$1,201,222,000: *Provided*,  
 5 That of the funds appropriated in this paragraph,  
 6 \$3,600,000 shall not be obligated or expended until au-  
 7 thorized by law.

8 OPERATION AND MAINTENANCE, NAVY RESERVE

9 For expenses, not otherwise provided for, necessary  
 10 for the operation and maintenance, including training, or-  
 11 ganization, and administration, of the Navy Reserve; re-  
 12 pair of facilities and equipment; hire of passenger motor  
 13 vehicles; travel and transportation; care of the dead; re-  
 14 cruiting; procurement of services, supplies, and equip-  
 15 ment; and communications, \$949,039,000: *Provided*, That  
 16 of the funds appropriated in this paragraph, \$400,000  
 17 shall not be obligated or expended until authorized by law.

18 OPERATION AND MAINTENANCE, MARINE CORPS

19 RESERVE

20 For expenses, not otherwise provided for, necessary  
 21 for the operation and maintenance, including training, or-  
 22 ganization, and administration, of the Marine Corps Re-  
 23 serve; repair of facilities and equipment; hire of passenger  
 24 motor vehicles; travel and transportation; care of the dead;  
 25 recruiting; procurement of services, supplies, and equip-

1 ment; and communications, \$119,093,000: *Provided*, That  
2 of the funds appropriated in this paragraph, \$2,100,000  
3 shall not be obligated or expended until authorized by law.

4 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

5 For expenses, not otherwise provided for, necessary  
6 for the operation and maintenance, including training, or-  
7 ganization, and administration, of the Air Force Reserve;  
8 repair of facilities and equipment; hire of passenger motor  
9 vehicles; travel and transportation; care of the dead; re-  
10 cruiting; procurement of services, supplies, and equip-  
11 ment; and communications, \$1,735,996,000.

12 OPERATION AND MAINTENANCE, ARMY NATIONAL

13 GUARD

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

1 tional Guard as authorized by law; and expenses of repair,  
2 modification, maintenance, and issue of supplies and  
3 equipment (including aircraft), \$2,570,315,000: *Provided,*  
4 That not later than March 15, 1999, the Director of the  
5 Army National Guard shall provide a report to the con-  
6 gressional defense committees identifying the allocation,  
7 by installation and activity, of all base operations funds  
8 appropriated under this heading: *Provided further,* That  
9 of the funds appropriated in this paragraph,  
10 \$105,500,000 shall not be obligated or expended until au-  
11 thorized by law.

12 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

13 For operation and maintenance of the Air National  
14 Guard, including medical and hospital treatment and re-  
15 lated expenses in non-Federal hospitals; maintenance, op-  
16 eration, repair, and other necessary expenses of facilities  
17 for the training and administration of the Air National  
18 Guard, including repair of facilities, maintenance, oper-  
19 ation, and modification of aircraft; transportation of  
20 things; hire of passenger motor vehicles; supplies, mate-  
21 rials, and equipment, as authorized by law for the Air Na-  
22 tional Guard; and expenses incident to the maintenance  
23 and use of supplies, materials, and equipment, including  
24 such as may be furnished from stocks under the control  
25 of agencies of the Department of Defense; travel expenses

1 (other than mileage) on the same basis as authorized by  
2 law for Air National Guard personnel on active Federal  
3 duty; for Air National Guard commanders while inspecting  
4 units in compliance with National Guard Bureau regula-  
5 tions when specifically authorized by the Chief, National  
6 Guard Bureau, \$3,075,233,000.

7 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

8 (INCLUDING TRANSFER OF FUNDS)

9 For expenses directly relating to Overseas Contin-  
10 gency Operations by United States military forces,  
11 \$746,900,000: *Provided*, That the Secretary of Defense  
12 may transfer these funds only to operation and mainte-  
13 nance accounts within this title, to the Defense Health  
14 Program, to procurement accounts, and to working capital  
15 funds: *Provided further*, That the funds transferred shall  
16 be merged with and shall be available for the same pur-  
17 poses and for the same time period, as the appropriation  
18 to which transferred: *Provided further*, That the transfer  
19 authority provided in this paragraph is in addition to any  
20 other transfer authority contained elsewhere in this Act.

21 UNITED STATES COURT OF APPEALS FOR THE ARMED

22 FORCES

23 For salaries and expenses necessary for the United  
24 States Court of Appeals for the Armed Forces,

1 \$7,324,000, of which not to exceed \$2,500 can be used  
2 for official representation purposes.

3 ENVIRONMENTAL RESTORATION, ARMY

4 (INCLUDING TRANSFER OF FUNDS)

5 For the Department of the Army, \$342,640,000, to  
6 remain available until transferred: *Provided*, That the Sec-  
7 retary of the Army shall, upon determining that such  
8 funds are required for environmental restoration, reduc-  
9 tion and recycling of hazardous waste, removal of unsafe  
10 buildings and debris of the Department of the Army, or  
11 for similar purposes, transfer the funds made available by  
12 this appropriation to other appropriations made available  
13 to the Department of the Army, to be merged with and  
14 to be available for the same purposes and for the same  
15 time period as the appropriations to which transferred:  
16 *Provided further*, That upon a determination that all or  
17 part of the funds transferred from this appropriation are  
18 not necessary for the purposes provided herein, such  
19 amounts may be transferred back to this appropriation.

20 ENVIRONMENTAL RESTORATION, NAVY

21 (INCLUDING TRANSFER OF FUNDS)

22 For the Department of the Navy, \$281,600,000, to  
23 remain available until transferred: *Provided*, That the Sec-  
24 retary of the Navy shall, upon determining that such  
25 funds are required for environmental restoration, reduc-

1 tion and recycling of hazardous waste, removal of unsafe  
2 buildings and debris of the Department of the Navy, or  
3 for similar purposes, transfer the funds made available by  
4 this appropriation to other appropriations made available  
5 to the Department of the Navy, to be merged with and  
6 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, AIR FORCE

13 (INCLUDING TRANSFER OF FUNDS)

14 For the Department of the Air Force, \$379,100,000,  
15 to remain available until transferred: *Provided*, That the  
16 Secretary of the Air Force shall, upon determining that  
17 such funds are required for environmental restoration, re-  
18 duction and recycling of hazardous waste, removal of un-  
19 safe buildings and debris of the Department of the Air  
20 Force, or for similar purposes, transfer the funds made  
21 available by this appropriation to other appropriations  
22 made available to the Department of the Air Force, to be  
23 merged with and to be available for the same purposes  
24 and for the same time period as the appropriations to  
25 which transferred: *Provided further*, That upon a deter-

1 mination that all or part of the funds transferred from  
2 this appropriation are not necessary for the purposes pro-  
3 vided herein, such amounts may be transferred back to  
4 this appropriation.

5 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE  
6 (INCLUDING TRANSFER OF FUNDS)

7 For the Department of Defense, \$26,091,000, to re-  
8 main available until transferred: *Provided*, That the Sec-  
9 retary of Defense shall, upon determining that such funds  
10 are required for environmental restoration, reduction and  
11 recycling of hazardous waste, removal of unsafe buildings  
12 and debris of the Department of Defense, or for similar  
13 purposes, transfer the funds made available by this appro-  
14 priation to other appropriations made available to the De-  
15 partment of Defense, to be merged with and to be avail-  
16 able for the same purposes and for the same time period  
17 as the appropriations to which transferred: *Provided fur-*  
18 *ther*, That upon a determination that all or part of the  
19 funds transferred from this appropriation are not nec-  
20 essary for the purposes provided herein, such amounts  
21 may be transferred back to this appropriation.

1 ENVIRONMENTAL RESTORATION, FORMERLY USED  
2 DEFENSE SITES  
3 (INCLUDING TRANSFER OF FUNDS)

4 For the Department of the Army, \$195,000,000, to  
5 remain available until transferred: *Provided*, That the Sec-  
6 retary of the Army shall, upon determining that such  
7 funds are required for environmental restoration, reduc-  
8 tion and recycling of hazardous waste, removal of unsafe  
9 buildings and debris at sites formerly used by the Depart-  
10 ment of Defense, transfer the funds made available by this  
11 appropriation to other appropriations made available to  
12 the Department of the Army, to be merged with and to  
13 be available for the same purposes and for the same time  
14 period as the appropriations to which transferred: *Pro-*  
15 *vided further*, That upon a determination that all or part  
16 of the funds transferred from this appropriation are not  
17 necessary for the purposes provided herein, such amounts  
18 may be transferred back to this appropriation.

19 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

20 For expenses relating to the Overseas Humanitarian,  
21 Disaster, and Civic Aid programs of the Department of  
22 Defense (consisting of the programs provided under sec-  
23 tions 401, 402, 404, 2547, and 2551 of title 10, United  
24 States Code), \$56,111,000, to remain available until Sep-  
25 tember 30, 2000: *Provided*, That of the funds appro-

1 priated in this paragraph, \$8,800,000 shall not be obli-  
2 gated or expended until authorized by law.

3           FORMER SOVIET UNION THREAT REDUCTION

4           For assistance to the republics of the former Soviet  
5 Union, including assistance provided by contract or by  
6 grants, for facilitating the elimination and the safe and  
7 secure transportation and storage of nuclear, chemical and  
8 other weapons; for establishing programs to prevent the  
9 proliferation of weapons, weapons components, and weap-  
10 on-related technology and expertise; for programs relating  
11 to the training and support of defense and military person-  
12 nel for demilitarization and protection of weapons, weap-  
13 ons components and weapons technology and expertise,  
14 \$417,400,000, to remain available until September 30,  
15 2001.

16           QUALITY OF LIFE ENHANCEMENTS, DEFENSE

17           For expenses, not otherwise provided for, resulting  
18 from unfunded shortfalls in the repair and maintenance  
19 of real property of the Department of Defense (including  
20 military housing and barracks), \$850,000,000, for the  
21 maintenance of real property of the Department of De-  
22 fense (including minor construction and major mainte-  
23 nance and repair), which shall remain available for obliga-  
24 tion until September 30, 2000, as follows:

25           Army, \$219,688,000;

1 Navy, \$244,507,000;  
2 Marine Corps, \$48,901,000;  
3 Air Force, \$194,926,000;  
4 Army Reserve, \$47,579,000;  
5 Navy Reserve, \$21,055,000;  
6 Marine Corps Reserve, \$7,600,000;  
7 Air Force Reserve, \$9,871,000;  
8 Army National Guard, \$37,535,000; and  
9 Air National Guard, \$18,338,000.

10 *Provided*, That none of the funds appropriated in this  
11 paragraph shall be obligated or expended until authorized  
12 by law.

### 13 TITLE III

### 14 PROCUREMENT

#### 15 AIRCRAFT PROCUREMENT, ARMY

16 For construction, procurement, production, modifica-  
17 tion, and modernization of aircraft, equipment, including  
18 ordnance, ground handling equipment, spare parts, and  
19 accessories therefor, specialized equipment and training  
20 devices; expansion of public and private plants, including  
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, \$1,400,338,000; to remain available  
4 for obligation until September 30, 2001.

5                   MISSILE PROCUREMENT, ARMY

6       For construction, procurement, production, modifica-  
7 tion, and modernization of missiles, equipment, including  
8 ordnance, ground handling equipment, spare parts, and  
9 accessories therefor; specialized equipment and training  
10 devices; expansion of public and private plants, including  
11 the land necessary therefor, for the foregoing purposes,  
12 and such lands and interests therein, may be acquired,  
13 and construction prosecuted thereon prior to approval of  
14 title; and procurement and installation of equipment, ap-  
15 pliances, and machine tools in public and private plants;  
16 reserve plant and Government and contractor-owned  
17 equipment layaway; and other expenses necessary for the  
18 foregoing purposes, \$1,140,623,000; to remain available  
19 for obligation until September 30, 2001.

20                   PROCUREMENT OF WEAPONS AND TRACKED COMBAT

21                                   VEHICLES, ARMY

22       For construction, procurement, production, and  
23 modification of weapons and tracked combat vehicles,  
24 equipment, including ordnance, spare parts, and acces-  
25 sories therefor; specialized equipment and training devices;

1 expansion of public and private plants, including the land  
2 necessary therefor, for the foregoing purposes, and such  
3 lands and interests therein, may be acquired, and con-  
4 struction prosecuted thereon prior to approval of title; and  
5 procurement and installation of equipment, appliances,  
6 and machine tools in public and private plants; reserve  
7 plant and Government and contractor-owned equipment  
8 layaway; and other expenses necessary for the foregoing  
9 purposes, \$1,513,540,000, to remain available for obliga-  
10 tion until September 30, 2001: *Provided*, That of the  
11 funds appropriated in this paragraph, \$5,902,000 shall  
12 not be obligated or expended until authorized by law.

13           PROCUREMENT OF AMMUNITION, ARMY

14       For construction, procurement, production, and  
15 modification of ammunition, and accessories therefor; spe-  
16 cialized equipment and training devices; expansion of pub-  
17 lic and private plants, including ammunition facilities au-  
18 thorized by section 2854 of title 10, United States Code,  
19 and the land necessary therefor, for the foregoing pur-  
20 poses, 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-  
25 owned equipment layaway; and other expenses necessary

1 for the foregoing purposes, ~~\$1,099,155,000~~, to remain  
2 available for obligation until September 30, 2001: *Pro-*  
3 *vided*, That of the funds appropriated in this paragraph,  
4 ~~\$45,700,000~~ shall not be obligated or expended until au-  
5 thorized by law.

6                                   OTHER PROCUREMENT, ARMY

7       For construction, procurement, production, and  
8 modification of vehicles, including tactical, support, and  
9 non-tracked combat vehicles; the purchase of not to exceed  
10 ~~37~~ passenger motor vehicles for replacement only; and the  
11 purchase of 54 vehicles required for physical security of  
12 personnel, notwithstanding price limitations applicable to  
13 passenger vehicles but not to exceed ~~\$230,000~~ per vehicle;  
14 communications and electronic equipment; other support  
15 equipment; spare parts, ordnance, and accessories there-  
16 for; specialized equipment and training devices; expansion  
17 of public and private plants, including the land necessary  
18 therefor, for the foregoing purposes, and such lands and  
19 interests therein, may be acquired, and construction pros-  
20 ecututed thereon prior to approval of title; and procurement  
21 and installation of equipment, appliances, and machine  
22 tools in public and private plants; reserve plant and Gov-  
23 ernment and contractor-owned equipment layaway; and  
24 other expenses necessary for the foregoing purposes;

1 ~~\$3,101,130,000~~, to remain available for obligation until  
2 September 30, 2001.

3 ~~AIRCRAFT PROCUREMENT, NAVY~~

4 For construction, procurement, production, modifica-  
5 tion, and modernization of aircraft, equipment, including  
6 ordnance, spare parts, and accessories therefor; specialized  
7 equipment; expansion of public and private plants, includ-  
8 ing the land necessary therefor, and such lands and inter-  
9 ests therein, may be acquired, and construction prosecuted  
10 thereon prior to approval of title; and procurement and  
11 installation of equipment, appliances, and machine tools  
12 in public and private plants; reserve plant and Govern-  
13 ment and contractor-owned equipment layaway,  
14 ~~\$7,599,968,000~~, to remain available for obligation until  
15 September 30, 2001: *Provided*, That of the funds appro-  
16 priated in this paragraph, \$179,121,000 shall not be obli-  
17 gated or expended until authorized by law.

18 ~~WEAPONS PROCUREMENT, NAVY~~

19 For construction, procurement, production, modifica-  
20 tion, and modernization of missiles, torpedoes, other weap-  
21 ons, and related support equipment including spare parts,  
22 and accessories therefor; expansion of public and private  
23 plants, including the land necessary therefor, and such  
24 lands and interests therein, may be acquired, and con-  
25 struction prosecuted thereon prior to approval of title; and



## 1 SHIPBUILDING AND CONVERSION, NAVY

2 For expenses necessary for the construction, acquisi-  
3 tion, or conversion of vessels as authorized by law, includ-  
4 ing armor and armament thereof, plant equipment, appli-  
5 ances, and machine tools and installation thereof in public  
6 and private plants; reserve plant and Government and con-  
7 tractor-owned equipment layaway; procurement of critical,  
8 long leadtime components and designs for vessels to be  
9 constructed or converted in the future; and expansion of  
10 public and private plants; including land necessary there-  
11 for; and such lands and interests therein, may be acquired,  
12 and construction prosecuted thereon prior to approval of  
13 title, \$5,973,452,000, to remain available for obligation  
14 until September 30, 2003: *Provided*, That additional obli-  
15 gations may be incurred after September 30, 2003, for  
16 engineering services, tests, evaluations, and other such  
17 budgeted work that must be performed in the final stage  
18 of ship construction: *Provided further*, That none of the  
19 funds provided under this heading for the construction or  
20 conversion of any naval vessel to be constructed in ship-  
21 yards in the United States shall be expended in foreign  
22 facilities for the construction of major components of such  
23 vessel: *Provided further*, That none of the funds provided  
24 under this heading shall be used for the construction of  
25 any naval vessel in foreign shipyards.

## 1                   OTHER PROCUREMENT, NAVY

2           For procurement, production, and modernization of  
3 support equipment and materials not otherwise provided  
4 for, Navy ordnance (except ordnance for new aircraft, new  
5 ships, and ships authorized for conversion); the purchase  
6 of not to exceed 246 passenger motor vehicles for replace-  
7 ment only; and the purchase of one vehicle required for  
8 physical security of personnel, notwithstanding price limi-  
9 tations applicable to passenger vehicles but not to exceed  
10 \$225,000 per vehicle; expansion of public and private  
11 plants, including the land necessary therefor, and such  
12 lands and interests therein, may be acquired, and con-  
13 struction prosecuted thereon prior to approval of title; and  
14 procurement and installation of equipment, appliances,  
15 and machine tools in public and private plants; reserve  
16 plant and Government and contractor-owned equipment  
17 layaway, \$3,990,553,000, to remain available for obliga-  
18 tion until September 30, 2001: *Provided*, That of the  
19 funds appropriated in this paragraph, \$21,046,000 shall  
20 not be obligated or expended until authorized by law.

## 21                   PROCUREMENT, MARINE CORPS

22           For expenses necessary for the procurement, manu-  
23 facture, and modification of missiles, armament, military  
24 equipment, spare parts, and accessories therefor; plant  
25 equipment, appliances, and machine tools; and installation

1 thereof in public and private plants; reserve plant and  
2 Government and contractor-owned equipment layaway; ve-  
3 hicles for the Marine Corps; including the purchase of not  
4 to exceed 37 passenger motor vehicles for replacement  
5 only; and expansion of public and private plants; including  
6 land necessary therefor; and such lands and interests  
7 therein; may be acquired; and construction prosecuted  
8 thereon prior to approval of title; \$812,618,000, to remain  
9 available for obligation until September 30, 2001: *Pro-*  
10 *vided*, That of the funds appropriated in this paragraph;  
11 \$120,750,000 shall not be obligated or expended until au-  
12 thorized by law.

13           AIRCRAFT PROCUREMENT, AIR FORCE

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

1 eluding rents and transportation of things,  
2 \$8,384,735,000, to remain available for obligation until  
3 September 30, 2001: *Provided*, That of the funds appro-  
4 priated in this paragraph, \$165,658,000 shall not be obli-  
5 gated or expended until authorized by law.

6           MISSILE PROCUREMENT, AIR FORCE

7       For construction, procurement, and modification of  
8 missiles, spacecraft, rockets, and related equipment, in-  
9 cluding spare parts and accessories therefor, ground han-  
10 dling equipment, and training devices; expansion of public  
11 and private plants; Government-owned equipment and in-  
12 stallation thereof in such plants; erection of structures,  
13 and acquisition of land, for the foregoing purposes; and  
14 such lands and interests therein, may be acquired, and  
15 construction prosecuted thereon prior to approval of title;  
16 reserve plant and Government and contractor-owned  
17 equipment layaway; and other expenses necessary for the  
18 foregoing purposes including rents and transportation of  
19 things, \$2,191,527,000, to remain available for obligation  
20 until September 30, 2001.

21           PROCUREMENT OF AMMUNITION, AIR FORCE

22       For construction, procurement, production, and  
23 modification of ammunition, and accessories therefor; spe-  
24 cialized equipment and training devices; expansion of pub-  
25 lic and private plants, including ammunition facilities au-

1 thORIZED BY SECTION 2854 OF TITLE 10, UNITED STATES CODE,  
2 AND THE LAND NECESSARY THEREFOR, FOR THE FOREGOING PUR-  
3 POSSES, AND SUCH LANDS AND INTERESTS THEREIN, MAY BE AC-  
4 QUIRED, AND CONSTRUCTION PROSECUTED THEREON PRIOR TO AP-  
5 PROVAL OF TITLE; AND PROCUREMENT AND INSTALLATION OF EQUIP-  
6 MENT, APPLIANCES, AND MACHINE TOOLS IN PUBLIC AND PRIVATE  
7 PLANTS; RESERVE PLANT AND GOVERNMENT AND CONTRACTOR-  
8 OWNED EQUIPMENT LAYAWAY; AND OTHER EXPENSES NECESSARY  
9 FOR THE FOREGOING PURPOSES, \$388,925,000, TO REMAIN AVAIL-  
10 ABLE FOR OBLIGATION UNTIL SEPTEMBER 30, 2001: *Provided,*  
11 That of the funds appropriated in this paragraph,  
12 \$5,298,000 shall not be obligated or expended until au-  
13 THORIZED BY LAW.

14 OTHER PROCUREMENT, AIR FORCE

15 FOR PROCUREMENT AND MODIFICATION OF EQUIPMENT (IN-  
16 CLUDING GROUND GUIDANCE AND ELECTRONIC CONTROL EQUIPMENT,  
17 AND GROUND ELECTRONIC AND COMMUNICATION EQUIPMENT),  
18 AND SUPPLIES, MATERIALS, AND SPARE PARTS THEREFOR, NOT OTH-  
19 ERWISE PROVIDED FOR; THE PURCHASE OF NOT TO EXCEED 267 PAS-  
20 Senger motor vehicles for replacement only; the purchase  
21 of one vehicle required for physical security of personnel,  
22 notwithstanding price limitations applicable to passenger  
23 vehicles but not to exceed \$240,000 per vehicle; and ex-  
24 pansion of public and private plants; GOVERNMENT-OWNED  
25 EQUIPMENT AND INSTALLATION THEREOF IN SUCH PLANTS; ERECTION

1 of structures, and acquisition of land, for the foregoing  
2 purposes, and such lands and interests therein, may be  
3 acquired, and construction prosecuted thereon, prior to  
4 approval of title; reserve plant and Government and con-  
5 tractor-owned equipment layaway, \$7,034,217,000, to re-  
6 main available for obligation until September 30, 2001.

7                   PROCUREMENT, DEFENSE-WIDE

8           For expenses of activities and agencies of the Depart-  
9 ment of Defense (other than the military departments)  
10 necessary for procurement, production, and modification  
11 of equipment, supplies, materials, and spare parts there-  
12 for, not otherwise provided for; the purchase of not to ex-  
13 ceed 346 passenger motor vehicles for replacement only;  
14 the purchase of 4 vehicles required for physical security  
15 of personnel, notwithstanding price limitations applicable  
16 to passenger vehicles but not to exceed \$165,000 per vehi-  
17 cle; expansion of public and private plants, equipment, and  
18 installation thereof in such plants, erection of structures,  
19 and acquisition of land for the foregoing purposes, and  
20 such lands and interests therein, may be acquired, and  
21 construction prosecuted thereon prior to approval of title;  
22 reserve plant and Government and contractor-owned  
23 equipment layaway, \$2,055,432,000, to remain available  
24 for obligation until September 30, 2001: *Provided*, That  
25 not less than \$109,455,000 of the funds appropriated in

1 this paragraph shall be made available only for the pro-  
2 curement of high performance computing hardware: *Pro-*  
3 *vided further*, That of the funds appropriated in this para-  
4 graph, \$92,566,000 shall not be obligated or expended  
5 until authorized by law.

6 NATIONAL GUARD AND RESERVE EQUIPMENT

7 For procurement of aircraft, missiles, tracked combat  
8 vehicles, ammunition, other weapons, and other procure-  
9 ment for the reserve components of the Armed Forces,  
10 \$120,000,000, to remain available for obligation until Sep-  
11 tember 30, 2001: *Provided*, That the Chiefs of the Reserve  
12 and National Guard components shall, not later than 30  
13 days after the enactment of this Act, individually submit  
14 to the congressional defense committees the modernization  
15 priority assessment for their respective Reserve or Na-  
16 tional Guard component.

17 TITLE IV

18 RESEARCH, DEVELOPMENT, TEST AND

19 EVALUATION

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 ARMY

22 For expenses necessary for basic and applied sci-  
23 entific research, development, test and evaluation, includ-  
24 ing maintenance, rehabilitation, lease, and operation of fa-  
25 cilities and equipment, \$4,967,446,000, to remain avail-

1 able for obligation until September 30, 2000: *Provided*,  
2 That of the funds appropriated in this paragraph,  
3 \$175,449,000 shall not be obligated or expended until au-  
4 thorized by law: *Provided further*, That of the funds made  
5 available under this heading, \$10,000,000 shall be avail-  
6 able only to commence a live fire, side-by-side operational  
7 test and evaluation of the air-to-air Starstreak and air-  
8 to-air Stinger missiles fired from the AH-64D Apache heli-  
9 copter: *Provided further*, That none of the funds specified  
10 in the preceding proviso may be obligated until the Sec-  
11 retary of the Army certifies the following, in writing, to  
12 the congressional defense committees:

13           (1) Engagement tests can be safely conducted  
14           with both Starstreak and Stinger missiles from the  
15           AH-64D helicopter at air speeds consistent with the  
16           normal operating limits of that aircraft;

17           (2) The Starstreak missiles utilized in the test  
18           will be provided at no cost to the United States Gov-  
19           ernment;

20           (3) None of the \$10,000,000 provided will be  
21           used to develop modifications to the Starstreak or  
22           the Stinger missiles; and

23           (4) Both the Starstreak and Stinger missiles  
24           can be fired from the AH-64D aircraft consistent  
25           with the survivability of the aircraft and missile per-

1 performance standards contained in the Army's Air-to-  
2 Air Missile Capability Need Statement approved by  
3 the Department of the Army in January 1997.

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
5 NAVY

6 For expenses necessary for basic and applied sci-  
7 entific research, development, test and evaluation, includ-  
8 ing maintenance, rehabilitation, lease, and operation of fa-  
9 cilities and equipment, \$8,297,986,000, to remain avail-  
10 able for obligation until September 30, 2000: *Provided*,  
11 That funds appropriated in this paragraph which are  
12 available for the V-22 may be used to meet unique re-  
13 quirements of the Special Operation Forces: *Provided fur-*  
14 *ther*, That notwithstanding 10 U.S.C. 2366, none of the  
15 funds made available under this heading may be used to  
16 conduct system-level live-fire shock tests on the SSN-21  
17 class of submarines unless the Commander-in-Chief of the  
18 United States Atlantic Command certifies in writing to the  
19 congressional defense committees that such testing must  
20 be conducted to meet operational requirements for those  
21 submarines: *Provided further*, That not more than  
22 \$50,000,000 of the funds made available under this head-  
23 ing for feasibility studies and component research and de-  
24 velopment for future aircraft carriers may be obligated  
25 until the Secretary of the Navy certifies in writing to the

1 congressional defense committees that the Navy has a pro-  
 2 gram in place to develop and install an infrared search  
 3 and track device on CVN-77 upon its acceptance by the  
 4 government: *Provided further*, That the restriction in the  
 5 preceding proviso does not apply to funds requested in the  
 6 fiscal year 1999 President's budget and provided in this  
 7 Act for design of CVN-77: *Provided further*, That of the  
 8 funds appropriated in title IV of Public Law 105-56 (De-  
 9 partment of Defense Appropriations Act, 1998),  
 10 \$213,229,000 is only for research, development, test and  
 11 evaluation of cooperative engagement capability.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

13 AIR FORCE

14 For expenses necessary for basic and applied sci-  
 15 entific research, development, test and evaluation, includ-  
 16 ing maintenance, rehabilitation, lease, and operation of fa-  
 17 cilities and equipment, \$13,577,441,000, to remain avail-  
 18 able for obligation until September 30, 2000.

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

20 DEFENSE-WIDE

21 For expenses of activities and agencies of the Depart-  
 22 ment of Defense (other than the military departments),  
 23 necessary for basic and applied scientific research, devel-  
 24 opment, test and evaluation; advanced research projects  
 25 as may be designated and determined by the Secretary

1 of Defense, pursuant to law; maintenance, rehabilitation,  
2 lease, and operation of facilities and equipment,  
3 \$8,776,318,000, to remain available for obligation until  
4 September 30, 2000: *Provided*, That not less than  
5 \$340,446,000 of the funds made available under this  
6 heading shall be made available only for the Sea-Based  
7 Wide Area Defense (Navy Upper-Tier) program: *Provided*  
8 *further*, That funding for the Sea-Based Wide Area De-  
9 fense (Navy Upper-Tier) program in this or any other Act  
10 shall be used for research, development and deployment  
11 including, but not limited to, continuing ongoing risk re-  
12 duction activities, initiating system engineering for an ini-  
13 tial Block I capability, and deployment at the earliest fea-  
14 sible time following Aegis Lightweight Exoatmospheric  
15 Projectile (LEAP) intercept flight tests.

16 DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

17 For expenses, not otherwise provided for, of inde-  
18 pendent activities of the Director, Test and Evaluation in  
19 the direction and supervision of developmental test and  
20 evaluation, including performance and joint developmental  
21 testing and evaluation, and administrative expenses in  
22 connection therewith, \$263,606,000, to remain available  
23 for obligation until September 30, 2000: *Provided*, That  
24 of the funds appropriated in this paragraph, \$12,500,000  
25 shall not be obligated or expended until authorized by law.

## 1 OPERATIONAL TEST AND EVALUATION, DEFENSE

2 For expenses, not otherwise provided for, necessary  
3 for the independent activities of the Director, Operational  
4 Test and Evaluation in the direction and supervision of  
5 operational test and evaluation, including initial oper-  
6 ational test and evaluation which is conducted prior to,  
7 and in support of, production decisions; joint operational  
8 testing and evaluation; and administrative expenses in  
9 connection therewith, \$35,245,000, to remain available for  
10 obligation until September 30, 2000: *Provided*, That of the  
11 funds appropriated in this paragraph, \$6,000,000 shall  
12 not be obligated or expended until authorized by law.

## 13 TITLE V

## 14 REVOLVING AND MANAGEMENT FUNDS

## 15 DEFENSE WORKING CAPITAL FUNDS

16 (INCLUDING TRANSFER OF FUNDS)

17 For the Defense Working Capital Funds,  
18 \$94,500,000: *Provided*, That during the fiscal year 1999,  
19 in order to maintain adequate cash balances in the De-  
20 fense Working Capital Funds, the Secretary of Defense  
21 may transfer up to \$350,000,000 from the National De-  
22 fense Stockpile Transaction Fund to the Defense Working  
23 Capital Funds: *Provided further*, That the total of  
24 amounts so transferred during the fiscal year shall be

1 transferred back to the National Defense Stockpile Trans-  
2 action Fund not later than September 30, 1999.

3 NATIONAL DEFENSE SEALIFT FUND

4 (INCLUDING TRANSFER OF FUNDS)

5 For National Defense Sealift Fund programs,  
6 projects, and activities, and for expenses of the National  
7 Defense Reserve Fleet, as established by section 11 of the  
8 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),  
9 \$673,366,000, to remain available until expended: *Pro-*  
10 *vided*, That none of the funds provided in this paragraph  
11 shall be used to award a new contract that provides for  
12 the acquisition of any of the following major components  
13 unless such components are manufactured in the United  
14 States: auxiliary equipment, including pumps, for all ship-  
15 board services; propulsion system components (that is, en-  
16 gines, reduction gears, and propellers); shipboard cranes;  
17 and spreaders for shipboard cranes: *Provided further*, That  
18 the exercise of an option in a contract awarded through  
19 the obligation of previously appropriated funds shall not  
20 be considered to be the award of a new contract: *Provided*  
21 *further*, That notwithstanding any other provision of law,  
22 of the funds available under this heading, \$28,800,000  
23 shall be transferred to "Alteration of Bridges": *Provided*  
24 *further*, That the Secretary of the military department re-  
25 sponsible for such procurement may waive the restrictions

1 in the first proviso on a case-by-case basis by certifying  
2 in writing to the Committees on Appropriations of the  
3 House of Representatives and the Senate that adequate  
4 domestic supplies are not available to meet Department  
5 of Defense requirements on a timely basis and that such  
6 an acquisition must be made in order to acquire capability  
7 for national security purposes: *Provided further*, That of  
8 the funds appropriated in this paragraph, \$3,800,000  
9 shall not be obligated or expended until authorized by law.

10

## TITLE VI

11 OTHER DEPARTMENT OF DEFENSE PROGRAMS

12

## DEFENSE HEALTH PROGRAM

13 For expenses, not otherwise provided for, for medical  
14 and health care programs of the Department of Defense,  
15 as authorized by law, \$10,127,622,000, of which  
16 \$9,725,235,000 shall be for Operation and maintenance,  
17 of which not to exceed two per centum shall remain avail-  
18 able until September 30, 2000, and of which  
19 \$402,387,000, to remain available for obligation until Sep-  
20 tember 30, 2001, shall be for Procurement: *Provided*,  
21 That of the funds appropriated in this paragraph,  
22 \$62,200,000 shall not be obligated or expended until au-  
23 thorized by law.



1 shall be available for obligation for the same time period  
2 and for the same purpose as the appropriation to which  
3 transferred: *Provided further*, That the transfer authority  
4 provided in this paragraph is in addition to any transfer  
5 authority contained elsewhere in this Act: *Provided fur-*  
6 *ther*, That of the funds appropriated in this paragraph,  
7 \$37,013,000 shall not be obligated or expended until au-  
8 thorized by law.

9                   OFFICE OF THE INSPECTOR GENERAL

10       For expenses and activities of the Office of the In-  
11 spector General in carrying out the provisions of the In-  
12 spector General Act of 1978, as amended, \$132,064,000,  
13 of which \$130,764,000 shall be for Operation and mainte-  
14 nance, of which not to exceed \$600,000 is available for  
15 emergencies and extraordinary expenses to be expended on  
16 the approval or authority of the Inspector General, and  
17 payments may be made on his certificate of necessity for  
18 confidential military purposes; and of which \$1,300,000,  
19 to remain available until September 30, 2001, shall be for  
20 Procurement.

1 TITLE VII  
2 RELATED AGENCIES  
3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND  
4 DISABILITY SYSTEM FUND

5 For payment to the Central Intelligence Agency Re-  
6 tirement and Disability System Fund, to maintain proper  
7 funding level for continuing the operation of the Central  
8 Intelligence Agency Retirement and Disability System,  
9 \$201,500,000.

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT  
11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Intelligence Commu-  
13 nity Management Account, \$136,123,000, of which  
14 \$30,290,000 for the Advanced Research and Development  
15 Committee shall remain available until September 30,  
16 2000: *Provided*, That of the funds appropriated under this  
17 heading, \$27,000,000 shall be transferred to the Depart-  
18 ment of Justice for the National Drug Intelligence Center  
19 to support the Department of Defense's counter-drug in-  
20 telligence responsibilities, and of the said amount,  
21 \$1,500,000 for Procurement shall remain available until  
22 September 30, 2001, and \$3,000,000 for Research, devel-  
23 opment, test and evaluation shall remain available until  
24 September 30, 2000.

1 PAYMENT TO KAHO'OLAWE ISLAND CONVEYANCE, RE-  
2 MEDIATION, AND ENVIRONMENTAL RESTORATION  
3 FUND

4 For payment to Kaho'olawe Island Conveyance, Re-  
5 mediation, and Environmental Restoration Fund, as au-  
6 thorized by law, \$15,000,000, to remain available until ex-  
7 pended.

8 NATIONAL SECURITY EDUCATION TRUST FUND

9 For the purposes of title VIII of Public Law 102-  
10 183, \$3,000,000, to be derived from the National Security  
11 Education Trust Fund, to remain available until ex-  
12 pended.

13 TITLE VIII

14 GENERAL PROVISIONS

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

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



1 ment and Budget, transfer not to exceed \$2,000,000,000  
2 of working capital funds of the Department of Defense  
3 or funds made available in this Act to the Department  
4 of Defense for military functions (except military con-  
5 struction) between such appropriations or funds or any  
6 subdivision thereof, to be merged with and to be available  
7 for the same purposes, and for the same time period, as  
8 the appropriation or fund to which transferred: *Provided,*  
9 That such authority to transfer may not be used unless  
10 for higher priority items, based on unforeseen military re-  
11 quirements, than those for which originally appropriated  
12 and in no case where the item for which funds are re-  
13 quested has been denied by Congress: *Provided further,*  
14 That the Secretary of Defense shall notify the Congress  
15 promptly of all transfers made pursuant to this authority  
16 or any other authority in this Act: *Provided further,* That  
17 no part of the funds in this Act shall be available to pre-  
18 pare or present a request to the Committees on Appropria-  
19 tions for reprogramming of funds, unless for higher prior-  
20 ity items, based on unforeseen military requirements, than  
21 those for which originally appropriated and in no case  
22 where the item for which reprogramming is requested has  
23 been denied by the Congress.

24 (TRANSFER OF FUNDS)

25 SEC. 8006. During the current fiscal year, cash bal-  
26 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: *Provided further*,  
6 That transfers may be made between working capital  
7 funds and the “Foreign Currency Fluctuations, Defense”  
8 appropriation and the “Operation and Maintenance” ap-  
9 propriation accounts in such amounts as may be deter-  
10 mined by the Secretary of Defense, with the approval of  
11 the Office of Management and Budget, except that such  
12 transfers may not be made unless the Secretary of Defense  
13 has notified the Congress of the proposed transfer. Except  
14 in amounts equal to the amounts appropriated to working  
15 capital funds in this Act, no obligations may be made  
16 against a working capital fund to procure or increase the  
17 value of war reserve material inventory, unless the Sec-  
18 retary of Defense has notified the Congress prior to any  
19 such obligation.

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

24       SEC. 8008. None of the funds provided in this Act  
25 shall be available to initiate: (1) a multiyear contract that

1 employs economic order quantity procurement in excess of  
2 \$20,000,000 in any one year of the contract or that in-  
3 cludes an unfunded contingent liability in excess of  
4 \$20,000,000; or (2) a contract for advance procurement  
5 leading to a multiyear contract that employs economic  
6 order quantity procurement in excess of \$20,000,000 in  
7 any one year, unless the congressional defense committees  
8 have been notified at least 30 days in advance of the pro-  
9 posed contract award: *Provided*, That no part of any ap-  
10 propriation contained in this Act shall be available to initi-  
11 ate a multiyear contract for which the economic order  
12 quantity advance procurement is not funded at least to  
13 the limits of the Government's liability: *Provided further*,  
14 That no part of any appropriation contained in this Act  
15 shall be available to initiate multiyear procurement con-  
16 tracts for any systems or component thereof if the value  
17 of the multiyear contract would exceed \$500,000,000 un-  
18 less specifically provided in this Act: *Provided further*,  
19 That no multiyear procurement contract can be termi-  
20 nated without 10-day prior notification to the congres-  
21 sional defense committees: *Provided further*, That the exe-  
22 cution of multiyear authority shall require the use of a  
23 present value analysis to determine lowest cost compared  
24 to an annual procurement.

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

3 ~~AV-8B~~ aircraft;

4 ~~E-2C~~ aircraft;

5 ~~T-45~~ aircraft; and

6 ~~Medium Tactical Vehicle Replacement (MTVR)~~  
7 ~~vehicle.~~

8 ~~SEC. 8009.~~ Within the funds appropriated for the op-  
9 ~~eration and maintenance of the Armed Forces,~~ funds are  
10 ~~hereby appropriated pursuant to section 401 of title 10,~~  
11 ~~United States Code, for humanitarian and civic assistance~~  
12 ~~costs under chapter 20 of title 10, United States Code.~~  
13 ~~Such funds may also be obligated for humanitarian and~~  
14 ~~civic assistance costs incidental to authorized operations~~  
15 ~~and pursuant to authority granted in section 401 of chap-~~  
16 ~~ter 20 of title 10, United States Code, and these obliga-~~  
17 ~~tions shall be reported to Congress on September 30 of~~  
18 ~~each year. *Provided,* That funds available for operation~~  
19 ~~and maintenance shall be available for providing humani-~~  
20 ~~tarian and similar assistance by using Civic Action Teams~~  
21 ~~in the Trust Territories of the Pacific Islands and freely~~  
22 ~~associated states of Micronesia, pursuant to the Compact~~  
23 ~~of Free Association as authorized by Public Law 99-239.~~  
24 ~~*Provided further,* That upon a determination by the Sec-~~  
25 ~~retary of the Army that such action is beneficial for grad-~~

1 uate medical education programs conducted at Army med-  
2 ical facilities located in Hawaii, the Secretary of the Army  
3 may authorize the provision of medical services at such  
4 facilities and transportation to such facilities, on a non-  
5 reimbursable basis, for civilian patients from American  
6 Samoa, the Commonwealth of the Northern Mariana Is-  
7 lands, the Marshall Islands, the Federated States of Mi-  
8 cronesia, Palau, and Guam.

9       SEC. 8010. (a) During fiscal year 1999, the civilian  
10 personnel of the Department of Defense may not be man-  
11 aged on the basis of any end-strength, and the manage-  
12 ment of such personnel during that fiscal year shall not  
13 be subject to any constraint or limitation (known as an  
14 end-strength) on the number of such personnel who may  
15 be employed on the last day of such fiscal year.

16       (b) The fiscal year 2000 budget request for the De-  
17 partment of Defense as well as all justification material  
18 and other documentation supporting the fiscal year 2000  
19 Department of Defense budget request shall be prepared  
20 and submitted to the Congress as if subsections (a) and  
21 (b) of this provision were effective with regard to fiscal  
22 year 2000.

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

1        SEC. 8011. Notwithstanding any other provision of  
2 law, none of the funds made available by this Act shall  
3 be used by the Department of Defense to exceed, outside  
4 the 50 United States, its territories, and the District of  
5 Columbia, 125,000 civilian workyears: *Provided*, That  
6 workyears shall be applied as defined in the Federal Per-  
7 sonnel Manual: *Provided further*, That workyears ex-  
8 pended in dependent student hiring programs for dis-  
9 advantaged youths shall not be included in this workyear  
10 limitation.

11        SEC. 8012. None of the funds made available by this  
12 Act shall be used in any way, directly or indirectly, to in-  
13 fluence congressional action on any legislation or appro-  
14 priation matters pending before the Congress.

15        SEC. 8013. (a) None of the funds appropriated by  
16 this Act shall be used to make contributions to the Depart-  
17 ment of Defense Education Benefits Fund pursuant to  
18 section 2006(g) of title 10, United States Code, represent-  
19 ing the normal cost for future benefits under section  
20 3015(e) of title 38, United States Code, for any member  
21 of the armed services who, on or after the date of enact-  
22 ment of this Act—

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

1           (2) receives an enlistment bonus under section  
2           308a or 308f of title 37, United States Code,  
3 nor shall any amounts representing the normal cost of  
4 such future benefits be transferred from the Fund by the  
5 Secretary of the Treasury to the Secretary of Veterans  
6 Affairs pursuant to section 2006(d) of title 10, United  
7 States Code; nor shall the Secretary of Veterans Affairs  
8 pay such benefits to any such member: *Provided*, That in  
9 the case of a member covered by clause (1), these limita-  
10 tions shall not apply to members in combat arms skills  
11 or to members who enlist in the armed services on or after  
12 July 1, 1989, under a program continued or established  
13 by the Secretary of Defense in fiscal year 1991 to test  
14 the cost-effective use of special recruiting incentives in-  
15 volving not more than nineteen noncombat arms skills ap-  
16 proved in advance by the Secretary of Defense: *Provided*  
17 *further*, That this subsection applies only to active compo-  
18 nents of the Army.

19           (b) None of the funds appropriated by this Act shall  
20 be available for the basic pay and allowances of any mem-  
21 ber of the Army participating as a full-time student and  
22 receiving benefits paid by the Secretary of Veterans Af-  
23 fairs from the Department of Defense Education Benefits  
24 Fund when time spent as a full-time student is credited  
25 toward completion of a service commitment: *Provided*,

1 That this subsection shall not apply to those members who  
2 have reenlisted with this option prior to October 1, 1987:  
3 *Provided further,* That this subsection applies only to ac-  
4 tive components of the Army.

5       SEC. 8014. None of the funds appropriated by this  
6 Act shall be available to convert to contractor performance  
7 an activity or function of the Department of Defense that,  
8 on or after the date of enactment of this Act, is performed  
9 by more than ten Department of Defense civilian employ-  
10 ees until a most efficient and cost-effective organization  
11 analysis is completed on such activity or function and cer-  
12 tification of the analysis is made to the Committees on  
13 Appropriations of the House of Representatives and the  
14 Senate: *Provided,* That this section shall not apply to a  
15 commercial or industrial type function of the Department  
16 of Defense that: (1) is included on the procurement list  
17 established pursuant to section 2 of the Act of June 25,  
18 1938 (41 U.S.C. 47), popularly referred to as the Javits-  
19 Wagner-O'Day Act; (2) is planned to be converted to per-  
20 formance by a qualified nonprofit agency for the blind or  
21 by a qualified nonprofit agency for other severely handi-  
22 capped individuals in accordance with that Act; or (3) is  
23 planned to be converted to performance by a qualified firm  
24 under 51 per centum Native American ownership.

## (TRANSFER OF FUNDS)

1  
2       SEC. 8015. Funds appropriated in title III of this Act  
3 for the Department of Defense Pilot Mentor-Protege Pro-  
4 gram may be transferred to any other appropriation con-  
5 tained in this Act solely for the purpose of implementing  
6 a Mentor-Protege Program developmental assistance  
7 agreement pursuant to section 831 of the National De-  
8 fense Authorization Act for Fiscal Year 1991 (Public Law  
9 101-510; 10 U.S.C. 2301 note), as amended, under the  
10 authority of this provision or any other transfer authority  
11 contained in this Act.

12       SEC. 8016. None of the funds in this Act may be  
13 available for the purchase by the Department of Defense  
14 (and its departments and agencies) of welded shipboard  
15 anchor and mooring chain 4 inches in diameter and under  
16 unless the anchor and mooring chain are manufactured  
17 in the United States from components which are substan-  
18 tially manufactured in the United States: *Provided*, That  
19 for the purpose of this section manufactured will include  
20 cutting, heat treating, quality control, testing of chain and  
21 welding (including the forging and shot blasting process):  
22 *Provided further*, That for the purpose of this section sub-  
23 stantially all of the components of anchor and mooring  
24 chain shall be considered to be produced or manufactured  
25 in the United States if the aggregate cost of the compo-

1 nents produced or manufactured in the United States ex-  
2 ceeds the aggregate cost of the components produced or  
3 manufactured outside the United States: *Provided further*;  
4 That when adequate domestic supplies are not available  
5 to meet Department of Defense requirements on a timely  
6 basis, the Secretary of the service responsible for the pro-  
7 curement may waive this restriction on a case-by-case  
8 basis by certifying in writing to the Committees on Appro-  
9 priations that such an acquisition must be made in order  
10 to acquire capability for national security purposes.

11       SEC. 8017. None of the funds appropriated by this  
12 Act available for the Civilian Health and Medical Program  
13 of the Uniformed Services (CHAMPUS) shall be available  
14 for the reimbursement of any health care provider for in-  
15 patient mental health service for care received when a pa-  
16 tient is referred to a provider of inpatient mental health  
17 care or residential treatment care by a medical or health  
18 care professional having an economic interest in the facil-  
19 ity to which the patient is referred: *Provided*, That this  
20 limitation does not apply in the case of inpatient mental  
21 health services provided under the program for persons  
22 with disabilities under subsection (d) of section 1079 of  
23 title 10, United States Code, provided as partial hospital  
24 care, or provided pursuant to a waiver authorized by the  
25 Secretary of Defense because of medical or psychological

1 circumstances of the patient that are confirmed by a  
2 health professional who is not a Federal employee after  
3 a review, pursuant to rules prescribed by the Secretary,  
4 which takes into account the appropriate level of care for  
5 the patient, the intensity of services required by the pa-  
6 tient, and the availability of that care.

7       SEC. 8018. Funds available in this Act may be used  
8 to provide transportation for the next-of-kin of individuals  
9 who have been prisoners of war or missing in action from  
10 the Vietnam era to an annual meeting in the United  
11 States, under such regulations as the Secretary of Defense  
12 may prescribe.

13       SEC. 8019. Notwithstanding any other provision of  
14 law, during the current fiscal year, the Secretary of De-  
15 fense may, by executive agreement, establish with host na-  
16 tion governments in NATO member states a separate ac-  
17 count into which such residual value amounts negotiated  
18 in the return of United States military installations in  
19 NATO member states may be deposited, in the currency  
20 of the host nation, in lieu of direct monetary transfers to  
21 the United States Treasury: *Provided*, That such credits  
22 may be utilized only for the construction of facilities to  
23 support United States military forces in that host nation,  
24 or such real property maintenance and base operating  
25 costs that are currently executed through monetary trans-

1 fers to such host nations: *Provided further*, That the De-  
2 partment of Defense's budget submission for fiscal year  
3 2000 shall identify such sums anticipated in residual value  
4 settlements, and identify such construction, real property  
5 maintenance or base operating costs that shall be funded  
6 by the host nation through such credits: *Provided further*,  
7 That all military construction projects to be executed from  
8 such accounts must be previously approved in a prior Act  
9 of Congress: *Provided further*, That each such executive  
10 agreement with a NATO member host nation shall be re-  
11 ported to the congressional defense committees, the Com-  
12 mittee on International Relations of the House of Rep-  
13 resentatives and the Committee on Foreign Relations of  
14 the Senate 30 days prior to the conclusion and endorse-  
15 ment of any such agreement established under this provi-  
16 sion.

17       SEC. 8020. None of the funds available to the De-  
18 partment of Defense may be used to demilitarize or dis-  
19 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,  
20 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols.

21       SEC. 8021. Notwithstanding any other provision of  
22 law, none of the funds appropriated by this Act shall be  
23 available to pay more than 50 per centum of an amount  
24 paid to any person under section 308 of title 37, United  
25 States Code, in a lump sum.

1        SEC. 8022. No more than \$500,000 of the funds ap-  
2        propriated or made available in this Act shall be used dur-  
3        ing a single fiscal year for any single relocation of an orga-  
4        nization, unit, activity or function of the Department of  
5        Defense into or within the National Capital Region: *Pro-*  
6        *vided,* That the Secretary of Defense may waive this re-  
7        striction on a case-by-case basis by certifying in writing  
8        to the congressional defense committees that such a relo-  
9        cation is required in the best interest of the Government.

10       SEC. 8023. A member of a reserve component whose  
11       unit or whose residence is located in a State which is not  
12       contiguous with another State is authorized to travel in  
13       a space required status on aircraft of the Armed Forces  
14       between home and place of inactive duty training, or place  
15       of duty in lieu of unit training assembly, when there is  
16       no road or railroad transportation (or combination of road  
17       and railroad transportation between those locations): *Pro-*  
18       *vided,* That a member traveling in that status on a mili-  
19       tary aircraft pursuant to the authority provided in this  
20       section is not authorized to receive travel, transportation,  
21       or per diem allowances in connection with that travel.

22       SEC. 8024. The unobligated balance of the amounts  
23       appropriated by section 8024 of the Department of De-  
24       fense Appropriations Act, 1998 (Public Law 105-56),  
25       shall remain available until September 30, 1999 for incen-

1 tive payments authorized by section 504 of the Indian Fi-  
2 nancing Act of 1974 (25 U.S.C. 1544): *Provided*, That  
3 contractors participating in the test program established  
4 by section 834 of Public Law 101-189 (15 U.S.C. 637  
5 note) shall be eligible for the program established by sec-  
6 tion 504 of the Indian Financing Act.

7       SEC. 8025. During the current fiscal year, funds ap-  
8 propriated or otherwise available for any Federal agency,  
9 the Congress, the judicial branch, or the District of Co-  
10 lumbia may be used for the pay, allowances, and benefits  
11 of an employee as defined by section 2105 of title 5,  
12 United States Code, or an individual employed by the gov-  
13 ernment of the District of Columbia, permanent or tem-  
14 porary indefinite, who—

15           (1) is a member of a Reserve component of the  
16 Armed Forces, as described in section 10101 of title  
17 10, United States Code, or the National Guard, as  
18 described in section 101 of title 32, United States  
19 Code;

20           (2) performs, for the purpose of providing mili-  
21 tary aid to enforce the law or providing assistance  
22 to civil authorities in the protection or saving of life  
23 or property or prevention of injury—

1           (A) Federal service under sections ~~331,~~  
2           ~~332, 333,~~ or 12406 of title 10, or other provi-  
3           sion of law, as applicable; or

4           (B) full-time military service for his or her  
5           State, the District of Columbia, the Common-  
6           wealth of Puerto Rico, or a territory of the  
7           United States; and

8           (3) requests and is granted—

9           (A) leave under the authority of this sec-  
10          tion; or

11          (B) annual leave, which may be granted  
12          without regard to the provisions of sections  
13          5519 and 6323(b) of title 5, if such employee  
14          is otherwise entitled to such annual leave: *Pro-*  
15          *vided,* That any employee who requests leave  
16          under subsection (3)(A) for service described in  
17          subsection (2) of this section is entitled to such  
18          leave, subject to the provisions of this section  
19          and of the last sentence of section 6323(b) of  
20          title 5, and such leave shall be considered leave  
21          under section 6323(b) of title 5, United States  
22          Code.

23          SEC. 8026. None of the funds appropriated by this  
24          Act shall be available to perform any cost study pursuant  
25          to the provisions of OMB Circular A-76 if the study being

1 performed exceeds a period of 24 months after initiation  
2 of such study with respect to a single function activity or  
3 48 months after initiation of such study for a multi-func-  
4 tion activity.

5       SEC. 8027. Funds appropriated by this Act for the  
6 American Forces Information Service shall not be used for  
7 any national or international political or psychological ac-  
8 tivities.

9       SEC. 8028. Notwithstanding any other provision of  
10 law or regulation, the Secretary of Defense may adjust  
11 wage rates for civilian employees hired for certain health  
12 care occupations as authorized for the Secretary of Veter-  
13 ans Affairs by section 7455 of title 38, United States  
14 Code.

15       SEC. 8029. None of the funds appropriated or made  
16 available in this Act shall be used to reduce or disestablish  
17 the operation of the 53rd Weather Reconnaissance Squad-  
18 ron of the Air Force Reserve, if such action would reduce  
19 the WC-130 Weather Reconnaissance mission below the  
20 levels funded in this Act.

21       SEC. 8030. (a) Of the funds for the procurement of  
22 supplies or services appropriated by this Act, qualified  
23 nonprofit agencies for the blind or other severely handi-  
24 capped shall be afforded the maximum practicable oppor-  
25 tunity to participate as subcontractors and suppliers in the

1 performance of contracts let by the Department of De-  
2 fense.

3       (b) During the current fiscal year, a business concern  
4 which has negotiated with a military service or defense  
5 agency a subcontracting plan for the participation by  
6 small business concerns pursuant to section 8(d) of the  
7 Small Business Act (15 U.S.C. 637(d)) shall be given  
8 credit toward meeting that subcontracting goal for any  
9 purchases made from qualified nonprofit agencies for the  
10 blind or other severely handicapped.

11       (c) For the purpose of this section, the phrase "quali-  
12 fied nonprofit agency for the blind or other severely handi-  
13 capped" means a nonprofit agency for the blind or other  
14 severely handicapped that has been approved by the Com-  
15 mittee for the Purchase from the Blind and Other Severely  
16 Handicapped under the Javits-Wagner-O'Day Act (41  
17 U.S.C. 46-48).

18       SEC. 8031. During the current fiscal year, net re-  
19 ceipts pursuant to collections from third party payers pur-  
20 suant to section 1095 of title 10, United States Code, shall  
21 be made available to the local facility of the uniformed  
22 services responsible for the collections and shall be over  
23 and above the facility's direct budget amount.

24       SEC. 8032. During the current fiscal year, the De-  
25 partment of Defense is authorized to incur obligations of

1 not to exceed \$350,000,000 for purposes specified in sec-  
2 tion 2350j(e) of title 10, United States Code, in anticipa-  
3 tion of receipt of contributions, only from the Government  
4 of Kuwait, under that section: *Provided*, That upon re-  
5 ceipt, such contributions from the Government of Kuwait  
6 shall be credited to the appropriations or fund which in-  
7 curred such obligations.

8       SEC. 8033. Of the funds made available in this Act,  
9 not less than \$28,300,000 shall be available for the Civil  
10 Air Patrol Corporation, of which \$23,500,000 shall be  
11 available for Civil Air Patrol Corporation operation and  
12 maintenance to support readiness activities which includes  
13 \$3,800,000 for the Civil Air Patrol counterdrug program:  
14 *Provided*, That funds identified for “Civil Air Patrol”  
15 under this section are intended for and shall be for the  
16 exclusive use of the Civil Air Patrol Corporation and not  
17 for the Air Force or any unit thereof.

18       SEC. 8034. (a) None of the funds appropriated in this  
19 Act are available to establish a new Department of De-  
20 fense (department) Federally Funded Research and Devel-  
21 opment Center (FFRDC), either as a new entity, or as  
22 a separate entity administrated by an organization manag-  
23 ing another FFRDC, or as a nonprofit membership cor-  
24 poration consisting of a consortium of other FFRDCs and  
25 other non-profit entities.

1           (b) No member of a Board of Directors, Trustees,  
2 Overseers, Advisory Group, Special Issues Panel, Visiting  
3 Committee, or any similar entity of a defense FFRDC,  
4 and no paid consultant to any defense FFRDC, may be  
5 compensated for his or her services as a member of such  
6 entity, or as a paid consultant, except under the same con-  
7 ditions, and to the same extent, as members of the De-  
8 fense Science Board: *Provided*, That a member of any  
9 such entity referred to previously in this subsection shall  
10 be allowed travel expenses and per diem as authorized  
11 under the Federal Joint Travel Regulations, when en-  
12 gaged in the performance of membership duties.

13           (c) Notwithstanding any other provision of law, none  
14 of the funds available to the department from any source  
15 during fiscal year 1999 may be used by a defense FFRDC,  
16 through a fee or other payment mechanism, for charitable  
17 contributions, for construction of new buildings, for pay-  
18 ment of cost sharing for projects funded by Government  
19 grants, or for absorption of contract overruns.

20           (d) Notwithstanding any other provision of law, of  
21 the funds available to the department during fiscal year  
22 1999, not more than 6,206 staff years of technical effort  
23 (staff years) may be funded for defense FFRDCs: *Pro-*  
24 *vided*, That of the specific amount referred to previously

1 in this subsection, not more than 1,105 staff years may  
2 be funded for the defense studies and analysis FFRDCs.

3 (e) Notwithstanding any other provision of law, the  
4 Secretary of Defense shall control the total number of  
5 staff years to be performed by defense FFRDCs during  
6 fiscal year 1999 so as to reduce the total amounts appro-  
7 priated in titles II, III, and IV of this Act by \$62,000,000.  
8 *Provided*, That the total amounts appropriated in titles  
9 II, III, and IV of this Act are hereby reduced by  
10 \$62,000,000 to reflect savings from the use of defense  
11 FFRDCs by the department.

12 (f) Within 60 days after enactment of this Act, the  
13 Secretary of Defense shall submit to the congressional de-  
14 fense committees a report presenting the specific amounts  
15 of staff years of technical effort to be allocated by the de-  
16 partment for each defense FFRDC during fiscal year  
17 1999: *Provided*, That after the submission of the report  
18 required by this subsection, the department may not re-  
19 allocate more than five per centum of an FFRDC's staff  
20 years among other defense FFRDCs until 30 days after  
21 a detailed justification for any such reallocation is submit-  
22 ted to the congressional defense committees.

23 (g) The Secretary of Defense shall, with the submis-  
24 sion of the department's fiscal year 2000 budget request,  
25 submit a report presenting the specific amounts of staff

1 years of technical effort to be allocated for each defense  
2 FFRDC during that fiscal year.

3 (h) No part of the reductions contained in subsection  
4 (e) of this section may be applied against any budget activ-  
5 ity, activity group, subactivity group, line item, program  
6 element, program, project, subproject or activity which  
7 does not fund defense FFRDC activities within each ap-  
8 propriation account, and the reductions in subsection (e)  
9 shall be allocated on a proportional basis.

10 (i) Not later than 90 days after enactment of this  
11 Act, the Secretary of Defense shall submit to the congres-  
12 sional defense committees a report listing the specific  
13 funding reductions allocated to each category listed in sub-  
14 section (h) above pursuant to this section.

15 SEC. 8035. None of the funds appropriated or made  
16 available in this Act shall be used to procure carbon, alloy  
17 or armor steel plate for use in any Government-owned fa-  
18 cility or property under the control of the Department of  
19 Defense which were not melted and rolled in the United  
20 States or Canada: *Provided*, That these procurement re-  
21 strictions shall apply to any and all Federal Supply Class  
22 9515, American Society of Testing and Materials (ASTM)  
23 or American Iron and Steel Institute (AISI) specifications  
24 of carbon, alloy or armor steel plate: *Provided further*,  
25 That the Secretary of the military department responsible

1 for the procurement may waive this restriction on a case-  
2 by-case basis by certifying in writing to the Committees  
3 on Appropriations of the House of Representatives and the  
4 Senate that adequate domestic supplies are not available  
5 to meet Department of Defense requirements on a timely  
6 basis and that such an acquisition must be made in order  
7 to acquire capability for national security purposes: *Pro-*  
8 *vided further*, That these restrictions shall not apply to  
9 contracts which are in being as of the date of enactment  
10 of this Act.

11       SEC. 8036. For the purposes of this Act, the term  
12 “congressional defense committees” means the National  
13 Security Committee of the House of Representatives, the  
14 Armed Services Committee of the Senate, the Subcommit-  
15 tee on Defense of the Committee on Appropriations of the  
16 Senate, and the Subcommittee on National Security of the  
17 Committee on Appropriations of the House of Representa-  
18 tives.

19       SEC. 8037. During the current fiscal year, the De-  
20 partment of Defense may acquire the modification, depot  
21 maintenance and repair of aircraft, vehicles and vessels  
22 as well as the production of components and other De-  
23 fense-related articles, through competition between De-  
24 partment of Defense depot maintenance activities and pri-  
25 vate firms: *Provided*, That the Senior Acquisition Execu-

1 tive of the military department or defense agency con-  
2 cerned, with power of delegation, shall certify that success-  
3 ful bids include comparable estimates of all direct and in-  
4 direct costs for both public and private bids: *Provided fur-*  
5 *ther*, That Office of Management and Budget Circular A-  
6 76 shall not apply to competitions conducted under this  
7 section.

8       SEC. 8038. (a)(1) If the Secretary of Defense, after  
9 consultation with the United States Trade Representative,  
10 determines that a foreign country which is party to an  
11 agreement described in paragraph (2) has violated the  
12 terms of the agreement by discriminating against certain  
13 types of products produced in the United States that are  
14 covered by the agreement, the Secretary of Defense shall  
15 rescind the Secretary's blanket waiver of the Buy Amer-  
16 ican Act with respect to such types of products produced  
17 in that foreign country.

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

24       (b) The Secretary of Defense shall submit to Con-  
25 gress a report on the amount of Department of Defense

1 purchases from foreign entities in fiscal year 1999. Such  
2 report shall separately indicate the dollar value of items  
3 for which the Buy American Act was waived pursuant to  
4 any agreement described in subsection (a)(2), the Trade  
5 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
6 international agreement to which the United States is a  
7 party.

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

14 SEC. 8039. Appropriations contained in this Act that  
15 remain available at the end of the current fiscal year as  
16 a result of energy cost savings realized by the Department  
17 of Defense shall remain available for obligation for the  
18 next fiscal year to the extent, and for the purposes, pro-  
19 vided in section 2865 of title 10, United States Code.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8040. 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 10  
24 U.S.C. 2667(d)(1) are appropriated and shall be available  
25 until transferred by the Secretary of Defense to current  
26 applicable appropriations or funds of the Department of

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

6       SEC. 8041. During the current fiscal year, appropria-  
7 tions available to the Department of Defense may be used  
8 to reimburse a member of a reserve component of the  
9 Armed Forces who is not otherwise entitled to travel and  
10 transportation allowances and who occupies transient gov-  
11 ernment housing while performing active duty for training  
12 or inactive duty training: *Provided*, That such members  
13 may be provided lodging in kind if transient government  
14 quarters are unavailable as if the member was entitled to  
15 such allowances under subsection (a) of section 404 of title  
16 37, United States Code: *Provided further*, That if lodging  
17 in kind is provided, any authorized service charge or cost  
18 of such lodging may be paid directly from funds appro-  
19 priated for operation and maintenance of the reserve com-  
20 ponent of the member concerned.

21       SEC. 8042. The President shall include with each  
22 budget for a fiscal year submitted to the Congress under  
23 section 1105 of title 31, United States Code, materials  
24 that shall identify clearly and separately the amounts re-  
25 quested in the budget for appropriation for that fiscal year

1 for salaries and expenses related to administrative activi-  
2 ties of the Department of Defense, the military depart-  
3 ments, and the Defense Agencies.

4       ~~SEC. 8043.~~ Notwithstanding any other provision of  
5 law, funds available for “Drug Interdiction and Counter-  
6 Drug Activities, Defense” may be obligated for the Young  
7 Marines program.

8       ~~SEC. 8044.~~ During the current fiscal year, amounts  
9 contained in the Department of Defense Overseas Military  
10 Facility Investment Recovery Account established by sec-  
11 tion 2921(e)(1) of the National Defense Authorization Act  
12 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall  
13 be available until expended for the payments specified by  
14 section 2921(e)(2) of that Act.

15       ~~SEC. 8045.~~ Of the funds appropriated or otherwise  
16 made available by this Act, not more than \$119,200,000  
17 shall be available for payment of the operating costs of  
18 NATO Headquarters: *Provided*, That the Secretary of De-  
19 fense may waive this section for Department of Defense  
20 support provided to NATO forces in and around the  
21 former Yugoslavia.

22       ~~SEC. 8046.~~ During the current fiscal year, appropria-  
23 tions which are available to the Department of Defense  
24 for operation and maintenance may be used to purchase

1 items having an investment item unit cost of not more  
2 than \$100,000.

3       SEC. 8047. (a) During the current fiscal year, none  
4 of the appropriations or funds available to the Department  
5 of Defense Working Capital Funds shall be used for the  
6 purchase of an investment item for the purpose of acquir-  
7 ing a new inventory item for sale or anticipated sale dur-  
8 ing the current fiscal year or a subsequent fiscal year to  
9 customers of the Department of Defense Working Capital  
10 Funds if such an item would not have been chargeable  
11 to the Department of Defense Business Operations Fund  
12 during fiscal year 1994 and if the purchase of such an  
13 investment item would be chargeable during the current  
14 fiscal year to appropriations made to the Department of  
15 Defense for procurement.

16       (b) The fiscal year 2000 budget request for the De-  
17 partment of Defense as well as all justification material  
18 and other documentation supporting the fiscal year 2000  
19 Department of Defense budget shall be prepared and sub-  
20 mitted to the Congress on the basis that any equipment  
21 which was classified as an end item and funded in a pro-  
22 curement appropriation contained in this Act shall be  
23 budgeted for in a proposed fiscal year 2000 procurement  
24 appropriation and not in the supply management business

1 area or any other area or category of the Department of  
2 Defense Working Capital Funds.

3       SEC. 8048. None of the funds appropriated by this  
4 Act for programs of the Central Intelligence Agency shall  
5 remain available for obligation beyond the current fiscal  
6 year, except for funds appropriated for the Reserve for  
7 Contingencies, which shall remain available until Septem-  
8 ber 30, 2000: *Provided*, That funds appropriated, trans-  
9 ferred, or otherwise credited to the Central Intelligence  
10 Agency Central Services Working Capital Fund during  
11 this or any prior or subsequent fiscal year shall remain  
12 available until expended.

13       SEC. 8049. Notwithstanding any other provision of  
14 law, funds made available in this Act for the Defense In-  
15 telligence Agency may be used for the design, develop-  
16 ment, and deployment of General Defense Intelligence  
17 Program intelligence communications and intelligence in-  
18 formation systems for the Services, the Unified and Speci-  
19 fied Commands, and the component commands.

20       SEC. 8050. Amounts collected for the use of the fa-  
21 cilities of the National Science Center for Communications  
22 and Electronics during the current fiscal year pursuant  
23 to section 1459(g) of the Department of Defense Author-  
24 ization Act, 1986, and deposited to the special account es-  
25 tablished under subsection 1459(g)(2) of that Act are ap-

1 appropriated and shall be available until expended for the  
2 operation and maintenance of the Center as provided for  
3 in subsection 1459(g)(2).

4       SEC. 8051. None of the funds appropriated in this  
5 Act may be used to fill the commander's position at any  
6 military medical facility with a health care professional  
7 unless the prospective candidate can demonstrate profes-  
8 sional administrative skills.

9       SEC. 8052. (a) None of the funds appropriated in this  
10 Act may be expended by an entity of the Department of  
11 Defense unless the entity, in expending the funds, com-  
12 plies with the Buy American Act. For purposes of this  
13 subsection, the term "Buy American Act" means title III  
14 of the Act entitled "An Act making appropriations for the  
15 Treasury and Post Office Departments for the fiscal year  
16 ending June 30, 1934, and for other purposes", approved  
17 March 3, 1933 (41 U.S.C. 10a et seq.).

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

1           (e) In the case of any equipment or products pur-  
2 chased with appropriations provided under this Act, it is  
3 the sense of the Congress that any entity of the Depart-  
4 ment of Defense, in expending the appropriation, purchase  
5 only American-made equipment and products, provided  
6 that American-made equipment and products are cost-  
7 competitive, quality-competitive, and available in a timely  
8 fashion.

9           SEC. 8053. None of the funds appropriated by this  
10 Act shall be available for a contract for studies, analysis,  
11 or consulting services entered into without competition on  
12 the basis of an unsolicited proposal unless the head of the  
13 activity responsible for the procurement determines—

14           (1) as a result of thorough technical evaluation,  
15 only one source is found fully qualified to perform  
16 the proposed work;

17           (2) the purpose of the contract is to explore an  
18 unsolicited proposal which offers significant sci-  
19 entific or technological promise, represents the prod-  
20 uct of original thinking, and was submitted in con-  
21 fidence by one source; or

22           (3) the purpose of the contract is to take ad-  
23 vantage of unique and significant industrial accom-  
24 plishment by a specific concern, or to insure that a  
25 new product or idea of a specific concern is given fi-

1        nancial support: *Provided*, That this limitation shall  
2        not apply to contracts in an amount of less than  
3        \$25,000, contracts related to improvements of equip-  
4        ment that is in development or production, or con-  
5        tracts as to which a civilian official of the Depart-  
6        ment of Defense, who has been confirmed by the  
7        Senate, determines that the award of such contract  
8        is in the interest of the national defense.

9        SEC. 8054. (a) Except as provided in subsections (b)  
10       and (c), none of the funds made available by this Act may  
11       be used—

12                (1) to establish a field operating agency; or  
13                (2) to pay the basic pay of a member of the  
14       Armed Forces or civilian employee of the depart-  
15       ment who is transferred or reassigned from a head-  
16       quarters activity if the member or employee's place  
17       of duty remains at the location of that headquarters.

18       (b) The Secretary of Defense or Secretary of a mili-  
19       tary department may waive the limitations in subsection  
20       (a), on a case-by-case basis, if the Secretary determines,  
21       and certifies to the Committees on Appropriations of the  
22       House of Representatives and Senate that the granting  
23       of the waiver will reduce the personnel requirements or  
24       the financial requirements of the department.



1           ~~“Aircraft Procurement, Air Force, 1998/2000”,~~  
2           \$15,000,000;

3           ~~“Missile Procurement, Air Force, 1998/2000”,~~  
4           \$19,840,000;

5           ~~“Other Procurement, Air Force, 1998/2000”,~~  
6           \$4,160,000;

7           ~~“Research, Development, Test and Evaluation,~~  
8           ~~Army, 1998/1999”, \$18,000,000;~~

9           ~~“Research, Development, Test and Evaluation,~~  
10          ~~Navy, 1998/1999”, \$17,500,000;~~

11          ~~“Research, Development, Test and Evaluation,~~  
12          ~~Air Force, 1998/1999”, \$34,370,000; and~~

13          ~~“Research, Development, Test and Evaluation,~~  
14          ~~Defense-Wide, 1998/1999”, \$73,000,000.~~

15          SEC. 8057. None of the funds available in this Act  
16 may be used to reduce the authorized positions for mili-  
17 tary (civilian) technicians of the Army National Guard,  
18 the Air National Guard, Army Reserve and Air Force Re-  
19 serve for the purpose of applying any administratively im-  
20 posed civilian personnel ceiling, freeze, or reduction on  
21 military (civilian) technicians, unless such reductions are  
22 a direct result of a reduction in military force structure.

23          SEC. 8058. None of the funds appropriated or other-  
24 wise made available in this Act may be obligated or ex-  
25 pended for assistance to the Democratic People’s Republic

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

3       SEC. 8059. During the current fiscal year, funds ap-  
4 propriated in this Act are available to compensate mem-  
5 bers of the National Guard for duty performed pursuant  
6 to a plan submitted by a Governor of a State and approved  
7 by the Secretary of Defense under section 112 of title 32,  
8 United States Code: *Provided*, That during the perform-  
9 ance of such duty, the members of the National Guard  
10 shall be under State command and control: *Provided fur-*  
11 *ther*, That such duty shall be treated as full-time National  
12 Guard duty for purposes of sections 12602(a)(2) and  
13 (b)(2) of title 10, United States Code.

14       SEC. 8060. 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  
18 other expenses which would otherwise be incurred against  
19 appropriations for the National Guard and Reserve when  
20 members of the National Guard and Reserve provide intel-  
21 ligence or counterintelligence support to Unified Com-  
22 mands, Defense Agencies and Joint Intelligence Activities,  
23 including the activities and programs included within the  
24 National Foreign Intelligence Program (NFIP), the Joint  
25 Military Intelligence Program (JMIP), and the Tactical

1 Intelligence and Related Activities (TIARA) aggregate:  
2 *Provided*, That nothing in this section authorizes deviation  
3 from established Reserve and National Guard personnel  
4 and training procedures.

5 SEC. 8061. During the current fiscal year, none of  
6 the funds appropriated in this Act may be used to reduce  
7 the civilian medical and medical support personnel as-  
8 signed to military treatment facilities below the September  
9 30, 1998 level: *Provided*, That the Service Surgeons Gen-  
10 eral may waive this section by certifying to the congres-  
11 sional defense committees that the beneficiary population  
12 is declining in some catchment areas and civilian strength  
13 reductions may be consistent with responsible resource  
14 stewardship and capitation-based budgeting.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8062. None of the funds appropriated in this  
17 Act may be transferred to or obligated from the Pentagon  
18 Reservation Maintenance Revolving Fund, unless the Sec-  
19 retary of Defense certifies that the total cost for the plan-  
20 ning, design, construction and installation of equipment  
21 for the renovation of the Pentagon Reservation will not  
22 exceed \$1,118,000,000.

23 SEC. 8063. (a) None of the funds available to the  
24 Department of Defense for any fiscal year for drug inter-  
25 diction or counter-drug activities may be transferred to

1 any other department or agency of the United States ex-  
2 cept as specifically provided in an appropriations law.

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

8 (TRANSFER OF FUNDS)

9 SEC. 8064. Appropriations available in this Act under  
10 the heading "Operation and Maintenance, Defense-Wide"  
11 for increasing energy and water efficiency in Federal  
12 buildings may, during their period of availability, be trans-  
13 ferred to other appropriations or funds of the Department  
14 of Defense for projects related to increasing energy and  
15 water efficiency, to be merged with and to be available  
16 for the same general purposes, and for the same time pe-  
17 riod, as the appropriation or fund to which transferred.

18 SEC. 8065. None of the funds appropriated by this  
19 Act may be used for the procurement of ball and roller  
20 bearings other than those produced by a domestic source  
21 and of domestic origin: *Provided*, That the Secretary of  
22 the military department responsible for such procurement  
23 may waive this restriction on a case-by-case basis by cer-  
24 tifying in writing to the Committees on Appropriations of  
25 the House of Representatives and the Senate, that ade-  
26 quate domestic supplies are not available to meet Depart-

1 ment of Defense requirements on a timely basis and that  
2 such an acquisition must be made in order to acquire ca-  
3 pability for national security purposes.

4       SEC. 8066. Notwithstanding any other provision of  
5 law, funds available to the Department of Defense shall  
6 be made available to provide transportation of medical  
7 supplies and equipment, on a nonreimbursable basis, to  
8 American Samoa: *Provided*, That notwithstanding any  
9 other provision of law, funds available to the Department  
10 of Defense shall be made available to provide transpor-  
11 tation of medical supplies and equipment, on a non-  
12 reimbursable basis, to the Indian Health Service when it  
13 is in conjunction with a civil-military project.

14       SEC. 8067. None of the funds in this Act may be  
15 used to purchase any supercomputer which is not manu-  
16 factured in the United States, unless the Secretary of De-  
17 fense certifies to the congressional defense committees  
18 that such an acquisition must be made in order to acquire  
19 capability for national security purposes that is not avail-  
20 able from United States manufacturers.

21       SEC. 8068. Notwithstanding any other provision of  
22 law, the Naval shipyards of the United States shall be eli-  
23 gible to participate in any manufacturing extension pro-  
24 gram financed by funds appropriated in this or any other  
25 Act.

1       SEC. 8069. Notwithstanding any other provision of  
2 law, each contract awarded by the Department of Defense  
3 during the current fiscal year for construction or service  
4 performed in whole or in part in a State which is not con-  
5 tiguous with another State and has an unemployment rate  
6 in excess of the national average rate of unemployment  
7 as determined by the Secretary of Labor, shall include a  
8 provision requiring the contractor to employ, for the pur-  
9 pose of performing that portion of the contract in such  
10 State that is not contiguous with another State, individ-  
11 uals who are residents of such State and who, in the case  
12 of any craft or trade, possess or would be able to acquire  
13 promptly the necessary skills: *Provided*, That the Sec-  
14 retary of Defense may waive the requirements of this sec-  
15 tion, on a case-by-case basis, in the interest of national  
16 security.

17       SEC. 8070. During the current fiscal year, the Army  
18 shall use the former George Air Force Base as the airhead  
19 for the National Training Center at Fort Irwin: *Provided*,  
20 That none of the funds in this Act shall be obligated or  
21 expended to transport Army personnel into Edwards Air  
22 Force Base for training rotations at the National Training  
23 Center.

24       SEC. 8071. (a) The Secretary of Defense shall sub-  
25 mit, on a quarterly basis, a report to the congressional

1 defense committees, the Committee on International Rela-  
2 tions of the House of Representatives and the Committee  
3 on Foreign Relations of the Senate setting forth all costs  
4 (including incremental costs) incurred by the Department  
5 of Defense during the preceding quarter in implementing  
6 or supporting resolutions of the United Nations Security  
7 Council, including any such resolution calling for inter-  
8 national sanctions, international peacekeeping operations,  
9 and humanitarian missions undertaken by the Depart-  
10 ment of Defense. The quarterly report shall include an ag-  
11 gregate of all such Department of Defense costs by oper-  
12 ation or mission.

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

19 SEC. 8072. (a) LIMITATION ON TRANSFER OF DE-  
20 FENSE ARTICLES AND SERVICES.—Notwithstanding any  
21 other provision of law, none of the funds available to the  
22 Department of Defense for the current fiscal year may be  
23 obligated or expended to transfer to another nation or an  
24 international organization any defense articles or services  
25 (other than intelligence services) for use in the activities

1 described in subsection (b) unless the congressional de-  
2 fense committees, the Committee on International Rela-  
3 tions of the House of Representatives, and the Committee  
4 on Foreign Relations of the Senate are notified 15 days  
5 in advance of such transfer.

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

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

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

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

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

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

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

22 (A) a statement of whether the inventory  
23 requirements of all elements of the Armed  
24 Forces (including the reserve components) for

1 the type of equipment or supplies to be trans-  
2 ferred have been met; and

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

7 ~~SEC. 8073.~~ None of the funds available to the De-  
8 partment of Defense shall be obligated or expended to  
9 make a financial contribution to the United Nations for  
10 the cost of an United Nations peacekeeping activity  
11 (whether pursuant to assessment or a voluntary contribu-  
12 tion) or for payment of any United States arrearage to  
13 the United Nations.

14 ~~SEC. 8074.~~ None of the funds available to the De-  
15 partment of Defense under this Act shall be obligated or  
16 expended to pay a contractor under a contract with the  
17 Department of Defense for costs of any amount paid by  
18 the contractor to an employee when—

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

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

24 ~~SEC. 8075.~~ (a) None of the funds appropriated or  
25 otherwise made available in this Act may be used to trans-

1 port or provide for the transportation of chemical muni-  
2 tions or agents to the Johnston Atoll for the purpose of  
3 storing or demilitarizing such munitions or agents.

4 (b) The prohibition in subsection (a) shall not apply  
5 to any obsolete World War II chemical munition or agent  
6 of the United States found in the World War II Pacific  
7 Theater of Operations.

8 (c) The President may suspend the application of  
9 subsection (a) during a period of war in which the United  
10 States is a party.

11 SEC. 8076. None of the funds provided in title II of  
12 this Act for “Former Soviet Union Threat Reduction”  
13 may be obligated or expended to finance housing for any  
14 individual who was a member of the military forces of the  
15 Soviet Union or for any individual who is or was a member  
16 of the military forces of the Russian Federation.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8077. During the current fiscal year, no more  
19 than \$7,000,000 of appropriations made in this Act under  
20 the heading “Operation and Maintenance, Defense-Wide”  
21 may be transferred to appropriations available for the pay  
22 of military personnel, to be merged with, and to be avail-  
23 able for the same time period as the appropriations to  
24 which transferred, to be used in support of such personnel  
25 in connection with support and services for eligible organi-

1 zations and activities outside the Department of Defense  
2 pursuant to section 2012 of title 10, United States Code.

3       SEC. 8078. For purposes of section 1553(b) of title  
4 31, United States Code, any subdivision of appropriations  
5 made in this Act under the heading “Shipbuilding and  
6 Conversion, Navy” shall be considered to be for the same  
7 purpose as any subdivision under the heading “Shipbuild-  
8 ing and Conversion, Navy” appropriations in any prior  
9 year, and the 1 percent limitation shall apply to the total  
10 amount of the appropriation.

11       SEC. 8079. During the current fiscal year, in the case  
12 of an appropriation account of the Department of Defense  
13 for which the period of availability for obligation has ex-  
14 pired or which has closed under the provisions of section  
15 1552 of title 31, United States Code, and which has a  
16 negative unliquidated or unexpended balance, an obliga-  
17 tion or an adjustment of an obligation may be charged  
18 to any current appropriation account for the same purpose  
19 as the expired or closed account if—

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

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

4           (3) in the case of an expired account, the obli-  
5 gation is not chargeable to a current appropriation  
6 of the Department of Defense under the provisions  
7 of section 1405(b)(8) of the National Defense Au-  
8 thorization Act for Fiscal Year 1991, Public Law  
9 101-510, as amended (~~31 U.S.C. 1551~~ note): *Pro-*  
10 *vided*, That in the case of an expired account, if sub-  
11 sequent review or investigation discloses that there  
12 was not in fact a negative unliquidated or unex-  
13 pended balance in the account, any charge to a cur-  
14 rent account under the authority of this section shall  
15 be reversed and recorded against the expired ac-  
16 count: *Provided further*, That the total amount  
17 charged to a current appropriation under this sec-  
18 tion may not exceed an amount equal to 1 percent  
19 of the total appropriation for that account.

20       SEC. 8080. The Under Secretary of Defense (Comp-  
21 troller) shall submit to the congressional defense commit-  
22 tees by February 1, 1999 a detailed report identifying, by  
23 amount and by separate budget activity, activity group,  
24 subactivity group, line item, program element, program,  
25 project, subproject, and activity, any activity for which the

1 fiscal year 2000 budget request was reduced because Con-  
2 gress appropriated funds above the President's budget re-  
3 quest for that specific activity for fiscal year 1999.

4       SEC. 8081. Funds appropriated in title II of this Act  
5 for supervision and administration costs for facilities  
6 maintenance and repair, minor construction, or design  
7 projects may be obligated at the time the reimbursable  
8 order is accepted by the performing activity: *Provided,*  
9 That for the purpose of this section, supervision and ad-  
10 ministration costs includes all in-house Government cost.

11       SEC. 8082. The Secretary of Defense may waive re-  
12 imbursement of the cost of conferences, seminars, courses  
13 of instruction, or similar educational activities of the Asia-  
14 Pacific Center for Security Studies for military officers  
15 and civilian officials of foreign nations if the Secretary de-  
16 termines that attendance by such personnel, without reim-  
17 bursement, is in the national security interest of the  
18 United States: *Provided,* That costs for which reimburse-  
19 ment is waived pursuant to this subsection shall be paid  
20 from appropriations available for the Asia-Pacific Center.

21       SEC. 8083. (a) Notwithstanding any other provision  
22 of law, the Chief of the National Guard Bureau may per-  
23 mit the use of equipment of the National Guard Distance  
24 Learning Project by any person or entity on a space-avail-  
25 able, reimbursable basis. The Chief of the National Guard

1 Bureau shall establish the amount of reimbursement for  
2 such use on a case-by-case basis.

3 (b) Amounts collected under subsection (a) shall be  
4 credited to funds available for the National Guard Dis-  
5 tance Learning Project and be available to defray the costs  
6 associated with the use of equipment of the project under  
7 that subsection. Such funds shall be available for such  
8 purposes without fiscal year limitation.

9 SEC. 8084. Using funds available by this Act or any  
10 other Act, the Secretary of the Air Force, pursuant to a  
11 determination under section 2690 of title 10, United  
12 States Code, may implement cost-effective agreements for  
13 required heating facility modernization in the  
14 Kaiserslautern Military Community in the Federal Repub-  
15 lic of Germany: *Provided*, That in the City of  
16 Kaiserslautern such agreements will include the use of  
17 United States anthracite as the base load energy for mu-  
18 nicipal district heat to the United States Defense installa-  
19 tions: *Provided further*, That at Landstuhl Army Regional  
20 Medical Center and Ramstein Air Base, furnished heat  
21 may be obtained from private, regional or municipal serv-  
22 ices, if provisions are included for the consideration of  
23 United States coal as an energy source.

24 SEC. 8085. During the current fiscal year, the  
25 amounts which are necessary for the operation and main-

1 tenance of the Fisher Houses administered by the Depart-  
2 ments of the Army, the Navy, and the Air Force are here-  
3 by appropriated, to be derived from amounts which are  
4 available in the applicable Fisher House trust fund estab-  
5 lished under 10 U.S.C. 2221 for the Fisher Houses of  
6 each such department.

7       SEC. 8086. During the current fiscal year and here-  
8 after, refunds attributable to the use of the Government  
9 travel card by military personnel and civilian employees  
10 of the Department of Defense and refunds attributable to  
11 official Government travel arranged by Government Con-  
12 tracted Travel Management Centers may be credited to  
13 operation and maintenance accounts of the Department  
14 of Defense which are current when the refunds are re-  
15 ceived.

16       SEC. 8087. During the current fiscal year, not more  
17 than a total of \$60,000,000 in withdrawal credits may be  
18 made by the Marine Corps Supply Management activity  
19 group of the Navy Working Capital Fund, Department of  
20 Defense Working Capital Funds, to the credit of current  
21 applicable appropriations of a Department of Defense ac-  
22 tivity in connection with the acquisition of critical low den-  
23 sity repairables that are capitalized into the Navy Working  
24 Capital Fund.

1       SEC. 8088. Notwithstanding ~~31 U.S.C. 3902~~, during  
2 the current fiscal year interest penalties may be paid by  
3 the Department of Defense from funds financing the oper-  
4 ation of the military department or defense agency with  
5 which the invoice or contract payment is associated.

6       SEC. 8089. At the time the President submits his  
7 budget for fiscal year 2000 and any fiscal year thereafter,  
8 the Department of Defense shall transmit to the congres-  
9 sional defense committees a budget justification document  
10 for the active and reserve Military Personnel accounts, to  
11 be known as the “M-1”, which shall identify, at the budg-  
12 et activity, activity group, and subactivity group level, the  
13 amounts requested by the President to be appropriated to  
14 the Department of Defense for military personnel in any  
15 budget request, or amended budget request, for that fiscal  
16 year.

17       SEC. 8090. None of the funds appropriated in title  
18 IV of this Act may be used to procure end-items for deliv-  
19 ery to military forces for operational training, operational  
20 use or inventory requirements: *Provided*, That this restric-  
21 tion does not apply to end-items used in development,  
22 prototyping, and test activities preceding and leading to  
23 acceptance for operational use: *Provided further*, That this  
24 restriction does not apply to programs funded within the  
25 National Foreign Intelligence Program: *Provided further*,

1 That the Secretary of Defense may waive this restriction  
2 on a case-by-case basis by certifying in writing to the  
3 Committees on Appropriations of the House of Represent-  
4 atives and the Senate that it is in the national security  
5 interest to do so.

6       SEC. 8091. None of the funds made available in this  
7 Act may be obligated or expended to enter into or renew  
8 a contract with a contractor that is subject to the report-  
9 ing requirement set forth in subsection (d) of section 4212  
10 of title 38, United States Code, but has not submitted the  
11 most recent report required by such subsection for 1998  
12 or a subsequent year.

13       SEC. 8092. None of the funds made available in this  
14 Act may be used to approve or license the sale of the F-  
15 22 advanced tactical fighter to any foreign government.

16       SEC. 8093. None of the funds appropriated or other-  
17 wise made available by this Act may be made available  
18 for the United States Man and the Biosphere Program,  
19 or related projects.

20       SEC. 8094. Notwithstanding 31 U.S.C. 1552(a), of  
21 the funds provided in Department of Defense Appropria-  
22 tions Acts, not more than the specified amounts from the  
23 following accounts shall remain available for the payment  
24 of satellite on-orbit incentive fees until the fees are paid:

1           ~~“Missile Procurement, Air Force, 1995/1997”,~~  
2           ~~\$20,978,000; and~~  
3           ~~“Missile Procurement, Air Force, 1996/1998”,~~  
4           ~~\$16,782,400.~~

5           ~~SEC. 8095. None of the funds in this or any other~~  
6 ~~Act may be used by the National Imagery and Mapping~~  
7 ~~Agency for any mapping, charting, and geodesy activities~~  
8 ~~unless contracts for such services are awarded in accord-~~  
9 ~~ance with the qualifications based selection process in 40~~  
10 ~~U.S.C. 541 et seq. and 10 U.S.C. 2855. *Provided*, That~~  
11 ~~an exception shall be provided for such services that are~~  
12 ~~critical to national security after a written notification has~~  
13 ~~been submitted by the Deputy Secretary of Defense to the~~  
14 ~~Committees on Appropriations of the House of Represent-~~  
15 ~~atives and the Senate.~~

16           ~~SEC. 8096. Funds made available to the Civil Air Pa-~~  
17 ~~trol in this Act under the heading “Drug Interdiction and~~  
18 ~~Counter-Drug Activities, Defense” may be used for the~~  
19 ~~Civil Air Patrol Corporation’s counterdrug program, in-~~  
20 ~~cluding its demand reduction program involving youth~~  
21 ~~programs, as well as operational and training drug recon-~~  
22 ~~naissance missions for federal, state and local government~~  
23 ~~agencies; for administrative costs, including the hiring of~~  
24 ~~Civil Air Patrol Corporation employees; for travel and per~~  
25 ~~diem expenses of Civil Air Patrol Corporation personnel~~

1 in support of those missions; and for equipment needed  
2 for mission support or performance: *Provided*, That of  
3 these funds, \$300,000 shall be made available to establish  
4 and operate a distance learning program: *Provided further*,  
5 That the Department of the Air Force should waive reim-  
6 bursement from the Federal, State and local government  
7 agencies for the use of these funds.

8       SEC. 8097. The Secretary of Defense shall undertake  
9 a review of all distributed learning education and training  
10 programs in the Department of Defense and shall issue  
11 a plan to implement a department-wide, standardized,  
12 cost-effective Advanced Distributed Learning framework  
13 to achieve the goals of commonality, interoperability, and  
14 reuse: *Provided*, That the Secretary shall report to Con-  
15 gress on the results of this review and present a detailed  
16 implementation and budget plan no later than July 30,  
17 1999.

18       SEC. 8098. None of the funds in this Act may be  
19 available for the purchase by the Department of Defense  
20 of cross deck pendants for arresting aircraft on U.S. Navy  
21 aircraft carriers unless such cross deck pendants are man-  
22 ufactured in the United States from components which are  
23 substantially manufactured in the United States: *Pro-*  
24 *vided*, That when adequate domestic supplies are not  
25 available to meet Department of Defense requirements on

1 a timely basis, the Secretary of the military department  
2 responsible for the procurement may waive this restriction  
3 on a case-by-case basis by certifying in writing to the  
4 Committees on Appropriations of the House of Represent-  
5 atives and the Senate that such an acquisition must be  
6 made in order to acquire capability for national security  
7 purposes.

8       SEC. 8099. None of the funds in this or any other  
9 Act shall be available to any Reserve Component to estab-  
10 lish new activities to perform depot level maintenance and  
11 remanufacture of any equipment in the Department of De-  
12 fense inventory unless the Secretary of Defense first cer-  
13 tifies to the Committees on Appropriations of the House  
14 of Representatives and the Senate, on a case-by-case basis,  
15 that (a) insufficient workload capacity is available at exist-  
16 ing government or private sector depot maintenance facili-  
17 ties currently used by the Reserve Components for similar  
18 work; and (b) an in-depth analysis has been performed  
19 comparing the cost of any proposed expansion of depot  
20 facilities versus the cost of performing the same work at  
21 existing depot facilities or by the private sector.

22       SEC. 8100. Notwithstanding any other provision of  
23 law, the TRICARE managed care support contracts in ef-  
24 fect, or in final stages of acquisition as of September 30,  
25 1998, may be extended for two years: *Provided*, That any

1 such extension may only take place if the Secretary of De-  
 2 fense determines that it is in the best interest of the gov-  
 3 ernment: *Provided further*, That any contract extension  
 4 shall be based on the price in the final best and final offer  
 5 for the last year of the existing contract as adjusted for  
 6 inflation and other factors mutually agreed to by the con-  
 7 tractor and the government: *Provided further*, That not-  
 8 withstanding any other provision of law, all future  
 9 TRICARE managed care support contracts replacing con-  
 10 tracts in effect, or in the final stages of acquisition as of  
 11 September 30, 1998, may include a base contract period  
 12 for transition and up to seven one-year option periods.

13 SEC. 8101. Notwithstanding any other provision in  
 14 this Act, the total amount appropriated in this Act is here-  
 15 by reduced by \$204,100,000 to reflect savings from re-  
 16 vised economic assumptions, to be distributed as follows:

17           “~~Aircraft Procurement, Army~~”, \$4,000,000;  
 18           “~~Missile Procurement, Army~~”, \$4,000,000;  
 19           “~~Procurement of Weapons and Tracked Combat~~  
 20           ~~Vehicles, Army~~”, \$4,000,000;  
 21           “~~Procurement of Ammunition, Army~~”,  
 22           \$3,000,000;  
 23           “~~Other Procurement, Army~~”, \$9,000,000;  
 24           “~~Aircraft Procurement, Navy~~”, \$22,000,000;  
 25           “~~Weapons Procurement, Navy~~”, \$4,000,000;

1           ~~“Procurement of Ammunition, Navy and Ma-~~  
2 ~~rine Corps”, \$1,000,000;~~  
3           ~~“Shipbuilding and Conversion, Navy”,~~  
4 ~~\$18,000,000;~~  
5           ~~“Other Procurement, Navy”, \$12,000,000;~~  
6           ~~“Procurement, Marine Corps”, \$2,000,000;~~  
7           ~~“Aircraft Procurement, Air Force”,~~  
8 ~~\$23,000,000;~~  
9           ~~“Missile Procurement, Air Force”, \$5,200,000;~~  
10          ~~“Procurement of Ammunition, Air Force”,~~  
11 ~~\$1,000,000;~~  
12          ~~“Other Procurement, Air Force”, \$4,900,000;~~  
13          ~~“Procurement, Defense-Wide”, \$5,100,000;~~  
14          ~~“Chemical Agents and Munitions Destruction,~~  
15 ~~Army”, \$3,000,000;~~  
16          ~~“Research, Development, Test and Evaluation,~~  
17 ~~Army”, \$10,000,000;~~  
18          ~~“Research, Development, Test and Evaluation,~~  
19 ~~Navy”, \$18,500,000;~~  
20          ~~“Research, Development, Test and Evaluation,~~  
21 ~~Air Force”, \$26,300,000; and~~  
22          ~~“Research, Development, Test and Evaluation,~~  
23 ~~Defense-Wide”, \$24,100,000;~~  
24 *Provided*, That these reductions shall be applied propor-  
25 tionally to each budget activity, activity group and sub-

1 activity group and each program, project, and activity  
2 within each appropriation account.

3 SEC. 8102. (a) TRANSFERS OF VESSELS BY  
4 GRANT.—The Secretary of the Navy is authorized to  
5 transfer vessels to foreign countries on a grant basis under  
6 section 516 of the Foreign Assistance Act of 1961 (22  
7 U.S.C. 2321j) as follows:

8 (1) To the Government of Argentina, the NEW-  
9 PORT class tank landing ship NEWPORT (LST  
10 1179).

11 (2) To the Government of Greece—

12 (A) the KNOX class frigate HEPBURN  
13 (FF 1055); and

14 (B) the ADAMS class guided missile de-  
15 stroyers STRAUSS (DDG 16), SEMMS (DDG  
16 18), and WADDELL (DDG 24).

17 (3) To the Government of Portugal, the STAL-  
18 WART class ocean surveillance ship ASSURANCE  
19 (T-AGOS 5).

20 (4) To the Government of Turkey, the KNOX  
21 class frigates PAUL (FF 1080), MILLER (FF  
22 1091), and W.S. SIMMS (FF 1059).

23 (b) TRANSFERS OF VESSELS BY SALE.—The Sec-  
24 retary of the Navy is authorized to transfer vessels to for-

1 eign countries on a sales basis under section 21 of the  
2 Arms Export Control Act (22 U.S.C. 2761) as follows:

3           (1) To the Government of Brazil, the NEW-  
4           PORT class tank landing ships CAYUGA (LST  
5           1186) and PEORIA (LST 1183).

6           (2) To the Government of Chile—

7                 (A) the NEWPORT class tank landing  
8                 ship SAN BERNARDINO (LST 1189); and

9                 (B) the auxiliary repair dry dock WATER-  
10                FORD (ARD 5).

11           (3) To the Government of Greece—

12                 (A) the OAK RIDGE class medium dry  
13                 dock ALAMAGORDO (ARDM 2); and

14                 (B) the KNOX class frigates VREELAND  
15                 (FF 1068) and TRIPPE (FF 1075).

16           (4) To the Government of Mexico—

17                 (A) the auxiliary repair dock SAN  
18                 ONOFRE (ARD 30); and

19                 (B) the KNOX class frigate PHARRIS  
20                 (FF 1094).

21           (5) To the Government of the Philippines, the  
22           STALWART class ocean surveillance ship TRI-  
23           UMPH (T-AGOS 4).

24           (6) To the Government of Spain, the NEW-  
25           PORT class tank landing ships HARLAN COUNTY

1 (LST 1196) and BARNSTABLE COUNTY (LST  
2 1197).

3 (7) To the Taipei Economic and Cultural Rep-  
4 resentative Office in the United States (the Taiwan  
5 instrumentality that is designated pursuant to sec-  
6 tion 10(a) of the Taiwan Relations Act)—

7 (A) the KNOX class frigates PEARY (FF  
8 1073), JOSEPH HEWES (FF 1078), COOK  
9 (FF 1083), BREWTON (FF 1086), KIRK  
10 (FF 1987), and BARBEY (FF 1088);

11 (B) the NEWPORT class tank landing  
12 ships MANITOWOC (LST 1180) and SUM-  
13 TER (LST 1181);

14 (C) the floating dry dock COMPETENT  
15 (AFDM 6); and

16 (D) the ANCHORAGE class dock landing  
17 ship PENSACOLA (LSD 38).

18 (8) To the Government of Turkey—

19 (A) the OLIVER HAZARD PERRY class  
20 guided missile frigates MAHLON S. TISDALE  
21 (FFG 27), REID (FFG 30), and DUNCAN  
22 (FFG 10); and

23 (B) the KNOX class frigates REASONER  
24 (FF 1063), FANNING (FF 1076), BOWEN  
25 (FF 1079), MCCANDLESS (FF 1084), DON-

1           ALD BEARY (FF 1085), AINSWORTH (FF  
2           1090), THOMAS C. HART (FF 1092), and  
3           CAPODANNO (FF 1093).

4           (9) To the Government of Venezuela, the me-  
5           dium auxiliary floating dry dock bearing hull num-  
6           ber AFDM 2.

7           (c) TRANSFERS OF VESSELS ON A COMBINED LEASE-  
8           SALE BASIS.—The Secretary of the Navy is authorized  
9           to transfer vessels to foreign countries on a combined  
10          lease-sale basis under sections 61 and 21 of the Arms Ex-  
11          port Control Act (22 U.S.C. 2796, 2761) and in accord-  
12          ance with subsection (d) as follows:

13           (1) To the Government of Brazil, the CIM-  
14           ARRON class oiler MERRIMACK (AO 179).

15           (2) To the Government of Greece, the KIDD  
16           class guided missile destroyers KIDD (DDG 993),  
17           CALLAGHAN (DDG 994), SCOTT (DDG 995),  
18           and CHANDLER (DDG 996).

19           (d) CONDITIONS RELATING TO COMBINED LEASE-  
20           SALE TRANSFERS.—A transfer of a vessel on a combined  
21           lease-sale basis authorized by subsection (c) shall be made  
22           in accordance with the following provisions, which the Sec-  
23           retary shall include in the terms of any agreement with  
24           the recipient country for such transfer of the vessel:

1           ~~(1)~~ The Secretary may initially transfer the ves-  
2           sel by lease, with lease payments suspended for the  
3           term of the lease, while simultaneously entering into  
4           a foreign military sales agreement for the transfer of  
5           title to the vessel.

6           ~~(2)~~ The Secretary may not deliver title to the  
7           vessel until the purchase price of the vessel under  
8           such a sales agreement is paid in full.

9           ~~(3)~~ Upon payment of the purchase price in full  
10          under such a sales agreement and delivery of title to  
11          the recipient country, the Secretary shall terminate  
12          the lease.

13          ~~(4)~~ If the purchasing country fails to make full  
14          payment of the purchase price in accordance with  
15          the sales agreement—

16                 ~~(A)~~ the sales agreement shall be imme-  
17                 diately terminated;

18                 ~~(B)~~ the suspension of lease payments  
19                 under the lease shall be vacated; and

20                 ~~(C)~~ the United States shall be entitled to  
21                 retain funds received under the sales agreement  
22                 in such amounts as necessary to cover the  
23                 amount of lease payments due and payable  
24                 under the lease and all other costs required by

1 the lease to be paid as of the date of the sales  
2 agreement termination.

3 ~~(5) If a sales agreement is terminated pursuant~~  
4 ~~to paragraph (4), the United States shall not be re-~~  
5 ~~quired to pay any interest to the recipient country~~  
6 ~~on any amount paid to the United States by the re-~~  
7 ~~ipient country under the sales agreement and not~~  
8 ~~retained by the United States under the lease.~~

9 ~~(c) FUNDING FOR CERTAIN COSTS OF TRANSFERS.—~~

10 ~~There is established in the Treasury of the United States~~  
11 ~~a special account to be known as the Defense Vessels~~  
12 ~~Transfer Program Account. There is hereby appropriated~~  
13 ~~into that account such sums as may be necessary for the~~  
14 ~~costs (as defined in section 502 of the Congressional~~  
15 ~~Budget Act of 1974 (2 U.S.C. 661a)) of the lease-sale~~  
16 ~~transfers authorized by subsection (d). Funds in that ac-~~  
17 ~~count are available only for the purpose of covering those~~  
18 ~~costs.~~

19 ~~(f) WAIVER OF REQUIREMENTS FOR NOTIFICATION~~  
20 ~~TO CONGRESS.—Section 516(f) of the Foreign Assistance~~  
21 ~~Act of 1961 (22 U.S.C. 2321j(f)), section 525 of the For-~~  
22 ~~ign Operations, Export Financing, and Related Programs~~  
23 ~~Appropriations Act, 1998 (Public Law 105–118; 111 Stat.~~  
24 ~~2412), and any similar, successor provision of law do not~~

1 apply with respect to the transfers authorized by this sec-  
2 tion.

3       (g) ~~INAPPLICABILITY OF AGGREGATE ANNUAL LIMITATION ON VALUE OF TRANSFERRED EXCESS DEFENSE ARTICLES.~~—In the case of the transfer of a vessel authorized by subsection (a) to be made by grant under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), the value of the vessel transferred shall not be included for purposes of subsection (g) of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

12       (h) ~~COSTS OF TRANSFERS.~~—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient.

15       (i) ~~REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.~~—To the maximum extent practicable, the Secretary of the Navy shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

24       (j) ~~EXPIRATION OF AUTHORITY.~~—The authority to transfer vessels under this section shall expire at the end

1 of the two-year period beginning on the date of the enact-  
2 ment of this Act.

3       ~~SEC. 8103.~~ None of the funds in this Act may be  
4 used to compensate an employee of the Department of De-  
5 fense who initiates a new start program without notifica-  
6 tion to the Office of the Secretary of Defense and the con-  
7 gressional defense committees, as required by Department  
8 of Defense financial management regulations.

9                   (INCLUDING TRANSFER OF FUNDS)

10       ~~SEC. 8104.~~ Of the funds made available under title  
11 H of this Act, the following amounts shall be transferred  
12 to the Defense Working Capital Funds for the purpose  
13 of funding operations of the Defense Commissary Agency:

14               “Operation and Maintenance, Army”,  
15       \$338,400,000;

16               “Operation and Maintenance, Navy”,  
17       \$255,000,000;

18               “Operation and Maintenance, Marine Corps”,  
19       \$86,600,000; and

20               “Operation and Maintenance, Air Force”,  
21       \$302,071,000:

22 *Provided,* That the transfer authority provided in this sec-  
23 tion is in addition to any other transfer authority con-  
24 tained elsewhere in this Act.

25       ~~SEC. 8105.~~ Of the amounts made available in title  
26 H of this Act under the heading “Operation and Mainte-

1 nance, Navy", \$20,000,000 is available only for emergency  
2 and extraordinary expenses associated with the accident  
3 involving a United States Marine Corps A-6 aircraft on  
4 February 3, 1998, near Cavalese, Italy: *Provided*, That  
5 these funds shall remain available until expended: *Pro-*  
6 *vided further*, That notwithstanding any other provision  
7 of law, the funds made available by this section shall be  
8 available only for payments to persons, communities, or  
9 other entities in Italy only for reimbursement for damages  
10 resulting from the expenses associated with the accident  
11 involving a United States Marine Corps A-6 aircraft on  
12 February 3, 1998, near Cavalese, Italy: *Provided further*,  
13 That notwithstanding any other provision of law, funds  
14 made available under this section may be used to rebuild  
15 or replace the funicular system in Cavalese destroyed on  
16 February 3, 1998 by that aircraft: *Provided further*, That  
17 any amount paid to any individual or entity from the  
18 amount appropriated under this section shall be credited  
19 against any amount subsequently determined to be pay-  
20 able to that individual or entity under chapter 163 of title  
21 10, United States Code, section 127 of that title, or any  
22 other authority provided by law for administrative settle-  
23 ment of claims against the United States with respect to  
24 damages arising from the accident described in this sec-  
25 tion: *Provided further*, That payment of an amount under

1 this section shall not be considered to constitute a state-  
2 ment of legal liability on the part of the United States  
3 or otherwise to prejudge any judicial proceeding or inves-  
4 tigation arising from the accident described in this section.

5       SEC. 8106. No funds appropriated or otherwise made  
6 available by this Act may be used to initiate or conduct  
7 offensive military operations by United States Armed  
8 Forces except in accordance with the war powers clause  
9 of the Constitution (article I, section 8), which vests in  
10 Congress the power to declare and authorize war and to  
11 take certain specified, related decisions.

12       SEC. 8107. (a) ENSURING YEAR 2000 COMPLIANCE  
13 OF INFORMATION TECHNOLOGY AND NATIONAL SECU-  
14 RITY SYSTEMS.—(1) None of the funds appropriated or  
15 otherwise made available by this Act may (except as pro-  
16 vided in paragraph (2)) be obligated or expended on the  
17 development or modernization of any information tech-  
18 nology or national security system of the Department of  
19 Defense in use by the Department of Defense (whether  
20 or not the system is a mission critical system) if that sys-  
21 tem does not meet certification level 1a, 1b, or 2 (as pre-  
22 scribed in the April 1997 publication of the Department  
23 of Defense entitled “Year 2000 Management Plan”).

24       (2) The limitation in paragraph (1) does not apply  
25 to an obligation or expenditure—

1           (A) that is directly related to ensuring that a  
2           system achieves year 2000 compliance;

3           (B) for a system that is being developed and  
4           fielded to replace before January 1, 2000, a non-  
5           compliant system or a system to be terminated in  
6           accordance with the May 1998 Department of De-  
7           fense quarterly report on the status of year 2000  
8           compliance; or

9           (C) for a particular change that is specifically  
10          required by law or that is specifically directed by the  
11          Secretary of Defense.

12          (b) UNALLOCATED REDUCTIONS OF FUNDS NOT TO  
13          APPLY TO MISSION CRITICAL SYSTEMS.—Funds appro-  
14          priated or otherwise made available by this Act for mission  
15          critical systems are not subject to any unallocated reduc-  
16          tion of funds made by or otherwise applicable to funds  
17          provided in this Act.

18          (c) CURRENT SERVICES OPERATIONS NOT AF-  
19          FECTED.—Subsection (a) does not prohibit the obligation  
20          or expenditure of funds for current services operations of  
21          information technology and national security systems.

22          (d) WAIVER AUTHORITY.—The Secretary of Defense  
23          may waive subsection (a) on a case-by-case basis with re-  
24          spect to an information technology or national security  
25          system if the Secretary provides the congressional defense

1 committees with written notice of the waiver, including the  
2 reasons for the waiver and a timeline for the testing and  
3 certification of the system as year 2000 compliant.

4 (e) REQUIRED REPORT.—(1) Not later than Decem-  
5 ber 1, 1998, the Secretary of Defense shall submit to the  
6 congressional defense committees a report describing—

7 (A) an executable strategy to be used through-  
8 out the Department of Defense to test information  
9 technology and national security systems for year  
10 2000 compliance (to include functional capability  
11 tests and military exercises);

12 (B) the plans of the Department of Defense for  
13 ensuring that adequate resources (such as testing fa-  
14 cilities, tools, and personnel) are available to ensure  
15 that all mission critical systems achieve year 2000  
16 compliance; and

17 (C) the criteria and process to be used to cer-  
18 tify a system as year 2000 compliant.

19 (2) The report shall also include—

20 (A) an updated list of all mission critical sys-  
21 tems; and

22 (B) guidelines for developing contingency plans  
23 for the functioning of each information technology or  
24 national security system in the event of a year 2000  
25 problem in any such system.

1       (f) ~~CAPABILITY CONTINGENCY PLANS.~~—Not later  
2 than December 30, 1998, the Secretary of Defense shall  
3 have in place contingency plans to ensure continuity of  
4 operations for every critical mission or function of the De-  
5 partment of Defense that is dependent on an information  
6 technology or national security system.

7       (g) ~~INSPECTOR GENERAL EVALUATION.~~—The In-  
8 spector General of the Department of Defense shall selec-  
9 tively audit information technology and national security  
10 systems certified as year 2000 compliant to evaluate the  
11 ability of systems to successfully operate during the actual  
12 year 2000, including the ability of the systems to access  
13 and transmit information from point of origin to point of  
14 termination.

15       (h) ~~DEFINITIONS.~~—For purposes of this section:

16           (1) The term “information technology” has the  
17 meaning given that term in section 5002 of the  
18 Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

19           (2) The term “national security system” has  
20 the meaning given that term in section 5142 of such  
21 Act (40 U.S.C. 1452).

22           (3) The term “development or modernization”  
23 has the meaning given that term in paragraph E of  
24 section 180203 of the Department of Defense Fi-  
25 nancial Management Regulation (DOD 7000.14-R),

1 but does not include any matter covered by subpara-  
2 graph 3 of that paragraph.

3 (4) The term “current services” has the mean-  
4 ing given that term in paragraph C of section  
5 180203 of the Department of Defense Financial  
6 Management Regulation (DOD 7000.14-R).

7 (5) The term “mission critical system” means  
8 an information technology or national security sys-  
9 tem that is designated as mission critical in the May  
10 1998 Department of Defense quarterly report on the  
11 status of year 2000 compliance.

12 SEC. 8108. (a) PLAN FOR SIMULATION OF YEAR  
13 2000 IN MILITARY EXERCISES.—Not later than Decem-  
14 ber 15, 1998, the Secretary of Defense shall submit to  
15 Congress a plan for the execution of a simulated year  
16 2000 as part of military exercises described in subsection  
17 (e) in order to evaluate, in an operational environment,  
18 the extent to which information technology and national  
19 security systems involved in those exercises will success-  
20 fully operate during the actual year 2000, including the  
21 ability of those systems to access and transmit information  
22 from point of origin to point of termination.

23 (b) EVALUATION OF COMPLIANCE IN SELECTED EX-  
24 ERCISES.—In conducting the military exercises described  
25 in subsection (e), the Secretary of Defense shall ensure

1 that at least 25 of those exercises (referred to in this sec-  
2 tion as “Year 2000 simulation exercises”) are conducted  
3 so as to include a simulated year 2000 in accordance with  
4 the plan submitted under subsection (a). The Secretary  
5 of Defense shall ensure that at least two of those exercises  
6 are conducted by the commander of each unified or speci-  
7 fied combatant command.

8 (c) COVERED MILITARY EXERCISES.—A military ex-  
9 ercise referred to in subsections (a) and (b) is a military  
10 exercise conducted by the Department of Defense, during  
11 the period beginning on January 1, 1999, and ending on  
12 September 30, 1999—

13 (1) under the training exercises program known  
14 as the “CJCS Exercise Program”;

15 (2) at the Naval Strike and Air Warfare Cen-  
16 ter, the Army National Training Center, or the Air  
17 Force Air Warfare Center; or

18 (3) as part of Naval Carrier Group fleet train-  
19 ing or Marine Corps Expeditionary Unit training.

20 (d) AUTHORITY FOR EXCLUSION OF SYSTEMS NOT  
21 CAPABLE OF PERFORMING RELIABLY IN YEAR 2000 SIM-  
22 ULATION.—(1) In carrying out a Year 2000 simulation ex-  
23 ercise, the Secretary of Defense may exclude a particular  
24 information technology or national security system from  
25 the year 2000 simulation phase of the exercise if the Sec-

1   retary determines that the system would be incapable of  
2   performing reliably during the year 2000 simulation phase  
3   of the exercise. In such a case, the system excluded shall  
4   be replaced in accordance with the year 2000 contingency  
5   plan for the system.

6       (2) If the Secretary of Defense excludes an informa-  
7   tion technology or national security system from the year  
8   2000 simulation phase of an exercise as provided in para-  
9   graph (1), the Secretary shall notify Congress of that ex-  
10   clusion not later than two weeks before commencing that  
11   exercise. The notice shall include a list of each information  
12   technology or national security system excluded from the  
13   exercise, a description of how the exercise will use the year  
14   2000 contingency plan for each such system, and a de-  
15   scription of the effect that continued year 2000 non-  
16   compliance of each such system would have on military  
17   readiness.

18       (3) An information technology or national security  
19   system with cryptological applications that is not capable  
20   of having its internal clock adjusted forward to a simu-  
21   lated later time is exempt from the year 2000 simulation  
22   phase of an exercise under this section.

23       (e) DEFINITIONS.—For the purposes of this section:

1           (1) The term “information technology” has the  
2           meaning given that term in section 5002 of the  
3           Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

4           (2) The term “national security system” has  
5           the meaning given that term in section 5142 of such  
6           Act (40 U.S.C. 1452).

7           SEC. 8109. During the current fiscal year and here-  
8           after, no funds appropriated or otherwise available to the  
9           Department of Defense may be used to award a contract  
10          to, extend a contract with, or approve the award of a sub-  
11          contract to any person who within the preceding 15 years  
12          has been convicted under section 704 of title 18, United  
13          States Code, of the unlawful manufacture or sale of the  
14          Congressional Medal of Honor.

15          SEC. 8110. None of the funds appropriated or other-  
16          wise made available by this Act may be used for the trans-  
17          portation into the United States of polychlorinated  
18          biphenyls manufactured outside the United States and  
19          owned by the Department of Defense except as provided  
20          for in section 6(e) of the Toxic Substances Control Act  
21          (15 U.S.C. 2605(e)).

22          SEC. 8111. None of the funds appropriated or other-  
23          wise made available by this Act may be used to enter into  
24          or renew a contract with any company owned, or partially

1 owned, by the People's Republic of China or the People's  
2 Liberation Army of the People's Republic of China.

3       This Act may be cited as the "~~Department of Defense~~  
4 ~~Appropriations Act, 1999~~".

5 *That the following sums are appropriated, out of any*  
6 *money in the Treasury not otherwise appropriated, for the*  
7 *fiscal year ending September 30, 1999, for military func-*  
8 *tions administered by the Department of Defense, and for*  
9 *other purposes, namely:*

10

*TITLE I*

11

*MILITARY PERSONNEL*

12

*MILITARY PERSONNEL, ARMY*

13       *For pay, allowances, individual clothing, subsistence,*  
14 *interest on deposits, gratuities, permanent change of station*  
15 *travel (including all expenses thereof for organizational*  
16 *movements), and expenses of temporary duty travel between*  
17 *permanent duty stations, for members of the Army on active*  
18 *duty (except members of reserve components provided for*  
19 *elsewhere), cadets, and aviation cadets; and for payments*  
20 *pursuant to section 156 of Public Law 97-377, as amended*  
21 *(42 U.S.C. 402 note), to section 229(b) of the Social Secu-*  
22 *rity Act (42 U.S.C. 429(b)), and to the Department of De-*  
23 *fense Military Retirement Fund; \$20,822,051,000.*

1 *MILITARY PERSONNEL, NAVY*

2 *For pay, allowances, individual clothing, subsistence,*  
3 *interest on deposits, gratuities, permanent change of station*  
4 *travel (including all expenses thereof for organizational*  
5 *movements), and expenses of temporary duty travel between*  
6 *permanent duty stations, for members of the Navy on active*  
7 *duty (except members of the Reserve provided for elsewhere),*  
8 *midshipmen, and aviation cadets; and for payments pursu-*  
9 *ant to section 156 of Public Law 97-377, as amended (42*  
10 *U.S.C. 402 note), to section 229(b) of the Social Security*  
11 *Act (42 U.S.C. 429(b)), and to the Department of Defense*  
12 *Military Retirement Fund; \$16,532,153,000.*

13 *MILITARY PERSONNEL, MARINE CORPS*

14 *For pay, allowances, individual clothing, subsistence,*  
15 *interest on deposits, gratuities, permanent change of station*  
16 *travel (including all expenses thereof for organizational*  
17 *movements), and expenses of temporary duty travel between*  
18 *permanent duty stations, for members of the Marine Corps*  
19 *on active duty (except members of the Reserve provided for*  
20 *elsewhere); and for payments pursuant to section 156 of*  
21 *Public Law 97-377, as amended (42 U.S.C. 402 note), to*  
22 *section 229(b) of the Social Security Act (42 U.S.C. 429(b)),*  
23 *and to the Department of Defense Military Retirement*  
24 *Fund; \$6,253,189,000.*

1                    *MILITARY PERSONNEL, AIR FORCE*

2            *For pay, allowances, individual clothing, subsistence,*  
3 *interest on deposits, gratuities, permanent change of station*  
4 *travel (including all expenses thereof for organizational*  
5 *movements), and expenses of temporary duty travel between*  
6 *permanent duty stations, for members of the Air Force on*  
7 *active duty (except members of reserve components provided*  
8 *for elsewhere), cadets, and aviation cadets; and for pay-*  
9 *ments pursuant to section 156 of Public Law 97-377, as*  
10 *amended (42 U.S.C. 402 note), to section 229(b) of the So-*  
11 *cial Security Act (42 U.S.C. 429(b)), and to the Depart-*  
12 *ment of Defense Military Retirement Fund;*  
13 *\$17,205,660,000.*

14                    *RESERVE PERSONNEL, ARMY*

15            *For pay, allowances, clothing, subsistence, gratuities,*  
16 *travel, and related expenses for personnel of the Army Re-*  
17 *serve on active duty under sections 10211, 10302, and 3038*  
18 *of title 10, United States Code, or while serving on active*  
19 *duty under section 12301(d) of title 10, United States Code,*  
20 *in connection with performing duty specified in section*  
21 *12310(a) of title 10, United States Code, or while under-*  
22 *going reserve training, or while performing drills or equiva-*  
23 *lent duty or other duty, and for members of the Reserve*  
24 *Officers' Training Corps, and expenses authorized by sec-*  
25 *tion 16131 of title 10, United States Code; and for pay-*

1 *ments to the Department of Defense Military Retirement*  
2 *Fund; \$2,152,075,000.*

3 *RESERVE PERSONNEL, NAVY*

4 *For pay, allowances, clothing, subsistence, gratuities,*  
5 *travel, and related expenses for personnel of the Navy Re-*  
6 *serve on active duty under section 10211 of title 10, United*  
7 *States Code, or while serving on active duty under section*  
8 *12301(d) of title 10, United States Code, in connection with*  
9 *performing duty specified in section 12310(a) of title 10,*  
10 *United States Code, or while undergoing reserve training,*  
11 *or while performing drills or equivalent duty, and for mem-*  
12 *bers of the Reserve Officers' Training Corps, and expenses*  
13 *authorized by section 16131 of title 10, United States Code;*  
14 *and for payments to the Department of Defense Military*  
15 *Retirement Fund; \$1,387,379,000.*

16 *RESERVE PERSONNEL, MARINE CORPS*

17 *For pay, allowances, clothing, subsistence, gratuities,*  
18 *travel, and related expenses for personnel of the Marine*  
19 *Corps Reserve on active duty under section 10211 of title*  
20 *10, United States Code, or while serving on active duty*  
21 *under section 12301(d) of title 10, United States Code, in*  
22 *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, and for members of the Marine Corps platoon*

1 *leaders class, and expenses authorized by section 16131 of*  
2 *title 10, United States Code; and for payments to the De-*  
3 *partment of Defense Military Retirement Fund;*  
4 *\$401,888,000.*

5 *RESERVE PERSONNEL, AIR FORCE*

6 *For pay, allowances, clothing, subsistence, gratuities,*  
7 *travel, and related expenses for personnel of the Air Force*  
8 *Reserve on active duty under sections 10211, 10305, and*  
9 *8038 of title 10, United States Code, or while serving on*  
10 *active duty under section 12301(d) of title 10, United States*  
11 *Code, in connection with performing duty specified in sec-*  
12 *tion 12310(a) of title 10, United States Code, or while un-*  
13 *dergoing reserve training, or while performing drills or*  
14 *equivalent duty or other duty, and for members of the Air*  
15 *Reserve Officers' Training Corps, and expenses authorized*  
16 *by section 16131 of title 10, United States Code; and for*  
17 *payments to the Department of Defense Military Retire-*  
18 *ment Fund; \$856,176,000.*

19 *NATIONAL GUARD PERSONNEL, ARMY*

20 *For pay, allowances, clothing, subsistence, gratuities,*  
21 *travel, and related expenses for personnel of the Army Na-*  
22 *tional Guard while on duty under section 10211, 10302,*  
23 *or 12402 of title 10 or section 708 of title 32, United States*  
24 *Code, or while serving on duty under section 12301(d) of*  
25 *title 10 or section 502(f) of title 32, United States Code,*

1 *in connection with performing duty specified in section*  
2 *12310(a) of title 10, United States Code, or while under-*  
3 *going training, or while performing drills or equivalent*  
4 *duty or other duty, and expenses authorized by section*  
5 *16131 of title 10, United States Code; and for payments*  
6 *to the Department of Defense Military Retirement Fund;*  
7 *\$3,499,595,000.*

8 *NATIONAL GUARD PERSONNEL, AIR FORCE*

9 *For pay, allowances, clothing, subsistence, gratuities,*  
10 *travel, and related expenses for personnel of the Air Na-*  
11 *tional Guard on duty under section 10211, 10305, or 12402*  
12 *of title 10 or section 708 of title 32, United States Code,*  
13 *or while serving on duty under section 12301(d) of title 10*  
14 *or section 502(f) of title 32, United States Code, in connec-*  
15 *tion with performing duty specified in section 12310(a) of*  
16 *title 10, United States Code, or while undergoing training,*  
17 *or while performing drills or equivalent duty or other duty,*  
18 *and expenses authorized by section 16131 of title 10, United*  
19 *States Code; and for payments to the Department of Defense*  
20 *Military Retirement Fund; \$1,376,097,000.*

1 *TITLE II*2 *OPERATION AND MAINTENANCE*3 *OPERATION AND MAINTENANCE, ARMY*4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For expenses, not otherwise provided for, necessary for*  
6 *the operation and maintenance of the Army, as authorized*  
7 *by law; and not to exceed \$11,437,000 can be used for emer-*  
8 *gencies and extraordinary expenses, to be expended on the*  
9 *approval or authority of the Secretary of the Army, and*  
10 *payments may be made on his certificate of necessity for*  
11 *confidential military purposes; \$17,212,463,000 and, in ad-*  
12 *dition, \$50,000,000 shall be derived by transfer from the*  
13 *National Defense Stockpile Transaction Fund: Provided,*  
14 *That of the funds appropriated under this heading,*  
15 *\$130,000,000 shall be transferred to the Quality of Life En-*  
16 *hancements, Defense account in this Act and shall be avail-*  
17 *able only for expenses, not otherwise provided for, resulting*  
18 *from unfunded shortfalls in the repair and maintenance of*  
19 *real property of the Department of the Army (including*  
20 *minor construction and major maintenance and repair of*  
21 *military housing and barracks): Provided further, That of*  
22 *the funds appropriated in this paragraph, not less than*  
23 *\$375,000,000 shall be made available only for conventional*  
24 *ammunition care and maintenance.*

1                    *OPERATION AND MAINTENANCE, NAVY*2                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For expenses, not otherwise provided for, necessary for*  
4 *the operation and maintenance of the Navy and the Marine*  
5 *Corps, as authorized by law; and not to exceed \$5,360,000*  
6 *can be used for emergencies and extraordinary expenses, to*  
7 *be expended on the approval or authority of the Secretary*  
8 *of the Navy, and payments may be made on his certificate*  
9 *of necessity for confidential military purposes;*  
10 *\$21,813,315,000 and, in addition, \$50,000,000 shall be de-*  
11 *duced by transfer from the National Defense Stockpile*  
12 *Transaction Fund: Provided, That of the funds appro-*  
13 *priated under this heading, \$48,000,000 shall be transferred*  
14 *to the Quality of Life Enhancements, Defense account in*  
15 *this Act and shall be available only for expenses, not other-*  
16 *wise provided for, resulting from unfunded shortfalls in the*  
17 *repair and maintenance of real property of the Department*  
18 *of the Navy (including minor construction and major*  
19 *maintenance and repair of military housing and barracks).*

20                    *OPERATION AND MAINTENANCE, MARINE CORPS*

21            *For expenses, not otherwise provided for, necessary for*  
22 *the operation and maintenance of the Marine Corps, as au-*  
23 *thorized by law; \$2,576,190,000: Provided, That of the*  
24 *funds appropriated under this heading, \$36,000,000 shall*  
25 *be transferred to the Quality of Life Enhancements, Defense*

1 *account in this Act and shall be available only for expenses,*  
2 *not otherwise provided for, resulting from unfunded short-*  
3 *falls in the repair and maintenance of real property of the*  
4 *Marine Corps (including minor construction and major*  
5 *maintenance and repair of military housing and barracks).*

6 *OPERATION AND MAINTENANCE, AIR FORCE*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For expenses, not otherwise provided for, necessary for*  
9 *the operation and maintenance of the Air Force, as author-*  
10 *ized by law; and not to exceed \$7,968,000 can be used for*  
11 *emergencies and extraordinary expenses, to be expended on*  
12 *the approval or authority of the Secretary of the Air Force,*  
13 *and payments may be made on his certificate of necessity*  
14 *for confidential military purposes; \$19,064,941,000 and, in*  
15 *addition, \$50,000,000 shall be derived by transfer from the*  
16 *National Defense Stockpile Transaction Fund: Provided,*  
17 *That of the funds appropriated under this heading,*  
18 *\$50,000,000 shall be transferred to the Quality of Life En-*  
19 *hancements, Defense account in this Act and shall be avail-*  
20 *able only for expenses, not otherwise provided for, resulting*  
21 *from unfunded shortfalls in the repair and maintenance of*  
22 *real property of the Air Force (including minor construc-*  
23 *tion and major maintenance and repair of military hous-*  
24 *ing and barracks): Provided further, That out of the funds*  
25 *available under this heading, \$300,000 may be available*

1 *for the abatement of hazardous substances in housing at the*  
2 *Finley Air Force Station, Finley, North Dakota.*

3 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

4 *For expenses, not otherwise provided for, necessary for*  
5 *the operation and maintenance of activities and agencies*  
6 *of the Department of Defense (other than the military de-*  
7 *partments), as authorized by law; \$10,259,231,000, of*  
8 *which not to exceed \$25,000,000 may be available for the*  
9 *CINC initiative fund account; and of which not to exceed*  
10 *\$29,000,000 can be used for emergencies and extraordinary*  
11 *expenses, to be expended on the approval or authority of*  
12 *the Secretary of Defense, and payments may be made on*  
13 *his certificate of necessity for confidential military pur-*  
14 *poses: Provided, That of the funds appropriated under this*  
15 *heading, \$10,000,000 shall be made available only for use*  
16 *in federally owned educational facilities located on military*  
17 *installations for the purpose of transferring title of such fa-*  
18 *cilities to the local educational facilities.*

19 *OPERATION AND MAINTENANCE, ARMY RESERVE*

20 *For expenses, not otherwise provided for, necessary for*  
21 *the operation and maintenance, including training, organi-*  
22 *zation, and administration, of the Army Reserve; repair of*  
23 *facilities and equipment; hire of passenger motor vehicles;*  
24 *travel and transportation; care of the dead; recruiting; pro-*

1 *curement of services, supplies, and equipment; and commu-*  
2 *nications; \$1,202,622,000.*

3 *OPERATION AND MAINTENANCE, NAVY RESERVE*

4 *For expenses, not otherwise provided for, necessary for*  
5 *the operation and maintenance, including training, organi-*  
6 *zation, and administration, of the Navy Reserve; repair of*  
7 *facilities and equipment; hire of passenger motor vehicles;*  
8 *travel and transportation; care of the dead; recruiting; pro-*  
9 *curement of services, supplies, and equipment; and commu-*  
10 *nications; \$928,639,000.*

11 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

12 *For expenses, not otherwise provided for, necessary for*  
13 *the operation and maintenance, including training, organi-*  
14 *zation, and administration, of the Marine Corps Reserve;*  
15 *repair of facilities and equipment; hire of passenger motor*  
16 *vehicles; travel and transportation; care of the dead; recruit-*  
17 *ing; procurement of services, supplies, and equipment; and*  
18 *communications; \$114,593,000.*

19 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

20 *For expenses, not otherwise provided for, necessary for*  
21 *the operation and maintenance, including training, organi-*  
22 *zation, and administration, of the Air Force Reserve; repair*  
23 *of facilities and equipment; hire of passenger motor vehicles;*  
24 *travel and transportation; care of the dead; recruiting; pro-*

1 *curement of services, supplies, and equipment; and commu-*  
2 *nications; \$1,744,696,000.*

3 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

4 *For expenses of training, organizing, and administer-*  
5 *ing the Army National Guard, including medical and hos-*  
6 *pital treatment and related expenses in non-Federal hos-*  
7 *pitals; maintenance, operation, and repairs to structures*  
8 *and facilities; hire of passenger motor vehicles; personnel*  
9 *services in the National Guard Bureau; travel expenses*  
10 *(other than mileage), as authorized by law for Army person-*  
11 *nel on active duty, for Army National Guard division, regi-*  
12 *mental, and battalion commanders while inspecting units*  
13 *in compliance with National Guard Bureau regulations*  
14 *when specifically authorized by the Chief, National Guard*  
15 *Bureau; supplying and equipping the Army National*  
16 *Guard as authorized by law; and expenses of repair, modi-*  
17 *fication, maintenance, and issue of supplies and equipment*  
18 *(including aircraft); \$2,661,815,000: Provided, That not*  
19 *later than March 15, 1999, the Director of the Army Na-*  
20 *tional Guard shall provide a report to the congressional de-*  
21 *fense committees identifying the allocation, by installation*  
22 *and activity, of all base operations funds appropriated*  
23 *under this heading.*

1     *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

2           *For operation and maintenance of the Air National*  
3 *Guard, including medical and hospital treatment and relat-*  
4 *ed expenses in non-Federal hospitals; maintenance, oper-*  
5 *ation, repair, and other necessary expenses of facilities for*  
6 *the training and administration of the Air National Guard,*  
7 *including repair of facilities, maintenance, operation, and*  
8 *modification of aircraft; transportation of things, hire of*  
9 *passenger motor vehicles; supplies, materials, and equip-*  
10 *ment, as authorized by law for the Air National Guard;*  
11 *and expenses incident to the maintenance and use of sup-*  
12 *plies, materials, and equipment, including such as may be*  
13 *furnished from stocks under the control of agencies of the*  
14 *Department of Defense; travel expenses (other than mileage)*  
15 *on the same basis as authorized by law for Air National*  
16 *Guard personnel on active Federal duty, for Air National*  
17 *Guard commanders while inspecting units in compliance*  
18 *with National Guard Bureau regulations when specifically*  
19 *authorized by the Chief, National Guard Bureau;*  
20 *\$3,113,933,000.*

21     *OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND*22           *(INCLUDING TRANSFER OF FUNDS)*

23           *For expenses directly relating to Overseas Contingency*  
24 *Operations by United States military forces; \$746,900,000:*  
25 *Provided, That the Secretary of Defense may transfer these*

1 *funds only to operation and maintenance accounts within*  
2 *this title, and working capital funds: Provided further, That*  
3 *the funds transferred shall be merged with and shall be*  
4 *available for the same purposes and for the same time pe-*  
5 *riod, as the appropriation to which transferred: Provided*  
6 *further, That the transfer authority provided in this para-*  
7 *graph is in addition to any other transfer authority con-*  
8 *tained elsewhere in this Act.*

9 *UNITED STATES COURT OF APPEALS FOR THE ARMED*  
10 *FORCES*

11 *For salaries and expenses necessary for the United*  
12 *States Court of Appeals for the Armed Forces; \$7,324,000,*  
13 *of which not to exceed \$2,500 can be used for official rep-*  
14 *resentation purposes.*

15 *ENVIRONMENTAL RESTORATION, ARMY*  
16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For the Department of the Army, \$370,640,000, to re-*  
18 *main available until transferred: Provided, That the Sec-*  
19 *retary of the Army shall, upon determining that such funds*  
20 *are required for environmental restoration, reduction and*  
21 *recycling of hazardous waste, removal of unsafe buildings*  
22 *and debris of the Department of the Army, or for similar*  
23 *purposes, transfer the funds made available by this appro-*  
24 *priation to other appropriations made available to the De-*  
25 *partment of the Army, to be merged with and to be available*

1 *for the same purposes and for the same time period as the*  
2 *appropriations to which transferred: Provided further, That*  
3 *upon a determination that all or part of the funds trans-*  
4 *ferred from this appropriation are not necessary for the*  
5 *purposes provided herein, such amounts may be transferred*  
6 *back to this appropriation: Provided further, That not more*  
7 *than twenty-five per centum of funds provided under this*  
8 *heading may be obligated for environmental remediation by*  
9 *the Corps of Engineers under total environmental remedi-*  
10 *ation contracts.*

11 *ENVIRONMENTAL RESTORATION, NAVY*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the Department of the Navy, \$274,600,000, to re-*  
14 *main available until transferred: Provided, That the Sec-*  
15 *retary of the Navy shall, upon determining that such funds*  
16 *are required for environmental restoration, reduction and*  
17 *recycling of hazardous waste, removal of unsafe buildings*  
18 *and debris of the Department of the Navy, or for similar*  
19 *purposes, transfer the funds made available by this appro-*  
20 *priation to other appropriations made available to the De-*  
21 *partment of the Navy, to be merged with and to be available*  
22 *for the same purposes and for the same time period as the*  
23 *appropriations to which transferred: Provided further, That*  
24 *upon a determination that all or part of the funds trans-*  
25 *ferred from this appropriation are not necessary for the*

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

3 *ENVIRONMENTAL RESTORATION, AIR FORCE*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For the Department of the Air Force, \$372,100,000,*  
6 *to remain available until transferred: Provided, That the*  
7 *Secretary of the Air Force shall, upon determining that*  
8 *such funds are required for environmental restoration, re-*  
9 *duction and recycling of hazardous waste, removal of unsafe*  
10 *buildings and debris of the Department of the Air Force,*  
11 *or for similar purposes, transfer the funds made available*  
12 *by this appropriation to other appropriations made avail-*  
13 *able to the Department of the Air Force, to be merged with*  
14 *and to be available for the same purposes and for the same*  
15 *time period as the appropriations to which transferred:*  
16 *Provided further, That upon a determination that all or*  
17 *part of the funds transferred from this appropriation are*  
18 *not necessary for the purposes provided herein, such*  
19 *amounts may be transferred back to this appropriation.*

20 *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For the Department of Defense, \$23,091,000, to remain*  
23 *available until transferred: Provided, That the Secretary of*  
24 *Defense shall, upon determining that such funds are re-*  
25 *quired for environmental restoration, reduction and recy-*

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

12       *ENVIRONMENTAL RESTORATION, FORMERLY USED*  
13                       *DEFENSE SITES*  
14                       *(INCLUDING TRANSFER OF FUNDS)*

15       *For the Department of the Army, \$225,000,000, to re-*  
16 *main available until transferred: Provided, That the Sec-*  
17 *retary of the Army shall, upon determining that such funds*  
18 *are required for environmental restoration, reduction and*  
19 *recycling of hazardous waste, removal of unsafe buildings*  
20 *and debris at sites formerly used by the Department of De-*  
21 *fense, transfer the funds made available by this appropri-*  
22 *ation to other appropriations made available to the Depart-*  
23 *ment of the Army, to be merged with and to be available*  
24 *for the same purposes and for the same time period as the*  
25 *appropriations to which transferred: Provided further, That*

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

5 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

6 *For expenses relating to the Overseas Humanitarian,*  
7 *Disaster, and Civic Aid programs of the Department of De-*  
8 *fense (consisting of the programs provided under sections*  
9 *401, 402, 404, 2547, and 2551 of title 10, United States*  
10 *Code); \$50,000,000, to remain available until September*  
11 *30, 2000.*

12 *FORMER SOVIET UNION THREAT REDUCTION*

13 *For assistance to the republics of the former Soviet*  
14 *Union, including assistance provided by contract or by*  
15 *grants, for facilitating the elimination and the safe and se-*  
16  *cure transportation and storage of nuclear, chemical and*  
17  *other weapons; for establishing programs to prevent the pro-*  
18  *liferation of weapons, weapons components, and weapon-*  
19  *related technology and expertise; for programs relating to*  
20  *the training and support of defense and military personnel*  
21  *for demilitarization and protection of weapons, weapons*  
22  *components and weapons technology and expertise;*  
23 *\$440,400,000, to remain available until September 30,*  
24 *2001: Provided, That of the amounts provided under this*  
25  *heading, \$35,000,000 shall be available only to support the*

1 *dismantling and disposal of nuclear submarines and sub-*  
2 *marine reactor components in the Russian Far East.*

3 *QUALITY OF LIFE ENHANCEMENTS, DEFENSE*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For expenses, not otherwise provided for, resulting*  
6 *from unfunded shortfalls in the repair and maintenance of*  
7 *real property of the Department of Defense (including*  
8 *military housing and barracks); \$264,000,000 shall be de-*  
9 *rived by transfer from the Operation and Maintenance ac-*  
10 *counts, for the maintenance of real property of the Depart-*  
11 *ment of Defense (including minor construction and major*  
12 *maintenance and repair), which shall remain available for*  
13 *obligation until September 30, 2000.*

14 *PENTAGON RENOVATION TRANSFER FUND*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For expenses, not otherwise provided for, resulting*  
17 *from the Department of Defense renovation of the Pentagon*  
18 *Reservation; \$279,820,000 derived by transfer from the Op-*  
19 *eration and Maintenance accounts, for the renovation of the*  
20 *Pentagon Reservation, which shall remain available for ob-*  
21 *ligation until September 30, 2000, as follows:*

22 *Army, \$96,000,000;*

23 *Navy, \$32,087,000;*

24 *Marine Corps, \$9,513,000;*

25 *Air Force, \$52,200,000; and*

1 *Defense-Wide, \$90,020,000.*

2 *MORALE, WELFARE AND RECREATION AND PERSONNEL*

3 *SUPPORT FOR CONTINGENCY DEPLOYMENTS*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For expenses, not otherwise provided for, to provide*  
6 *necessary morale, welfare and recreation support, family*  
7 *support, and to sustain necessary retention and re-enlist-*  
8 *ment of military personnel in critical military occupa-*  
9 *tional specialties, resulting from the deployment of military*  
10 *personnel to Bosnia and Southwest Asia; \$50,000,000 to re-*  
11 *main available until expended: Provided, That the Sec-*  
12 *retary of Defense may transfer these funds only to operation*  
13 *and maintenance accounts for the military services: Pro-*  
14 *vided further, That the funds transferred shall be available*  
15 *only for the purposes as described under this heading: Pro-*  
16 *vided further, That the transfer authority provided in this*  
17 *paragraph is in addition to any other transfer authority*  
18 *contained elsewhere in this Act.*

19 *TITLE III*

20 *PROCUREMENT*

21 *AIRCRAFT PROCUREMENT, ARMY*

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

1 *vices; expansion of public and private plants, including the*  
2 *land necessary therefor, for the foregoing purposes, and such*  
3 *lands and interests therein, may be acquired, and construc-*  
4 *tion prosecuted thereon prior to approval of title; and pro-*  
5 *curement and installation of equipment, appliances, and*  
6 *machine tools in public and private plants; reserve plant*  
7 *and Government and contractor-owned equipment layaway;*  
8 *and other expenses necessary for the foregoing purposes;*  
9 *\$1,408,652,000, to remain available for obligation until*  
10 *September 30, 2001.*

11 *MISSILE PROCUREMENT, ARMY*

12 *For construction, procurement, production, modifica-*  
13 *tion, and modernization of missiles, equipment, including*  
14 *ordnance, ground handling equipment, spare parts, and ac-*  
15 *cessories therefor; specialized equipment and training de-*  
16 *vices; expansion of public and private plants, including the*  
17 *land necessary therefor, for the foregoing purposes, and such*  
18 *lands and interests therein, may be acquired, and construc-*  
19 *tion prosecuted thereon prior to approval of title; and pro-*  
20 *curement and installation of equipment, appliances, and*  
21 *machine tools in public and private plants; reserve plant*  
22 *and Government and contractor-owned equipment layaway;*  
23 *and other expenses necessary for the foregoing purposes;*  
24 *\$1,188,739,000, to remain available for obligation until*  
25 *September 30, 2001.*



1 *curement and installation of equipment, appliances, and*  
2 *machine tools in public and private plants; reserve plant*  
3 *and Government and contractor-owned equipment layaway;*  
4 *and other expenses necessary for the foregoing purposes;*  
5 *\$998,655,000, to remain available for obligation until Sep-*  
6 *tember 30, 2001.*

7 *OTHER PROCUREMENT, ARMY*

8 *For construction, procurement, production, and modi-*  
9 *fication of vehicles, including tactical and non-tracked com-*  
10 *bat vehicles and the lease of support vehicles; communica-*  
11 *tions and electronic equipment; other support equipment;*  
12 *spare parts, ordnance, and accessories therefor; specialized*  
13 *equipment and training devices; expansion of public and*  
14 *private plants, including the land necessary therefor, for the*  
15 *foregoing purposes, and such lands and interests therein,*  
16 *may be acquired, and construction prosecuted thereon prior*  
17 *to approval of title; and procurement and installation of*  
18 *equipment, appliances, and machine tools in public and*  
19 *private plants; reserve plant and Government and contrac-*  
20 *tor-owned equipment layaway; and other expenses nec-*  
21 *essary for the foregoing purposes; \$3,395,729,000, to remain*  
22 *available for obligation until September 30, 2001.*

23 *AIRCRAFT PROCUREMENT, NAVY*

24 *For construction, procurement, production, modifica-*  
25 *tion, and modernization of aircraft, equipment, including*

1 *ordnance, spare parts, and accessories therefor; specialized*  
2 *equipment; expansion of public and private plants, includ-*  
3 *ing the land necessary therefor, and such lands and inter-*  
4 *ests therein, may be acquired, and construction prosecuted*  
5 *thereon prior to approval of title; and procurement and in-*  
6 *stallation of equipment, appliances, and machine tools in*  
7 *public and private plants; reserve plant and Government*  
8 *and contractor-owned equipment layaway; \$7,473,403,000,*  
9 *to remain available for obligation until September 30,*  
10 *2001.*

11 *WEAPONS PROCUREMENT, NAVY*

12 *For construction, procurement, production, modifica-*  
13 *tion, and modernization of missiles, torpedoes, other weap-*  
14 *ons, and related support equipment including spare parts,*  
15 *and accessories therefor; expansion of public and private*  
16 *plants, including the land necessary therefor, and such*  
17 *lands and interests therein, may be acquired, and construc-*  
18 *tion prosecuted thereon prior to approval of title; and pro-*  
19 *curement and installation of equipment, appliances, and*  
20 *machine tools in public and private plants; reserve plant*  
21 *and Government and contractor-owned equipment layaway;*  
22 *\$1,324,045,000, to remain available for obligation until*  
23 *September 30, 2001.*



1 *and private plants, including land necessary therefor, and*  
2 *such lands and interests therein, may be acquired, and con-*  
3 *struction prosecuted thereon prior to approval of title, as*  
4 *follows:*

5           *NSSN, \$1,498,165,000;*  
6           *NSSN (AP), \$504,736,000;*  
7           *CVN-77 (AP), \$124,515,000;*  
8           *CVN Refuelings (AP), \$274,980,000;*  
9           *DDG-51 destroyer program, \$2,672,078,000;*  
10           *DDG-51 destroyer program (AP), \$7,396,000;*  
11           *LPD-17 amphibious transport dock ship,*  
12           *\$638,780,000;*  
13           *LHD-8 (AP), \$50,000,000;*  
14           *Oceanographic ship program, \$60,341,000;*  
15           *LCAC landing craft air cushion program,*  
16           *\$16,000,000; and*

17           *For craft, outfitting, post delivery, conversions,*  
18           *and first destination transportation, \$220,281,000;*  
19 *In all: \$6,067,272,000, to remain available for obligation*  
20 *until September 30, 2003: Provided, That additional obli-*  
21 *gations may be incurred after September 30, 2003, for engi-*  
22 *neering services, tests, evaluations, and other such budgeted*  
23 *work that must be performed in the final stage of ship con-*  
24 *struction: Provided further, That none of the funds provided*  
25 *under this heading for the construction or conversion of any*

1 *naval vessel to be constructed in shipyards in the United*  
2 *States shall be expended in foreign facilities for the con-*  
3 *struction of major components of such vessel: Provided fur-*  
4 *ther, That none of the funds provided under this heading*  
5 *shall be used for the construction of any naval vessel in*  
6 *foreign shipyards.*

7 *OTHER PROCUREMENT, NAVY*

8 *For procurement, production, and modernization of*  
9 *support equipment and materials not otherwise provided*  
10 *for, Navy ordnance (except ordnance for new aircraft, new*  
11 *ships, and ships authorized for conversion); lease of pas-*  
12 *senger motor vehicles; expansion of public and private*  
13 *plants, including the land necessary therefor, and such*  
14 *lands and interests therein, may be acquired, and construc-*  
15 *tion prosecuted thereon prior to approval of title; and pro-*  
16 *curement and installation of equipment, appliances, and*  
17 *machine tools in public and private plants; reserve plant*  
18 *and Government and contractor-owned equipment layaway;*  
19 *\$3,886,475,000, to remain available for obligation until*  
20 *September 30, 2001.*

21 *PROCUREMENT, MARINE CORPS*

22 *For expenses necessary for the procurement, manufac-*  
23 *ture, and modification of missiles, armament, military*  
24 *equipment, spare parts, and accessories therefor; plant*  
25 *equipment, appliances, and machine tools, and installation*

1 *thereof in public and private plants; reserve plant and Gov-*  
2 *ernment and contractor-owned equipment layaway; lease of*  
3 *passenger motor vehicles; and expansion of public and pri-*  
4 *vate plants, including land necessary therefor, and such*  
5 *lands and interests therein, may be acquired, and construc-*  
6 *tion prosecuted thereon prior to approval of title;*  
7 *\$954,177,000, to remain available for obligation until Sep-*  
8 *tember 30, 2001.*

9 *AIRCRAFT PROCUREMENT, AIR FORCE*

10 *For construction, procurement, lease, and modification*  
11 *of aircraft and equipment, including armor and armament,*  
12 *specialized ground handling equipment, and training de-*  
13 *vices, spare parts, and accessories therefor; specialized*  
14 *equipment; expansion of public and private plants, Govern-*  
15 *ment-owned equipment and installation thereof in such*  
16 *plants, erection of structures, and acquisition of land, for*  
17 *the foregoing purposes, and such lands and interests therein,*  
18 *may be acquired, and construction prosecuted thereon prior*  
19 *to approval of title; reserve plant and Government and con-*  
20 *tractor-owned equipment layaway; and other expenses nec-*  
21 *essary for the foregoing purposes including rents and trans-*  
22 *portation of things; \$7,967,023,000, to remain available for*  
23 *obligation until September 30, 2001.*

1                    *MISSILE PROCUREMENT, AIR FORCE*

2            *For construction, procurement, and modification of*  
3 *missiles, spacecraft, rockets, and related equipment, includ-*  
4 *ing spare parts and accessories therefor, ground handling*  
5 *equipment, and training devices; expansion of public and*  
6 *private plants, Government-owned equipment and installa-*  
7 *tion thereof in such plants, erection of structures, and ac-*  
8 *quisition of land, for the foregoing purposes, and such lands*  
9 *and interests therein, may be acquired, and construction*  
10 *prosecuted thereon prior to approval of title; reserve plant*  
11 *and Government and contractor-owned equipment layaway;*  
12 *and other expenses necessary for the foregoing purposes in-*  
13 *cluding rents and transportation of things; \$2,219,299,000,*  
14 *to remain available for obligation until September 30,*  
15 *2001.*

16                    *PROCUREMENT OF AMMUNITION, AIR FORCE*

17            *For construction, procurement, production, and modi-*  
18 *fication of ammunition, and accessories therefor; specialized*  
19 *equipment and training devices; expansion of public and*  
20 *private plants, including ammunition facilities authorized*  
21 *by section 2854 of title 10, United States Code, and the*  
22 *land necessary therefor, for the foregoing purposes, and such*  
23 *lands and interests therein, may be acquired, and construc-*  
24 *tion prosecuted thereon prior to approval of title; and pro-*  
25 *curement and installation of equipment, appliances, and*

1 *machine tools in public and private plants; reserve plant*  
2 *and Government and contractor-owned equipment layaway;*  
3 *and other expenses necessary for the foregoing purposes;*  
4 *\$384,161,000, to remain available for obligation until Sep-*  
5 *tember 30, 2001.*

6 *OTHER PROCUREMENT, AIR FORCE*

7 *For procurement and modification of equipment (in-*  
8 *cluding ground guidance and electronic control equipment,*  
9 *and ground electronic and communication equipment), and*  
10 *supplies, materials, and spare parts therefor, not otherwise*  
11 *provided for; lease of passenger motor vehicles; and expan-*  
12 *sion of public and private plants, Government-owned equip-*  
13 *ment and installation thereof in such plants, erection of*  
14 *structures, and acquisition of land, for the foregoing pur-*  
15 *poses, and such lands and interests therein, may be ac-*  
16 *quired, and construction prosecuted thereon, prior to ap-*  
17 *proval of title; reserve plant and Government and contrac-*  
18 *tor-owned equipment layaway; \$6,904,164,000, to remain*  
19 *available for obligation until September 30, 2001.*

20 *PROCUREMENT, DEFENSE-WIDE*

21 *For expenses of activities and agencies of the Depart-*  
22 *ment of Defense (other than the military departments) nec-*  
23 *essary for procurement, production, and modification of*  
24 *equipment, supplies, materials, and spare parts therefor,*  
25 *not otherwise provided for; the lease of passenger motor ve-*

1 *hicles; expansion of public and private plants, equipment,*  
2 *and installation thereof in such plants, erection of struc-*  
3 *tures, and acquisition of land for the foregoing purposes,*  
4 *and such lands and interests therein, may be acquired, and*  
5 *construction prosecuted thereon prior to approval of title;*  
6 *reserve plant and Government and contractor-owned equip-*  
7 *ment layaway; \$1,932,250,000, to remain available for obli-*  
8 *gation until September 30, 2001.*

9 *NATIONAL GUARD AND RESERVE EQUIPMENT*

10 *For procurement of aircraft, missiles, tracked combat*  
11 *vehicles, ammunition, other weapons, and other procure-*  
12 *ment for the reserve components of the Armed Forces;*  
13 *\$500,000,000, to remain available for obligation until Sep-*  
14 *tember 30, 2001: Provided, That the Chiefs of the Reserve*  
15 *and National Guard components shall, not later than 30*  
16 *days after the enactment of this Act, individually submit*  
17 *to the congressional defense committees the modernization*  
18 *priority assessment for their respective Reserve or National*  
19 *Guard component.*

20 *TITLE IV*

21 *RESEARCH, DEVELOPMENT, TEST AND*

22 *EVALUATION*

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

24 *For expenses necessary for basic and applied scientific*  
25 *research, development, test and evaluation, including main-*

1 *tenance, rehabilitation, lease, and operation of facilities*  
2 *and equipment; \$4,891,640,000, to remain available for ob-*  
3 *ligation until September 30, 2000.*

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

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; \$8,215,519,000, to remain available for ob-*  
9 *ligation until September 30, 2000.*

10 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*

11 *FORCE*

12 *For expenses necessary for basic and applied scientific*  
13 *research, development, test and evaluation, including main-*  
14 *tenance, rehabilitation, lease, and operation of facilities*  
15 *and equipment; \$13,693,153,000, to remain available for*  
16 *obligation until September 30, 2000.*

17 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*

18 *DEFENSE-WIDE*

19 *For expenses of activities and agencies of the Depart-*  
20 *ment of Defense (other than the military departments), nec-*  
21 *essary for basic and applied scientific research, develop-*  
22 *ment, test and evaluation; advanced research projects as*  
23 *may be designated and determined by the Secretary of De-*  
24 *fense, pursuant to law; maintenance, rehabilitation, lease,*  
25 *and operation of facilities and equipment; \$9,032,908,000,*

1 *to remain available for obligation until September 30,*  
2 *2000: Provided, That of the funds appropriated under this*  
3 *heading, \$12,000,000 shall be available only to continue de-*  
4 *velopment of electric and hybrid-electric vehicles.*

5 *DEVELOPMENTAL TEST AND EVALUATION, DEFENSE*

6 *For expenses, not otherwise provided for, of independ-*  
7 *ent activities of the Director, Test and Evaluation in the*  
8 *direction and supervision of developmental test and evalua-*  
9 *tion, including performance and joint developmental testing*  
10 *and evaluation; and administrative expenses in connection*  
11 *therewith; \$249,106,000, to remain available for obligation*  
12 *until September 30, 2000.*

13 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

14 *For expenses, not otherwise provided for, necessary for*  
15 *the independent activities of the Director, Operational Test*  
16 *and Evaluation in the direction and supervision of oper-*  
17 *ational test and evaluation, including initial operational*  
18 *test and evaluation which is conducted prior to, and in sup-*  
19 *port of, production decisions; joint operational testing and*  
20 *evaluation; and administrative expenses in connection*  
21 *therewith; \$25,245,000, to remain available for obligation*  
22 *until September 30, 2000.*

## TITLE V

## REVOLVING AND MANAGEMENT FUNDS

## DEFENSE WORKING CAPITAL FUNDS

(INCLUDING TRANSFER OF FUNDS)

For the Defense Working Capital Funds; \$94,500,000.

## NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744); \$669,566,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive these restrictions on a case-by-case basis by certifying in writing to the Commit-

1 *tees on Appropriations of the House of Representatives and*  
2 *the Senate, that adequate domestic supplies are not avail-*  
3 *able to meet Department of Defense requirements on a time-*  
4 *ly basis and that such an acquisition must be made in order*  
5 *to acquire capability for national security purposes.*

6

*TITLE VI*7 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

8

*DEFENSE HEALTH PROGRAM*

9 *For expenses, not otherwise provided for, for medical*  
10 *and health care programs of the Department of Defense, as*  
11 *authorized by law; \$10,337,322,000, of which*  
12 *\$9,684,935,000 shall be for Operation and maintenance, of*  
13 *which not to exceed two per centum shall remain available*  
14 *until September 30, 1999, of which \$402,387,000, to remain*  
15 *available for obligation until September 30, 2001, shall be*  
16 *for Procurement, and of which \$250,000,000, to remain*  
17 *available for obligation until September 30, 2000, shall be*  
18 *for Research, development, test and evaluation: Provided,*  
19 *That, of the funds available under this heading, \$3,000,000*  
20 *shall be available for research and surveillance activities re-*  
21 *lating to Lyme disease and other tick-borne diseases.*

22 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*

23

*DEFENSE*

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

1 ical agents and munitions in accordance with the provi-  
2 sions of section 1412 of the Department of Defense Author-  
3 ization Act, 1986 (50 U.S.C. 1521), and for the destruction  
4 of other chemical warfare materials that are not in the  
5 chemical weapon stockpile, \$780,150,000, of which  
6 \$491,700,000 shall be for Operation and maintenance,  
7 \$115,670,000 shall be for Procurement to remain available  
8 until September 30, 2001, and \$172,780,000 shall be for  
9 Research, development, test and evaluation to remain avail-  
10 able until September 30, 2000: Provided, That of the funds  
11 available under this heading, \$1,000,000 shall be available  
12 until expended each year only for a Johnston Atoll off-is-  
13 land leave program: Provided further, That the Secretaries  
14 concerned shall, pursuant to uniform regulations, prescribe  
15 travel and transportation allowances for travel by partici-  
16 pants in the off-island leave program.

17 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*

18 *DEFENSE*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For drug interdiction and counter-drug activities of*  
21 *the Department of Defense, for transfer to appropriations*  
22 *available to the Department of Defense for military person-*  
23 *nel of the reserve components serving under the provisions*  
24 *of title 10 and title 32, United States Code; for Operation*  
25 *and maintenance; for Procurement; and for Research, devel-*

1 *opment, test and evaluation; \$742,582,000: Provided, That*  
2 *the funds appropriated under this head shall be available*  
3 *for obligation for the same time period and for the same*  
4 *purpose as the appropriation to which transferred: Pro-*  
5 *vided further, That the transfer authority provided in this*  
6 *paragraph is in addition to any transfer authority con-*  
7 *tained elsewhere in this Act.*

8 *OFFICE OF THE INSPECTOR GENERAL*

9 *For expenses and activities of the Office of the Inspec-*  
10 *tor General in carrying out the provisions of the Inspector*  
11 *General Act of 1978, as amended; \$132,064,000, of which*  
12 *\$130,764,000 shall be for Operation and maintenance, of*  
13 *which not to exceed \$500,000 is available for emergencies*  
14 *and extraordinary expenses to be expended on the approval*  
15 *or authority of the Inspector General, and payments may*  
16 *be made on his certificate of necessity for confidential mili-*  
17 *tary purposes; and of which \$1,300,000, to remain available*  
18 *until September 30, 2001, shall be for Procurement.*

19 *TITLE VII*

20 *RELATED AGENCIES*

21 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*

22 *DISABILITY SYSTEM FUND*

23 *For payment to the Central Intelligence Agency Retire-*  
24 *ment and Disability System Fund, to maintain proper*  
25 *funding level for continuing the operation of the Central*

1 *Intelligence Agency Retirement and Disability System;*  
2 *\$201,500,000.*

3 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For necessary expenses of the Intelligence Community*  
6 *Management Account; \$134,623,000, of which \$39,011,000*  
7 *for the Advanced Research and Development Committee and*  
8 *the Environmental Intelligence and Applications Program*  
9 *shall remain available until September 30, 2000: Provided,*  
10 *That of the funds appropriated under this heading,*  
11 *\$27,000,000 shall be transferred to the Department of Jus-*  
12 *tice for the National Drug Intelligence Center to support*  
13 *the Department of Defense's counter-drug intelligence re-*  
14 *sponsibilities, and of the said amount, \$1,500,000 for Pro-*  
15 *curement shall remain available until September 30, 2001,*  
16 *and \$3,000,000 for Research, development, test and evalua-*  
17 *tion shall remain available until September 30, 2000.*

18 *PAYMENT TO KAHO'OLAWA ISLAND CONVEYANCE,*  
19 *REMEDICATION, AND ENVIRONMENTAL RESTORATION FUND*  
20 *For payment to Kaho'olawe Island Conveyance, Reme-*  
21 *diation, and Environmental Restoration Fund, as author-*  
22 *ized by law; \$25,000,000, to remain available until ex-*  
23 *pended.*



1 *the Foreign Service Act of 1980: Provided further, That the*  
2 *limitations of this provision shall not apply to foreign na-*  
3 *tional employees of the Department of Defense in the Re-*  
4 *public of Turkey.*

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

8 *SEC. 8004. No more than 20 per centum of the appro-*  
9 *priations in this Act which are limited for obligation dur-*  
10 *ing the current fiscal year shall be obligated during the last*  
11 *two months of the fiscal year: Provided, That this section*  
12 *shall not apply to obligations for support of active duty*  
13 *training of reserve components or summer camp training*  
14 *of the Reserve Officers' Training Corps.*

15 *(TRANSFER OF FUNDS)*

16 *SEC. 8005. Upon determination by the Secretary of*  
17 *Defense that such action is necessary in the national inter-*  
18 *est, he may, with the approval of the Office of Management*  
19 *and Budget, transfer not to exceed \$1,775,000,000 of work-*  
20 *ing capital funds of the Department of Defense or funds*  
21 *made available in this Act to the Department of Defense*  
22 *for military functions (except military construction) be-*  
23 *tween such appropriations or funds or any subdivision*  
24 *thereof, to be merged with and to be available for the same*  
25 *purposes, and for the same time period, as the appropria-*  
26 *tion or fund to which transferred: Provided, That such au-*

1 *thority to transfer may not be used unless for higher prior-*  
2 *ity items, based on unforeseen military requirements, than*  
3 *those for which originally appropriated and in no case*  
4 *where the item for which funds are requested has been de-*  
5 *nyed by Congress: Provided further, That the Secretary of*  
6 *Defense shall notify the Congress promptly of all transfers*  
7 *made pursuant to this authority or any other authority in*  
8 *this Act: Provided further, That no part of the funds in*  
9 *this Act shall be available to prepare or present a request*  
10 *to the Committees on Appropriations for reprogramming*  
11 *of funds, unless for higher priority items, based on unfore-*  
12 *seen military requirements, than those for which originally*  
13 *appropriated and in no case where the item for which re-*  
14 *programming is requested has been denied by the Congress.*

15 (TRANSFER OF FUNDS)

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

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

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

14 *SEC. 8008. None of the funds provided in this Act shall*  
15 *be available to initiate: (1) a multiyear contract that em-*  
16 *plloys economic order quantity procurement in excess of*  
17 *\$20,000,000 in any one year of the contract or that includes*  
18 *an unfunded contingent liability in excess of \$20,000,000;*  
19 *or (2) a contract for advance procurement leading to a*  
20 *multiyear contract that employs economic order quantity*  
21 *procurement in excess of \$20,000,000 in any one year, un-*  
22 *less the congressional defense committees have been notified*  
23 *at least 30 days in advance of the proposed contract award:*  
24 *Provided, That no part of any appropriation contained in*  
25 *this Act shall be available to initiate a multiyear contract*

1 *for which the economic order quantity advance procurement*  
2 *is not funded at least to the limits of the Government's li-*  
3 *ability: Provided further, That no part of any appropria-*  
4 *tion contained in this Act shall be available to initiate*  
5 *multiyear procurement contracts for any systems or compo-*  
6 *nent thereof if the value of the multiyear contract would*  
7 *exceed \$500,000,000 unless specifically provided in this Act:*  
8 *Provided further, That no multiyear procurement contract*  
9 *can be terminated without 10-day prior notification to the*  
10 *congressional defense committees: Provided further, That the*  
11 *execution of multiyear authority shall require the use of a*  
12 *present value analysis to determine lowest cost compared*  
13 *to an annual procurement.*

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

16 *E-2C aircraft;*

17 *Longbow Hellfire missile; and*

18 *Medium tactical vehicle replacement (MTVR).*

19 *SEC. 8009. Within the funds appropriated for the oper-*  
20 *ation and maintenance of the Armed Forces, funds are here-*  
21 *by appropriated pursuant to section 401 of title 10, United*  
22 *States Code, for humanitarian and civic assistance costs*  
23 *under chapter 20 of title 10, United States Code. Such funds*  
24 *may also be obligated for humanitarian and civic assist-*  
25 *ance costs incidental to authorized operations and pursuant*

1 *to authority granted in section 401 of chapter 20 of title*  
2 *10, United States Code, and these obligations shall be re-*  
3 *ported to Congress on September 30 of each year: Provided,*  
4 *That funds available for operation and maintenance shall*  
5 *be available for providing humanitarian and similar assist-*  
6 *ance by using Civic Action Teams in the Trust Territories*  
7 *of the Pacific Islands and freely associated states of Micro-*  
8 *nesia, pursuant to the Compact of Free Association as au-*  
9 *thorized by Public Law 99-239: Provided further, That*  
10 *upon a determination by the Secretary of the Army that*  
11 *such action is beneficial for graduate medical education*  
12 *programs conducted at Army medical facilities located in*  
13 *Hawaii, the Secretary of the Army may authorize the pro-*  
14 *vision of medical services at such facilities and transpor-*  
15 *tation to such facilities, on a nonreimbursable basis, for ci-*  
16 *vilian patients from American Samoa, the Commonwealth*  
17 *of the Northern Mariana Islands, the Marshall Islands, the*  
18 *Federated States of Micronesia, Palau, and Guam.*

19       *SEC. 8010. (a) During fiscal year 1999, the civilian*  
20 *personnel of the Department of Defense may not be man-*  
21 *aged on the basis of any end-strength, and the management*  
22 *of such personnel during that fiscal year shall not be subject*  
23 *to any constraint or limitation (known as an end-strength)*  
24 *on the number of such personnel who may be employed on*  
25 *the last day of such fiscal year.*

1       (b) *The fiscal year 2000 budget request for the Depart-*  
2 *ment of Defense as well as all justification material and*  
3 *other documentation supporting the fiscal year 2000 De-*  
4 *partment of Defense budget request shall be prepared and*  
5 *submitted to the Congress as if subsections (a) and (b) of*  
6 *this provision were effective with regard to fiscal year 2000.*

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

9       SEC. 8011. *Notwithstanding any other provision of*  
10 *law, none of the funds made available by this Act shall be*  
11 *used by the Department of Defense to exceed, outside the*  
12 *50 United States, its territories, and the District of Colum-*  
13 *bia, 125,000 civilian workyears: Provided, That workyears*  
14 *shall be applied as defined in the Federal Personnel Man-*  
15 *ual: Provided further, That workyears expended in depend-*  
16 *ent student hiring programs for disadvantaged youths shall*  
17 *not be included in this workyear limitation.*

18       SEC. 8012. *None of the funds made available by this*  
19 *Act shall be used in any way, directly or indirectly, to in-*  
20 *fluence congressional action on any legislation or appro-*  
21 *priation matters pending before the Congress.*

22       SEC. 8013. (a) *None of the funds appropriated by this*  
23 *Act shall be used to make contributions to the Department*  
24 *of Defense Education Benefits Fund pursuant to section*  
25 *2006(g) of title 10, United States Code, representing the*

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

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

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

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

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

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

9       *SEC. 8014. None of the funds appropriated by this Act*  
10 *shall be available to convert to contractor performance an*  
11 *activity or function of the Department of Defense that, on*  
12 *or after the date of enactment of this Act, is performed by*  
13 *more than ten Department of Defense civilian employees*  
14 *until a most efficient and cost-effective organization analy-*  
15 *sis is completed on such activity or function and certifi-*  
16 *cation of the analysis is made to the Committees on Appro-*  
17 *priations of the House of Representatives and the Senate:*  
18 *Provided, That this section shall not apply to a commercial*  
19 *or industrial type function of the Department of Defense*  
20 *that: (1) is included on the procurement list established pur-*  
21 *suant to section 2 of the Act of June 25, 1938 (41 U.S.C.*  
22 *47), popularly referred to as the Javits-Wagner-O'Day Act;*  
23 *(2) is planned to be converted to performance by a qualified*  
24 *nonprofit agency for the blind or by a qualified nonprofit*  
25 *agency for other severely handicapped individuals in ac-*

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

4 *(TRANSFER OF FUNDS)*

5 *SEC. 8015. Funds appropriated in title III of this Act*  
6 *for the Department of Defense Pilot Mentor-Protege Pro-*  
7 *gram may be transferred to any other appropriation con-*  
8 *tained in this Act solely for the purpose of implementing*  
9 *a Mentor-Protege Program developmental assistance agree-*  
10 *ment pursuant to section 831 of the National Defense Au-*  
11 *thorization Act for Fiscal Year 1991 (Public Law 101-510;*  
12 *10 U.S.C. 2301 note), as amended, under the authority of*  
13 *this provision or any other transfer authority contained in*  
14 *this Act.*

15 *SEC. 8016. None of the funds in this Act may be avail-*  
16 *able for the purchase by the Department of Defense (and*  
17 *its departments and agencies) of welded shipboard anchor*  
18 *and mooring chain 4 inches in diameter and under unless*  
19 *the anchor and mooring chain are manufactured in the*  
20 *United States from components which are substantially*  
21 *manufactured in the United States: Provided, That for the*  
22 *purpose of this section manufactured will include cutting,*  
23 *heat treating, quality control, testing of chain and welding*  
24 *(including the forging and shot blasting process): Provided*  
25 *further, That for the purpose of this section substantially*  
26 *all of the components of anchor and mooring chain shall*

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

13       *SEC. 8017. None of the funds appropriated by this Act*  
14 *available for the Civilian Health and Medical Program of*  
15 *the Uniformed Services (CHAMPUS) shall be available for*  
16 *the reimbursement of any health care provider for inpatient*  
17 *mental health service for care received when a patient is*  
18 *referred to a provider of inpatient mental health care or*  
19 *residential treatment care by a medical or health care pro-*  
20 *fessional having an economic interest in the facility to*  
21 *which the patient is referred: Provided, That this limitation*  
22 *does not apply in the case of inpatient mental health serv-*  
23 *ices provided under the program for the handicapped under*  
24 *subsection (d) of section 1079 of title 10, United States*  
25 *Code, provided as partial hospital care, or provided pursu-*

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

9       SEC. 8018. Funds available in this Act may be used  
10 to provide transportation for the next-of-kin of individuals  
11 who have been prisoners of war or missing in action from  
12 the Vietnam era to an annual meeting in the United States,  
13 under such regulations as the Secretary of Defense may pre-  
14 scribe.

15       SEC. 8019. Notwithstanding any other provision of  
16 law, during the current fiscal year, the Secretary of Defense  
17 may, by executive agreement, establish with host nation  
18 governments in NATO member states a separate account  
19 into which such residual value amounts negotiated in the  
20 return of United States military installations in NATO  
21 member states may be deposited, in the currency of the host  
22 nation, in lieu of direct monetary transfers to the United  
23 States Treasury: Provided, That such credits may be uti-  
24 lized only for the construction of facilities to support United  
25 States military forces in that host nation, or such real prop-

1 *erty maintenance and base operating costs that are cur-*  
2 *rently executed through monetary transfers to such host na-*  
3 *tions: Provided further, That the Department of Defense's*  
4 *budget submission for fiscal year 2000 shall identify such*  
5 *sums anticipated in residual value settlements, and identify*  
6 *such construction, real property maintenance or base oper-*  
7 *ating costs that shall be funded by the host nation through*  
8 *such credits: Provided further, That all military construc-*  
9 *tion projects to be executed from such accounts must be pre-*  
10 *viously approved in a prior Act of Congress: Provided fur-*  
11 *ther, That each such executive agreement with a NATO*  
12 *member host nation shall be reported to the congressional*  
13 *defense committees, the Committee on International Rela-*  
14 *tions of the House of Representatives and the Committee*  
15 *on Foreign Relations of the Senate 30 days prior to the*  
16 *conclusion and endorsement of any such agreement estab-*  
17 *lished under this provision.*

18       *SEC. 8020. None of the funds available to the Depart-*  
19 *ment of Defense may be used to demilitarize or dispose of*  
20 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*  
21 *rifles, .30 caliber rifles, or M-1911 pistols.*

22       *SEC. 8021. Notwithstanding any other provision of*  
23 *law, none of the funds appropriated by this Act shall be*  
24 *available to pay more than 50 per centum of an amount*

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

3       *SEC. 8022. A member of a reserve component whose*  
4 *unit or whose residence is located in a State which is not*  
5 *contiguous with another State is authorized to travel in a*  
6 *space required status on aircraft of the Armed Forces be-*  
7 *tween home and place of inactive duty training, or place*  
8 *of duty in lieu of unit training assembly, when there is*  
9 *no road or railroad transportation (or combination of road*  
10 *and railroad transportation between those locations): Pro-*  
11 *vided, That a member traveling in that status on a military*  
12 *aircraft pursuant to the authority provided in this section*  
13 *is not authorized to receive travel, transportation, or per*  
14 *diem allowances in connection with that travel.*

15       *SEC. 8023. (a) In addition to the funds provided else-*  
16 *where in this Act, \$8,000,000 is appropriated only for in-*  
17 *centive payments authorized by section 504 of the Indian*  
18 *Financing Act of 1974 (25 U.S.C. 1544): Provided, That*  
19 *contractors participating in the test program established by*  
20 *section 854 of Public Law 101-189 (15 U.S.C. 637 note)*  
21 *shall be eligible for the program established by section 504*  
22 *of the Indian Financing Act of 1974 (25 U.S.C. 1544).*

23       *(b) Section 8024 of the Department of Defense Appro-*  
24 *priations Act (Public Law 105-56) is amended by striking*

1 out “That these payments” and all that follows through  
2 “Provided further,”.

3       SEC. 8024. During the current fiscal year, funds ap-  
4 propriated or otherwise available for any Federal agency,  
5 the Congress, the judicial branch, or the District of Colum-  
6 bia may be used for the pay, allowances, and benefits of  
7 an employee as defined by section 2105 of title 5, United  
8 States Code, or an individual employed by the government  
9 of the District of Columbia, permanent or temporary indefi-  
10 nite, who—

11           (1) is a member of a Reserve component of the  
12 Armed Forces, as described in section 10101 of title  
13 10, United States Code, or the National Guard, as de-  
14 scribed in section 101 of title 32;

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

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

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

1           (3) requests and is granted—

2                   (A) leave under the authority of this section;

3           or

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

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

14       *SEC. 8025. None of the funds appropriated by this Act*  
15 *shall be available to perform any cost study pursuant to*  
16 *the provisions of OMB Circular A-76 if the study being*  
17 *performed exceeds a period of 24 months after initiation*  
18 *of such study with respect to a single function activity or*  
19 *48 months after initiation of such study for a multi-func-*  
20 *tion activity.*

21       *SEC. 8026. 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. 8027. Notwithstanding any other provision of*  
2 *law or regulation, the Secretary of Defense may adjust wage*  
3 *rates for civilian employees hired for certain health care*  
4 *occupations as authorized for the Secretary of Veterans Af-*  
5 *fairs by section 7455 of title 38, United States Code.*

6        *SEC. 8028. None of the funds appropriated or made*  
7 *available in this Act shall be used to reduce or disestablish*  
8 *the operation of the 53rd Weather Reconnaissance Squad-*  
9 *ron of the Air Force Reserve, if such action would reduce*  
10 *the WC-130 Weather Reconnaissance mission below the lev-*  
11 *els funded in this Act.*

12        *SEC. 8029. (a) Of the funds for the procurement of sup-*  
13 *plies or services appropriated by this Act, qualified non-*  
14 *profit agencies for the blind or other severely handicapped*  
15 *shall be afforded the maximum practicable opportunity to*  
16 *participate as subcontractors and suppliers in the perform-*  
17 *ance of contracts let by the Department of Defense.*

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

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

8           SEC. 8030. During the current fiscal year, net receipts  
9 pursuant to collections from third party payers pursuant  
10 to section 1095 of title 10, United States Code, shall be  
11 made available to the local facility of the uniformed services  
12 responsible for the collections and shall be over and above  
13 the facility’s direct budget amount.

14           SEC. 8031. During the current fiscal year, the Depart-  
15 ment of Defense is authorized to incur obligations of not  
16 to exceed \$350,000,000 for purposes specified in section  
17 2350j(c) of title 10, United States Code, in anticipation of  
18 receipt of contributions, only from the Government of Ku-  
19 wait, under that section: Provided, That, upon receipt, such  
20 contributions from the Government of Kuwait shall be cred-  
21 ited to the appropriations or fund which incurred such obli-  
22 gations.

23           SEC. 8032. Of the funds made available in this Act,  
24 not less than \$23,964,000 shall be available for the Civil

1 *Air Patrol, of which \$20,654,000 shall be available for oper-*  
2 *ation and maintenance.*

3       *SEC. 8033. (a) None of the funds appropriated in this*  
4 *Act are available to establish a new Department of Defense*  
5 *(department) federally funded research and development*  
6 *center (FFRDC), either as a new entity, or as a separate*  
7 *entity administrated by an organization managing another*  
8 *FFRDC, or as a nonprofit membership corporation consist-*  
9 *ing of a consortium of other FFRDCs and other non-profit*  
10 *entities.*

11       *(b) LIMITATION ON COMPENSATION—FEDERALLY*  
12 *FUNDED RESEARCH AND DEVELOPMENT CENTER*  
13 *(FFRDC).—No member of a Board of Directors, Trustees,*  
14 *Overseers, Advisory Group, Special Issues Panel, Visiting*  
15 *Committee, or any similar entity of a defense FFRDC, and*  
16 *no paid consultant to any defense FFRDC, except when act-*  
17 *ing in a technical advisory capacity, may be compensated*  
18 *for his or her services as a member of such entity, or as*  
19 *a paid consultant by more than one FFRDC in a fiscal*  
20 *year: Provided, That a member of any such entity referred*  
21 *to previously in this subsection shall be allowed travel ex-*  
22 *penses and per diem as authorized under the Federal Joint*  
23 *Travel Regulations, when engaged in the performance of*  
24 *membership duties.*

1           (c) Notwithstanding any other provision of law, none  
2 of the funds available to the department from any source  
3 during fiscal year 1999 may be used by a defense FFRDC,  
4 through a fee or other payment mechanism, for construction  
5 of new buildings, for payment of cost sharing for projects  
6 funded by government grants, for absorption of contract  
7 overruns, or for certain charitable contributions, not to in-  
8 clude employee participation in community service and/or  
9 development.

10           (d) Notwithstanding any other provision of law, of the  
11 funds available to the department during fiscal year 1999,  
12 not more than 6,206 staff years of technical effort (staff  
13 years) may be funded for defense FFRDCs: Provided, That  
14 of the specific amount referred to previously in this sub-  
15 section, not more than 1,105 staff years may be funded for  
16 the defense studies and analysis FFRDCs.

17           (e) Within 60 days after enactment of this Act, the Sec-  
18 retary of Defense shall submit to the congressional defense  
19 committees a report presenting the specific amounts of staff  
20 years of technical effort to be allocated by the department  
21 for each defense FFRDC during fiscal year 1999: Provided,  
22 That, after the submission of the report required by this  
23 subsection, the department may not reallocate more than  
24 five per centum of an FFRDC's staff years among other  
25 defense FFRDCs until 30 days after a detailed justification

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

3 *(f) The Secretary of Defense shall, with the submission*  
4 *of the department's fiscal year 2000 budget request, submit*  
5 *a report presenting the specific amounts of staff years of*  
6 *technical effort to be allocated for each defense FFRDC dur-*  
7 *ing that fiscal year.*

8 *SEC. 8034. None of the funds appropriated or made*  
9 *available in this Act shall be used to procure carbon, alloy*  
10 *or armor steel plate for use in any Government-owned facil-*  
11 *ity or property under the control of the Department of De-*  
12 *fense which were not melted and rolled in the United States*  
13 *or Canada: Provided, That these procurement restrictions*  
14 *shall apply to any and all Federal Supply Class 9515,*  
15 *American Society of Testing and Materials (ASTM) or*  
16 *American Iron and Steel Institute (AISI) specifications of*  
17 *carbon, alloy or armor steel plate: Provided further, That*  
18 *the Secretary of the military department responsible for the*  
19 *procurement may waive this restriction on a case-by-case*  
20 *basis by certifying in writing to the Committees on Appro-*  
21 *priations of the House of Representatives and the Senate*  
22 *that adequate domestic supplies are not available to meet*  
23 *Department of Defense requirements on a timely basis and*  
24 *that such an acquisition must be made in order to acquire*  
25 *capability for national security purposes: Provided further,*

1 *That these restrictions shall not apply to contracts which*  
2 *are in being as of the date of enactment of this Act.*

3       *SEC. 8035. For the purposes of this Act, the term “con-*  
4 *gressional defense committees” means the National Security*  
5 *Committee of the House of Representatives, the Armed Serv-*  
6 *ices Committee of the Senate, the Subcommittee on Defense*  
7 *of the Committee on Appropriations of the Senate, and the*  
8 *Subcommittee on National Security of the Committee on*  
9 *Appropriations of the House of Representatives.*

10       *SEC. 8036. During the current fiscal year, the Depart-*  
11 *ment of Defense may acquire the modification, depot main-*  
12 *tenance and repair of aircraft, vehicles and vessels as well*  
13 *as the production of components and other Defense-related*  
14 *articles, through competition between Department of De-*  
15 *fense depot maintenance activities and private firms: Pro-*  
16 *vided, That the Senior Acquisition Executive of the military*  
17 *department or defense agency concerned, with power of dele-*  
18 *gation, shall certify that successful bids include comparable*  
19 *estimates of all direct and indirect costs for both public and*  
20 *private bids: Provided further, That Office of Management*  
21 *and Budget Circular A-76 shall not apply to competitions*  
22 *conducted under this section.*

23       *SEC. 8037. (a)(1) If the Secretary of Defense, after con-*  
24 *sultation with the United States Trade Representative, de-*  
25 *termines that a foreign country which is party to an agree-*

1 *ment described in paragraph (2) has violated the terms of*  
2 *the agreement by discriminating against certain types of*  
3 *products produced in the United States that are covered by*  
4 *the agreement, the Secretary of Defense shall rescind the*  
5 *Secretary's blanket waiver of the Buy American Act with*  
6 *respect to such types of products produced in that foreign*  
7 *country.*

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

14       (b) *The Secretary of Defense shall submit to Congress*  
15 *a report on the amount of Department of Defense purchases*  
16 *from foreign entities in fiscal year 1999. Such report shall*  
17 *separately indicate the dollar value of items for which the*  
18 *Buy American Act was waived pursuant to any agreement*  
19 *described in subsection (a)(2), the Trade Agreement Act of*  
20 *1979 (19 U.S.C. 2501 et seq.), or any international agree-*  
21 *ment to which the United States is a party.*

22       (c) *For purposes of this section, the term "Buy Amer-*  
23 *ican Act" means title III of the Act entitled "An Act mak-*  
24 *ing appropriations for the Treasury and Post Office De-*  
25 *partments for the fiscal year ending June 30, 1934, and*

1 *for other purposes*”, approved March 3, 1933 (41 U.S.C.  
2 *10a et seq.*).

3       *SEC. 8038. Appropriations contained in this Act that*  
4 *remain available at the end of the current fiscal year as*  
5 *a result of energy cost savings realized by the Department*  
6 *of Defense shall remain available for obligation for the next*  
7 *fiscal year to the extent, and for the purposes, provided in*  
8 *section 2865 of title 10, United States Code.*

9       *SEC. 8039. During the current fiscal year, appropria-*  
10 *tions available to the Department of Defense may be used*  
11 *to reimburse a member of a reserve component of the Armed*  
12 *Forces who is not otherwise entitled to travel and transpor-*  
13 *tation allowances and who occupies transient government*  
14 *housing while performing active duty for training or inac-*  
15 *tive duty training: Provided, That such members may be*  
16 *provided lodging in kind if transient government quarters*  
17 *are unavailable as if the member was entitled to such allow-*  
18 *ances under subsection (a) of section 404 of title 37, United*  
19 *States Code: Provided further, That if lodging in kind is*  
20 *provided, any authorized service charge or cost of such lodg-*  
21 *ing may be paid directly from funds appropriated for oper-*  
22 *ation and maintenance of the reserve component of the*  
23 *member concerned.*

24       *SEC. 8040. The President shall include with each budg-*  
25 *et for a fiscal year submitted to the Congress under section*

1 1105 of title 31, United States Code, materials that shall  
2 identify clearly and separately the amounts requested in the  
3 budget for appropriation for that fiscal year for salaries  
4 and expenses related to administrative activities of the De-  
5 partment of Defense, the military departments, and the De-  
6 fense Agencies.

7       SEC. 8041. Notwithstanding any other provision of  
8 law, funds available for “Drug Interdiction and Counter-  
9 Drug Activities, Defense” may be obligated for the Young  
10 Marines program.

11       SEC. 8042. During the current fiscal year, amounts  
12 contained in the Department of Defense Overseas Military  
13 Facility Investment Recovery Account established by section  
14 2921(c)(1) of the National Defense Authorization Act of  
15 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be  
16 available until expended for the payments specified by sec-  
17 tion 2921(c)(2) of that Act: Provided, That none of the  
18 funds made available for expenditure under this section  
19 may be transferred or obligated until thirty days after the  
20 Secretary of Defense submits a report which details the bal-  
21 ance available in the Overseas Military Facility Investment  
22 Recovery Account, all projected income into the account  
23 during fiscal years 1999 and 2000, and the specific expend-  
24 itures to be made using funds transferred from this account  
25 during fiscal year 1999.

1        *SEC. 8043. Of the funds appropriated or otherwise*  
2 *made available by this Act, not more than \$119,200,000*  
3 *shall be available for payment of the operating costs of*  
4 *NATO Headquarters: Provided, That the Secretary of De-*  
5 *fense may waive this section for Department of Defense sup-*  
6 *port provided to NATO forces in and around the former*  
7 *Yugoslavia.*

8        *SEC. 8044. During the current fiscal year, appropria-*  
9 *tions which are available to the Department of Defense for*  
10 *operation and maintenance may be used to purchase items*  
11 *having an investment item unit cost of not more than*  
12 *\$100,000.*

13        *SEC. 8045. (a) During the current fiscal year, none*  
14 *of the appropriations or funds available to the Department*  
15 *of Defense Working Capital Funds shall be used for the pur-*  
16 *chase of an investment item for the purpose of acquiring*  
17 *a new inventory item for sale or anticipated sale during*  
18 *the current fiscal year or a subsequent fiscal year to cus-*  
19 *tomers of the Department of Defense Working Capital*  
20 *Funds if such an item would not have been chargeable to*  
21 *the Department of Defense Business Operations Fund dur-*  
22 *ing fiscal year 1994 and if the purchase of such an invest-*  
23 *ment item would be chargeable during the current fiscal*  
24 *year to appropriations made to the Department of Defense*  
25 *for procurement.*

1           (b) *The fiscal year 2000 budget request for the Depart-*  
2 *ment of Defense as well as all justification material and*  
3 *other documentation supporting the fiscal year 2000 De-*  
4 *partment of Defense budget shall be prepared and submitted*  
5 *to the Congress on the basis that any equipment which was*  
6 *classified as an end item and funded in a procurement ap-*  
7 *propriation contained in this Act shall be budgeted for in*  
8 *a proposed fiscal year 2000 procurement appropriation and*  
9 *not in the supply management business area or any other*  
10 *area or category of the Department of Defense Working*  
11 *Capital Funds.*

12           *SEC. 8046. None of the funds provided in this Act and*  
13 *hereafter shall be available for use by a military department*  
14 *to modify an aircraft, weapon, ship or other item of equip-*  
15 *ment, that the military department concerned plans to re-*  
16 *tire or otherwise dispose of within 5 years after completion*  
17 *of the modification: Provided, That this prohibition shall*  
18 *not apply to safety modifications: Provided further, That*  
19 *this prohibition may be waived by the Secretary of a mili-*  
20 *tary department if the Secretary determines it is in the best*  
21 *national security interest of the United States to provide*  
22 *such waiver and so notifies the congressional defense com-*  
23 *mittees in writing.*

24           *SEC. 8047. None of the funds appropriated by this Act*  
25 *for programs of the Central Intelligence Agency shall re-*

1 main available for obligation beyond the current fiscal year,  
2 except for funds appropriated for the Reserve for Contin-  
3 gencies, which shall remain available until September 30,  
4 2000: Provided, That funds appropriated, transferred or  
5 otherwise credited to the Central Intelligence Agency Cen-  
6 tral Services Working Capital Fund during this or any  
7 prior or subsequent fiscal year shall remain available until  
8 expended.

9       SEC. 8048. Notwithstanding any other provision of  
10 law, funds made available in this Act for the Defense Intel-  
11 ligence Agency may be used for the design, development, and  
12 deployment of General Defense Intelligence Program intel-  
13 ligence communications and intelligence information sys-  
14 tems for the Services, the Unified and Specified Commands,  
15 and the component commands.

16       SEC. 8049. Of the funds appropriated by the Depart-  
17 ment of Defense under the heading “OPERATION AND MAIN-  
18 TENANCE, DEFENSE-WIDE”, not less than \$8,000,000 shall  
19 be made available only for the mitigation of environmental  
20 impacts, including training and technical assistance to  
21 tribes, related administrative support, the gathering of in-  
22 formation, documenting of environmental damage, and de-  
23 veloping a system for prioritization of mitigation and cost  
24 to complete estimates for mitigation, on Indian lands re-  
25 sulting from Department of Defense activities.

1        *SEC. 8050. Amounts collected for the use of the facili-*  
2 *ties of the National Science Center for Communications and*  
3 *Electronics during the current fiscal year pursuant to sec-*  
4 *tion 1459(g) of the Department of Defense Authorization*  
5 *Act, 1986, and deposited to the special account established*  
6 *under subsection 1459(g)(2) of that Act are appropriated*  
7 *and shall be available until expended for the operation and*  
8 *maintenance of the Center as provided for in subsection*  
9 *1459(g)(2).*

10        *SEC. 8051. None of the funds appropriated in this Act*  
11 *may be used to fill the commander's position at any mili-*  
12 *tary medical facility with a health care professional unless*  
13 *the prospective candidate can demonstrate professional ad-*  
14 *ministrative skills.*

15        *SEC. 8052. (a) None of the funds appropriated in this*  
16 *Act may be expended by an entity of the Department of*  
17 *Defense unless the entity, in expending the funds, complies*  
18 *with the Buy American Act. For purposes of this subsection,*  
19 *the term "Buy American Act" means title III of the Act*  
20 *entitled "An Act making appropriations for the Treasury*  
21 *and Post Office Departments for the fiscal year ending June*  
22 *30, 1934, and for other purposes", approved March 3, 1933*  
23 *(41 U.S.C. 10a et seq.).*

24        *(b) If the Secretary of Defense determines that a person*  
25 *has been convicted of intentionally affixing a label bearing*

1 a “Made in America” inscription to any product sold in  
2 or shipped to the United States that is not made in Amer-  
3 ica, the Secretary shall determine, in accordance with sec-  
4 tion 2410f of title 10, United States Code, whether the per-  
5 son should be debarred from contracting with the Depart-  
6 ment of Defense.

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

14 SEC. 8053. None of the funds appropriated by this Act  
15 shall be available for a contract for studies, analysis, or  
16 consulting services entered into without competition on the  
17 basis of an unsolicited proposal unless the head of the activ-  
18 ity responsible for the procurement determines—

19 (1) as a result of thorough technical evaluation,  
20 only one source is found fully qualified to perform the  
21 proposed work; or

22 (2) the purpose of the contract is to explore an  
23 unsolicited proposal which offers significant scientific  
24 or technological promise, represents the product of

1       *original thinking, and was submitted in confidence*  
2       *by one source; or*

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

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

15        *SEC. 8054. (a) Except as provided in subsections (b)*  
16      *and (c), none of the funds made available by this Act may*  
17      *be used—*

18               *(1) to establish a field operating agency; or*

19               *(2) to pay the basic pay of a member of the*  
20      *Armed Forces or civilian employee of the department*  
21      *who is transferred or reassigned from a headquarters*  
22      *activity if the member or employee's place of duty re-*  
23      *mains at the location of that headquarters.*

24        *(b) The Secretary of Defense or Secretary of a military*  
25      *department may waive the limitations in subsection (a),*

1 *on a case-by-case basis, if the Secretary determines, and cer-*  
2 *tifies to the Committees on Appropriations of the House of*  
3 *Representatives and Senate that the granting of the waiver*  
4 *will reduce the personnel requirements or the financial re-*  
5 *quirements of the department.*

6 *(c) This section does not apply to field operating agen-*  
7 *cies funded within the National Foreign Intelligence Pro-*  
8 *gram.*

9 *SEC. 8055. Funds appropriated by this Act for intel-*  
10 *ligence activities are deemed to be specifically authorized*  
11 *by the Congress for purposes of section 504 of the National*  
12 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*  
13 *1999 until the enactment of the Intelligence Authorization*  
14 *Act for Fiscal Year 1999.*

15 *SEC. 8056. Notwithstanding section 303 of Public Law*  
16 *96-487 or any other provision of law, the Secretary of the*  
17 *Navy is authorized to lease real and personal property at*  
18 *Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C.*  
19 *2667(f), for commercial, industrial or other purposes: Pro-*  
20 *vided, That notwithstanding any other provision of law, the*  
21 *Secretary of the Navy may remove hazardous materials*  
22 *from facilities, buildings, and structures at Adak, Alaska,*  
23 *and may demolish or otherwise dispose of such facilities,*  
24 *buildings, and structures.*

(RESCISSIONS)

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*SEC. 8057. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded as of the date of enactment of this Act from the following accounts in the specified amounts:*

*“Shipbuilding and Conversion, Navy, 1998/2002”, \$25,000,000;*

*“Other Procurement, Army, 1998/2000”, \$24,000,000;*

*“Aircraft Procurement, Air Force, 1998/2000”, \$10,800,000; and*

*“Research, Development, Test and Evaluation, Defense-Wide, 1997/1998”, \$10,000,000.*

*SEC. 8058. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.*

*SEC. 8059. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People’s Republic*

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

3       *SEC. 8060. 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,*  
8 *United States Code: Provided, That during the performance*  
9 *of 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. 8061. 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 National Foreign Intelligence*  
24 *Program (NFIP), the Joint Military Intelligence Program*  
25 *(JMIP) and the Tactical Intelligence and Related Activities*

1 *(TIARA) aggregate: Provided, That nothing in this section*  
2 *authorizes deviation from established Reserve and National*  
3 *Guard personnel and training procedures.*

4       *SEC. 8062. During the current fiscal year, none of the*  
5 *funds appropriated in this Act may be used to reduce the*  
6 *civilian medical and medical support personnel assigned to*  
7 *military treatment facilities below the September 30, 1997*  
8 *level: Provided, That the Service Surgeons General may*  
9 *waive this section by certifying to the congressional defense*  
10 *committees that the beneficiary population is declining in*  
11 *some catchment areas and civilian strength reductions may*  
12 *be consistent with responsible resource stewardship and*  
13 *capitation-based budgeting.*

14                                   *(INCLUDING TRANSFER OF FUNDS)*

15       *SEC. 8063. None of the funds appropriated in this Act*  
16 *may be transferred to or obligated from the Pentagon Res-*  
17 *ervation Maintenance Revolving Fund, unless the Secretary*  
18 *of Defense certifies that the total cost for the planning, de-*  
19 *sign, construction and installation of equipment for the ren-*  
20 *ovation of the Pentagon Reservation will not exceed*  
21 *\$1,118,000,000.*

22       *SEC. 8064. (a) None of the funds available to the De-*  
23 *partment of Defense for any fiscal year for drug interdic-*  
24 *tion or counter-drug activities may be transferred to any*  
25 *other department or agency of the United States except as*  
26 *specifically provided in an appropriations law.*



1 *must be made in order to acquire capability for national*  
2 *security purposes.*

3       *SEC. 8067. Notwithstanding any other provision of*  
4 *law, funds available to the Department of Defense shall be*  
5 *made available to provide transportation of medical sup-*  
6 *plies and equipment, on a nonreimbursable basis, to Amer-*  
7 *ican Samoa: Provided, That notwithstanding any other*  
8 *provision of law, funds available to the Department of De-*  
9 *fense shall be made available to provide transportation of*  
10 *medical supplies and equipment, on a nonreimbursable*  
11 *basis, to the Indian Health Service when it is in conjunc-*  
12 *tion with a civil-military project.*

13       *SEC. 8068. None of the funds in this Act may be used*  
14 *to purchase any supercomputer which is not manufactured*  
15 *in the United States, unless the Secretary of Defense cer-*  
16 *tifies to the congressional defense committees that such an*  
17 *acquisition must be made in order to acquire capability for*  
18 *national security purposes that is not available from*  
19 *United States manufacturers.*

20       *SEC. 8069. Notwithstanding any other provision of*  
21 *law, the Naval shipyards of the United States shall be eligi-*  
22 *ble to participate in any manufacturing extension program*  
23 *financed by funds appropriated in this or any other Act.*

24       *SEC. 8070. Notwithstanding any other provision of*  
25 *law, each contract awarded by the Department of Defense*

1 *during the current fiscal year for construction or service*  
2 *performed in whole or in part in a State which is not con-*  
3 *tiguous with another State and has an unemployment rate*  
4 *in excess of the national average rate of unemployment as*  
5 *determined by the Secretary of Labor, shall include a provi-*  
6 *sion requiring the contractor to employ, for the purpose of*  
7 *performing that portion of the contract in such State that*  
8 *is not contiguous with another State, individuals who are*  
9 *residents of such State and who, in the case of any craft*  
10 *or trade, possess or would be able to acquire promptly the*  
11 *necessary skills: Provided, That the Secretary of Defense*  
12 *may waive the requirements of this section, on a case-by-*  
13 *case basis, in the interest of national security.*

14 *SEC. 8071. (a) The Secretary of Defense shall submit,*  
15 *on a quarterly basis, a report to the congressional defense*  
16 *committees, the Committee on International Relations of*  
17 *the House of Representatives and the Committee on Foreign*  
18 *Relations of the Senate setting forth all costs (including in-*  
19 *cremental costs) incurred by the Department of Defense*  
20 *during the preceding quarter in implementing or support-*  
21 *ing resolutions of the United Nations Security Council, in-*  
22 *cluding any such resolution calling for international sanc-*  
23 *tions, international peacekeeping operations, and humani-*  
24 *tarian missions undertaken by the Department of Defense.*

1 *The quarterly report shall include an aggregate of all such*  
2 *Department of Defense costs by operation or mission.*

3 *(b) The Secretary of Defense shall detail in the quar-*  
4 *terly reports all efforts made to seek credit against past*  
5 *United Nations expenditures and all efforts made to seek*  
6 *compensation from the United Nations for costs incurred*  
7 *by the Department of Defense in implementing and sup-*  
8 *porting United Nations activities.*

9 *SEC. 8072. (a) LIMITATION ON TRANSFER OF DE-*  
10 *FENSE ARTICLES AND SERVICES.—Notwithstanding any*  
11 *other provision of law, none of the funds available to the*  
12 *Department of Defense for the current fiscal year may be*  
13 *obligated or expended to transfer to another nation or an*  
14 *international organization any defense articles or services*  
15 *(other than intelligence services) for use in the activities de-*  
16 *scribed in subsection (b) unless the congressional defense*  
17 *committees, the Committee on International Relations of*  
18 *the House of Representatives, and the Committee on For-*  
19 *ign Relations of the Senate are notified 15 days in advance*  
20 *of such transfer.*

21 *(b) COVERED ACTIVITIES.—This section applies to—*  
22 *(1) any international peacekeeping or peace-en-*  
23 *forcement operation under the authority of chapter VI*  
24 *or chapter VII of the United Nations Charter under*

1 *the authority of a United Nations Security Council*  
2 *resolution; and*

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

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

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

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

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

13 *(A) a statement of whether the inventory re-*  
14 *quirements of all elements of the Armed Forces*  
15 *(including the reserve components) for the type*  
16 *of equipment or supplies to be transferred have*  
17 *been met; and*

18 *(B) a statement of whether the items pro-*  
19 *posed to be transferred will have to be replaced*  
20 *and, if so, how the President proposes to provide*  
21 *funds for such replacement.*

22 *SEC. 8073. To the extent authorized by subchapter VI*  
23 *of chapter 148 of title 10, United States Code, the Secretary*  
24 *of Defense shall issue loan guarantees in support of United*  
25 *States defense exports not otherwise provided for: Provided,*

1 *That the total contingent liability of the United States for*  
2 *guarantees issued under the authority of this section may*  
3 *not exceed \$15,000,000,000: Provided further, That the ex-*  
4 *posure fees charged and collected by the Secretary for each*  
5 *guarantee, shall be paid by the country involved and shall*  
6 *not be financed as part of a loan guaranteed by the United*  
7 *States: Provided further, That the Secretary shall provide*  
8 *quarterly reports to the Committees on Appropriations,*  
9 *Armed Services and Foreign Relations of the Senate and*  
10 *the Committees on Appropriations, National Security and*  
11 *International Relations in the House of Representatives on*  
12 *the implementation of this program: Provided further, That*  
13 *amounts charged for administrative fees and deposited to*  
14 *the special account provided for under section 2540c(d) of*  
15 *title 10, shall be available for paying the costs of adminis-*  
16 *trative expenses of the Department of Defense that are at-*  
17 *tributable to the loan guarantee program under subchapter*  
18 *VI of chapter 148 of title 10.*

19       *SEC. 8074. None of the funds available to the Depart-*  
20 *ment of Defense shall be obligated or expended to make a*  
21 *financial contribution to the United Nations for the cost*  
22 *of an United Nations peacekeeping activity (whether pursu-*  
23 *ant to assessment or a voluntary contribution) or for pay-*  
24 *ment of any United States arrearage to the United Nations.*

1       *SEC. 8075. None of the funds available to the Depart-*  
2 *ment of Defense under this Act shall be obligated or ex-*  
3 *pended to pay a contractor under a contract with the De-*  
4 *partment of Defense for costs of any amount paid by the*  
5 *contractor to an employee when—*

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

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

11       *SEC. 8076. (a) None of the funds appropriated or oth-*  
12 *erwise made available in this Act may be used to transport*  
13 *or provide for the transportation of chemical munitions or*  
14 *agents to the Johnston Atoll for the purpose of storing or*  
15 *demilitarizing such munitions or agents.*

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

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

23       *SEC. 8077. None of the funds provided in title II of*  
24 *this Act for “Former Soviet Union Threat Reduction” may*  
25 *be obligated or expended to finance housing for any individ-*

1 *ual who was a member of the military forces of the Soviet*  
2 *Union or for any individual who is or was a member of*  
3 *the military forces of the Russian Federation.*

4       *SEC. 8078. During the current fiscal year, no more*  
5 *than \$15,000,000 of appropriations made in this Act under*  
6 *the heading “OPERATION AND MAINTENANCE, DEFENSE-*  
7 *WIDE” may be transferred to appropriations available for*  
8 *the pay of military personnel, to be merged with, and to*  
9 *be available for the same time period as the appropriations*  
10 *to which transferred, to be used in support of such personnel*  
11 *in connection with support and services for eligible organi-*  
12 *zations and activities outside the Department of Defense*  
13 *pursuant to section 2012 of title 10, United States Code.*

14       *SEC. 8079. For purposes of section 1553(b) of title 31,*  
15 *United States Code, any subdivision of appropriations*  
16 *made in this Act under the heading “SHIPBUILDING AND*  
17 *CONVERSION, NAVY” shall be considered to be for the same*  
18 *purpose as any subdivision under the heading “SHIPBUILD-*  
19 *ING AND CONVERSION, NAVY” appropriations in any prior*  
20 *year, and the 1 percent limitation shall apply to the total*  
21 *amount of the appropriation.*

22       *SEC. 8080. During the current fiscal year, in the case*  
23 *of an appropriation account of the Department of Defense*  
24 *for which the period of availability for obligation has ex-*  
25 *pired or which has closed under the provisions of section*

1 1552 of title 31, United States Code, and which has a nega-  
2 tive unliquidated or unexpended balance, an obligation or  
3 an adjustment of an obligation may be charged to any cur-  
4 rent appropriation account for the same purpose as the ex-  
5 pired or closed account if—

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

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

13 (3) in the case of an expired account, the obliga-  
14 tion is not chargeable to a current appropriation of  
15 the Department of Defense under the provisions of sec-  
16 tion 1405(b)(8) of the National Defense Authorization  
17 Act for Fiscal Year 1991, Public Law 101-510, as  
18 amended (31 U.S.C. 1551 note): Provided, That in  
19 the case of an expired account, if subsequent review  
20 or investigation discloses that there was not in fact a  
21 negative unliquidated or unexpended balance in the  
22 account, any charge to a current account under the  
23 authority of this section shall be reversed and re-  
24 corded against the expired account: Provided further,  
25 That the total amount charged to a current appro-



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

3                    *SSN–21 attack submarine program,*  
4                    *\$13,019,000;*

5                    *From:*

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

8                    *LHD–1 amphibious assault ship pro-*  
9                    *gram, \$5,729,000;*

10                  *To:*

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

13                  *MCS(C) mine warfare command and*  
14                  *control ship program, \$5,729,000;*

15                  *From:*

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

18                  *SSN–21 attack submarine program,*  
19                  *\$26,526,000;*

20                  *To:*

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

23                  *SSN–21 attack submarine program,*  
24                  *\$16,967,000;*

1                    *Under the heading, “Shipbuilding and Con-*  
2                    *version, Navy, 1995/2001”:*

3                    *Carrier replacement program,*  
4                    *\$8,007,000;*

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

7                    *Fast Patrol craft program, \$345,000;*

8                    *Under the heading, “Shipbuilding and Con-*  
9                    *version, Navy, 1997/2000”:*

10                    *AGOR SWATH oceanographic re-*  
11                    *search program, \$1,207,000;*

12                    *From:*

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

15                    *LHD-1 amphibious assault ship pro-*  
16                    *gram, \$3,400,000;*

17                    *To:*

18                    *Under the heading, “Shipbuilding and Con-*  
19                    *version, Navy, 1995/2001”:*

20                    *Carrier replacement program,*  
21                    *\$3,400,000;*

22                    *From:*

23                    *Under the heading, “Shipbuilding and Con-*  
24                    *version, Navy, 1998/2002”:*

25                    *CVN Refuelings, \$14,791,000;*

1           *To:*

2                     *Under the heading, “Shipbuilding and Con-*  
3                     *version, Navy, 1995/2001”:*

4                             *Carrier replacement program,*  
5                             *\$14,791,000;*

6           *From:*

7                     *Under the heading, “Shipbuilding and Con-*  
8                     *version, Navy, 1998/2002”:*

9                             *DDG-51(AP) destroyer program,*  
10                            *\$9,009,000;*

11           *To:*

12                     *Under the heading, “Shipbuilding and Con-*  
13                     *version, Navy, 1998/2002”:*

14                            *DDG-51 destroyer program,*  
15                            *\$9,009,000.*

16       *SEC. 8082. The Under Secretary of Defense (Comptrol-*  
17       *ler) shall submit to the congressional defense committees by*  
18       *February 1, 1999, a detailed report identifying, by amount*  
19       *and by separate budget activity, activity group, subactivity*  
20       *group, line item, program element, program, project, sub-*  
21       *project, and activity, any activity for which the fiscal year*  
22       *2000 budget request was reduced because Congress appro-*  
23       *priated funds above the President’s budget request for that*  
24       *specific activity for fiscal year 1999.*

1        *SEC. 8083. Funds appropriated in title II of this Act*  
2 *for supervision and administration costs for facilities*  
3 *maintenance and repair, minor construction, or design*  
4 *projects may be obligated at the time the reimbursable order*  
5 *is accepted by the performing activity: Provided, That for*  
6 *the purpose of this section, supervision and administration*  
7 *costs includes all in-house Government cost.*

8        *SEC. 8084. The Secretary of Defense may waive reim-*  
9 *bursement of the cost of conferences, seminars, courses of*  
10 *instruction, or similar educational activities of the Asia-*  
11 *Pacific Center for Security Studies for military officers and*  
12 *civilian officials of foreign nations if the Secretary deter-*  
13 *mines that attendance by such personnel, without reim-*  
14 *bursement, is in the national security interest of the United*  
15 *States: Provided, That costs for which reimbursement is*  
16 *waived pursuant to this subsection shall be paid from ap-*  
17 *propriations available for the Asia-Pacific Center.*

18        *SEC. 8085. (a) Notwithstanding any other provision*  
19 *of law, the Chief of the National Guard Bureau may permit*  
20 *the use of equipment of the National Guard Distance Learn-*  
21 *ing Project by any person or entity on a space-available,*  
22 *reimbursable basis. The Chief of the National Guard Bu-*  
23 *reau shall establish the amount of reimbursement for such*  
24 *use on a case-by-case basis.*

1       (b) Amounts collected under subsection (a) shall be  
2 credited to funds available for the National Guard Distance  
3 Learning Project and be available to defray the costs associ-  
4 ated with the use of equipment of the project under that  
5 subsection. Such funds shall be available for such purposes  
6 without fiscal year limitation.

7       SEC. 8086. During the current fiscal year, the amounts  
8 which are necessary for the operation and maintenance of  
9 the Fisher Houses administered by the Departments of the  
10 Army, the Navy, and the Air Force are hereby appro-  
11 priated, to be derived from amounts which are available  
12 in the applicable Fisher House trust fund established under  
13 10 U.S.C. 2221 for the Fisher Houses of each such depart-  
14 ment.

15       SEC. 8087. During the current fiscal year, refunds at-  
16 tributable to the use of the Government travel card by mili-  
17 tary personnel and civilian employees of the Department  
18 of Defense may be credited to operation and maintenance  
19 accounts of the Department of Defense which are current  
20 when the refunds are received.

21       SEC. 8088. During the current fiscal year, not more  
22 than a total of \$60,000,000 in withdrawal credits may be  
23 made by the Marine Corps Supply Management activity  
24 group of the Navy Working Capital Fund, Department of  
25 Defense Working Capital Funds, to the credit of current ap-

1 *plicable appropriations of a Department of Defense activity*  
2 *in connection with the acquisition of critical low density*  
3 *repairables that are capitalized into the Navy Working*  
4 *Capital Fund.*

5 *SEC. 8089. Notwithstanding 31 U.S.C. 3902, during*  
6 *the current fiscal year interest penalties may be paid by*  
7 *the Department of Defense from funds financing the oper-*  
8 *ation of the military department or defense agency with*  
9 *which the invoice or contract payment is associated.*

10 *SEC. 8090. At the time the President submits his budg-*  
11 *et for fiscal year 2000, the Department of Defense shall*  
12 *transmit to the congressional defense committees a budget*  
13 *justification document for the active and reserve Military*  
14 *Personnel accounts, to be known as the “M-1”, which shall*  
15 *identify, at the budget activity, activity group, and sub-*  
16 *activity group level, the amounts requested by the President*  
17 *to be appropriated to the Department of Defense for mili-*  
18 *tary personnel in any budget request, or amended budget*  
19 *request, for fiscal year 2000.*

20 *SEC. 8091. During the current fiscal year, the Sec-*  
21 *retary of Defense may award contracts for capital assets*  
22 *having a development or acquisition cost of not less than*  
23 *\$100,000 of a Working Capital Fund in advance of the*  
24 *availability of funds in the Working Capital Fund for*

1 *minor construction, automatic data processing equipment,*  
2 *software, equipment, and other capital improvements.*

3       *SEC. 8092. None of the funds appropriated in title IV*  
4 *of this Act may be used to procure end-items for delivery*  
5 *to military forces for operational training, operational use*  
6 *or inventory requirements: Provided, That this restriction*  
7 *does not apply to end-items used in development, proto-*  
8 *typing, and test activities preceding and leading to accept-*  
9 *ance for operational use: Provided further, That this restric-*  
10 *tion does not apply to programs funded within the National*  
11 *Foreign Intelligence Program: Provided further, That the*  
12 *Secretary of Defense may waive this restriction on a case-*  
13 *by-case basis by certifying in writing to the Committees on*  
14 *Appropriations of the House of Representatives and the*  
15 *Senate that it is in the national security interest to do so.*

16       *SEC. 8093. The budget of the President for fiscal year*  
17 *2000 submitted to Congress pursuant to section 1105 of title*  
18 *31, United States Code, and each annual budget request*  
19 *thereafter, shall include budget activity groups (known as*  
20 *“subactivities”) in the operation and maintenance accounts*  
21 *of the military departments and other appropriation ac-*  
22 *counts, as may be necessary, to separately identify all costs*  
23 *incurred by the Department of Defense to support the ex-*  
24 *pansion of the North Atlantic Treaty Organization. The*  
25 *budget justification materials submitted to Congress in sup-*

1 *port of the budget of the Department of Defense for fiscal*  
2 *year 2000, and subsequent fiscal years, shall provide com-*  
3 *plete, detailed estimates for the incremental costs of such*  
4 *expansion.*

5       *SEC. 8094. (a) The Secretary of Defense may, on a*  
6 *case-by-case basis, waive with respect to a foreign country*  
7 *each limitation on the procurement of defense items from*  
8 *foreign sources provided in law if the Secretary determines*  
9 *that the application of the limitation with respect to that*  
10 *country would invalidate cooperative programs entered into*  
11 *between the Department of Defense and the foreign country,*  
12 *or would invalidate reciprocal trade agreements for the pro-*  
13 *curement of defense items entered into under section 2531*  
14 *of title 10, United States Code, and the country does not*  
15 *discriminate against the same or similar defense items pro-*  
16 *duced in the United States for that country.*

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

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

20               *(2) options for the procurement of items that are*  
21               *exercised after such date under contracts that are en-*  
22               *tered into before such date if the option prices are ad-*  
23               *justed for any reason other than the application of a*  
24               *waiver granted under subsection (a).*

1       (c) Subsection (a) does not apply to a limitation re-  
2       garding construction of warships, ball and roller bearings,  
3       and clothing or textile materials as defined by section 11  
4       (chapters 50–65) of the Harmonized Tariff Schedule and  
5       products classified under headings 4010, 4202, 4203, 6401  
6       through 6406, 6505, 7019, and 9404.

7       SEC. 8095. Notwithstanding 31 U.S.C. 1552(a), of the  
8       funds provided in Department of Defense Appropriations  
9       Acts, not more than the specified amounts from the follow-  
10      ing accounts shall remain available for the payment of sat-  
11      ellite on-orbit incentive fees until the fees are paid:

12             Missile Procurement, Air Force, 1995/1997,  
13             \$20,978,000;

14             Missile Procurement, Air Force, 1996/1998,  
15             \$16,782,400.

16      SEC. 8096. During fiscal year 1999, advance billing  
17      for services provided or work performed by the Working  
18      Capital Fund activities of the Department of the Air Force  
19      in excess of \$100,000,000 is prohibited.

20      SEC. 8097. Notwithstanding any other provision in  
21      this Act, the total amount appropriated in title II is hereby  
22      reduced by \$150,000,000 to reflect savings resulting from  
23      consolidations and personnel reductions as mandated in the  
24      Defense Reform Initiative.

1        *SEC. 8098. Notwithstanding any other provision in*  
2 *this Act, the total amount appropriated in this Act is here-*  
3 *by reduced by \$400,600,000 to reflect savings from revised*  
4 *economic assumptions, to be distributed as follows:*

5            *Operation and Maintenance, Army, \$24,000,000;*

6            *Operation and Maintenance, Navy, \$32,000,000;*

7            *Operation and Maintenance, Marine Corps,*  
8 *\$4,000,000;*

9            *Operation and Maintenance, Air Force,*  
10 *\$31,000,000;*

11           *Operation and Maintenance, Defense-Wide,*  
12 *\$17,600,000;*

13           *Operation and Maintenance, Army Reserve,*  
14 *\$2,000,000;*

15           *Operation and Maintenance, Navy Reserve,*  
16 *\$2,000,000;*

17           *Operation and Maintenance, Air Force Reserve,*  
18 *\$2,000,000;*

19           *Operation and Maintenance, Army National*  
20 *Guard, \$4,000,000;*

21           *Operation and Maintenance, Air National*  
22 *Guard, \$4,000,000;*

23           *Drug Interdiction and Counter-Drug Activities,*  
24 *Defense, \$2,000,000;*

25           *Environmental Restoration, Army, \$1,000,000;*

1           *Environmental Restoration, Navy, \$1,000,000;*  
2           *Environmental Restoration, Air Force,*  
3           *\$1,000,000;*  
4           *Environmental Restoration, Defense-Wide,*  
5           *\$1,000,000;*  
6           *Defense Health Program, \$36,000,000;*  
7           *Aircraft Procurement, Army, \$4,000,000;*  
8           *Missile Procurement, Army, \$4,000,000;*  
9           *Procurement of Weapons and Tracked Combat*  
10          *Vehicles, Army, \$4,000,000;*  
11          *Procurement of Ammunition, Army, \$3,000,000;*  
12          *Other Procurement, Army, \$9,000,000;*  
13          *Aircraft Procurement, Navy, \$22,000,000;*  
14          *Weapons Procurement, Navy, \$4,000,000;*  
15          *Procurement of Ammunition, Navy and Marine*  
16          *Corps, \$1,000,000;*  
17          *Shipbuilding and Conversion, Navy,*  
18          *\$18,000,000;*  
19          *Other Procurement, Navy, \$12,000,000;*  
20          *Procurement, Marine Corps, \$2,000,000;*  
21          *Aircraft Procurement, Air Force, \$23,000,000;*  
22          *Missile Procurement, Air Force, \$7,000,000;*  
23          *Procurement of Ammunition, Air Force,*  
24          *\$1,000,000;*  
25          *Other Procurement, Air Force, \$17,500,000;*

1            *Procurement, Defense-Wide, \$5,800,000;*  
2            *Chemical Agents and Munitions Destruction, De-*  
3            *fense, \$3,000,000;*  
4            *Research, Development, Test and Evaluation,*  
5            *Army, \$10,000,000;*  
6            *Research, Development, Test and Evaluation,*  
7            *Navy, \$20,000,000;*  
8            *Research, Development, Test and Evaluation,*  
9            *Air Force, \$39,000,000; and*  
10           *Research, Development, Test and Evaluation,*  
11           *Defense-Wide, \$26,700,000:*

12 *Provided, That these reductions shall be applied proportion-*  
13 *ally to each budget activity, activity group and subactivity*  
14 *group and each program, project, and activity within each*  
15 *appropriation account.*

16        *SEC. 8099. Notwithstanding any other provision of*  
17 *law, of the revenue collected by the Department of Defense*  
18 *Working Capital Funds, such amounts as may be required*  
19 *shall be made available for obligation and expenditure for*  
20 *indemnification of the leasing entity or entities to accom-*  
21 *plish the lease of aircraft engines for C-135-type aircraft:*  
22 *Provided, That the funds made available pursuant to this*  
23 *section shall remain available until expended.*

24        *SEC. 8100. (a) The Secretary of the Navy is hereby*  
25 *authorized to transfer naval vessels on a sale or combined*

1 *lease-sale basis in accordance with the text of Amendment*  
2 *No. 2449 intended to be proposed to the bill, S. 2057, 105th*  
3 *Congress, second session, as filed in the Senate on June 4,*  
4 *1998.*

5 *(b) There is hereby established in the Treasury of the*  
6 *United States a special account to be known as the Defense*  
7 *Vessels Transfer Program Account. There is hereby appro-*  
8 *priated into that account such sums as may be necessary*  
9 *for paying the costs (as defined in section 502 of the Con-*  
10 *gressional Budget and Impoundment Control Act of 1974*  
11 *(2 U.S.C. 661a)) associated with the lease-sale transfers au-*  
12 *thorized under section (a). Funds in that account are avail-*  
13 *able only for the purpose of covering those costs.*

14 *SEC. 8101. Amendment No. 2448 as submitted to the*  
15 *Senate and reported in the Congressional Record on June*  
16 *4, 1998, is hereby enacted into law.*

17 *SEC. 8102. Amendment No. 2447 as submitted to the*  
18 *Senate and reported in the Congressional Record on June*  
19 *4, 1998, is hereby enacted into law.*

20 *SEC. 8103. None of the funds made available by this*  
21 *Act shall be used by the Army to reduce civilian personnel*  
22 *workforce levels at United States Army, Pacific*  
23 *(USARPAC) bases and at Major Range and Test Facility*  
24 *Bases (MRTFBs) in the United States in fiscal year 1999*  
25 *below levels assumed in this Act unless the Secretary of the*

1 *Army notifies the Congressional defense committees not less*  
2 *than 30 days prior to implementation of any civilian per-*  
3 *sonnel workforce reductions.*

4       *SEC. 8104. (a) In addition to funds provided under*  
5 *title I of this Act, the following amounts are hereby appro-*  
6 *priated: for “MILITARY PERSONNEL, ARMY”, \$58,000,000;*  
7 *for “MILITARY PERSONNEL, NAVY”, \$43,000,000; for “MILI-*  
8 *TARY PERSONNEL, MARINE CORPS”, \$14,000,000; for*  
9 *“MILITARY PERSONNEL, AIR FORCE”, \$44,000,000; for*  
10 *“RESERVE PERSONNEL, ARMY”, \$5,377,000; for “RESERVE*  
11 *PERSONNEL, NAVY”, \$3,684,000; for “RESERVE PERSON-*  
12 *NEL, MARINE CORPS”, \$1,103,000; for “RESERVE PERSON-*  
13 *NEL, AIR FORCE”, \$1,000,000; for “NATIONAL GUARD PER-*  
14 *SONNEL, ARMY”, \$9,392,000; and for “NATIONAL GUARD*  
15 *PERSONNEL, AIR FORCE”, \$4,112,000.*

16       *(b) Notwithstanding any other provision in this Act,*  
17 *the total amount available in this Act for “QUALITY OF*  
18 *LIFE ENHANCEMENTS, DEFENSE”, real property mainte-*  
19 *nance is hereby decreased by reducing the total amounts*  
20 *appropriated in the following accounts: “OPERATION AND*  
21 *MAINTENANCE, ARMY”, by \$58,000,000; “OPERATION AND*  
22 *MAINTENANCE, NAVY”, by \$43,000,000; “OPERATION AND*  
23 *MAINTENANCE, MARINE CORPS”, by \$14,000,000; and “OP-*  
24 *ERATION AND MAINTENANCE, AIR FORCE”, by \$44,000,000.*

1       (c) Notwithstanding any other provision in this Act,  
2 the total amount appropriated under the heading “NA-  
3 TIONAL GUARD AND RESERVE EQUIPMENT”, is hereby re-  
4 duced by \$24,668,000.

5       SEC. 8105. For an additional amount for “Overseas  
6 Contingency Operations Transfer Fund”, \$1,858,600,000:  
7 Provided, That the Secretary of Defense may transfer these  
8 funds only to military personnel accounts, operation and  
9 maintenance accounts, procurement accounts, the defense  
10 health program appropriations and working capital funds:  
11 Provided further, That the funds transferred shall be merged  
12 with and shall be available for the same purposes and for  
13 the same time period, as the appropriation to which trans-  
14 ferred: Provided further, That the transfer authority pro-  
15 vided in this paragraph is in addition to any other transfer  
16 authority available to the Department of Defense: Provided  
17 further, That such amount is designated by Congress as an  
18 emergency requirement pursuant to section 251(b)(2)(A) of  
19 the Balanced Budget and Emergency Deficit Control Act  
20 of 1985, as amended.

21       SEC. 8106. (a) None of the funds appropriated or oth-  
22 erwise made available under this Act may be obligated or  
23 expended for any deployment of forces of the Armed Forces  
24 of the United States to Yugoslavia, Albania, or Macedonia  
25 unless and until the President, after consultation with the

1 *Speaker of the House of Representatives, the Majority Lead-*  
2 *er of the Senate, the Minority Leader of the House of Rep-*  
3 *resentatives, and the Minority Leader of the Senate, trans-*  
4 *mits to Congress a report on the deployment that includes*  
5 *the following:*

6           (1) *The President's certification that the presence*  
7 *of those forces in each country to which the forces are*  
8 *to be deployed is necessary in the national security*  
9 *interests of the United States.*

10           (2) *The reasons why the deployment is in the na-*  
11 *tional security interests of the United States.*

12           (3) *The number of United States military per-*  
13 *sonnel to be deployed to each country.*

14           (4) *The mission and objectives of forces to be de-*  
15 *ployed.*

16           (5) *The expected schedule for accomplishing the*  
17 *objectives of the deployment.*

18           (6) *The exit strategy for United States forces en-*  
19 *gaged in the deployment.*

20           (7) *The costs associated with the deployment and*  
21 *the funding sources for paying those costs.*

22           (8) *The anticipated effects of the deployment on*  
23 *the morale, retention, and effectiveness of United*  
24 *States forces.*

1       (b) Subsection (a) does not apply to a deployment of  
2 forces—

3           (1) in accordance with United Nations Security  
4 Council Resolution 795; or

5           (2) under circumstances determined by the Presi-  
6 dent to be an emergency necessitating immediate de-  
7 ployment of the forces.

8       SEC. 8107. That of the amount available under Air  
9 National Guard, Operations and Maintenance for flying  
10 hours and related personnel support, \$2,250,000 shall be  
11 available for the Defense Systems Evaluation program for  
12 support of test and training operations at White Sands  
13 Missile Range, New Mexico, and Fort Bliss, Texas.

14       SEC. 8108. That of the funds appropriated for Defense-  
15 wide research, development, test and evaluation, \$1,000,000  
16 is available for Acoustic Sensor Technology Development  
17 Planning.

18       SEC. 8109. (a) The Secretary of Defense shall submit  
19 to the Committees on Appropriations of the Senate and the  
20 House of Representatives a report on food stamp assistance  
21 for members of the Armed Forces. The Secretary shall sub-  
22 mit the report at the same time that the Secretary submits  
23 to Congress, in support of the fiscal year 2000 budget, the  
24 materials that relate to the funding provided in that budget  
25 for the Department of Defense.

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

2               **(1)** *The number of members of the Armed Forces*  
3 *and dependents of members of the Armed Forces who*  
4 *are eligible for food stamps.*

5               **(2)** *The number of members of the Armed Forces*  
6 *and dependents of members of the Armed Forces who*  
7 *received food stamps in fiscal year 1998.*

8               **(3)** *A proposal for using, as a means for elimi-*  
9 *nating or reducing significantly the need of such per-*  
10 *sonnel for food stamps, the authority under section*  
11 *2828 of title 10, United States Code, to lease housing*  
12 *facilities for enlisted members of the Armed Forces*  
13 *and their families when Government quarters are not*  
14 *available for such personnel.*

15               **(4)** *A proposal for increased locality adjustments*  
16 *through the basic allowance for housing and other*  
17 *methods as a means for eliminating or reducing sig-*  
18 *nificantly the need of such personnel for food stamps.*

19               **(5)** *Other potential alternative actions (including*  
20 *any recommended legislation) for eliminating or re-*  
21 *ducing significantly the need of such personnel for*  
22 *food stamps.*

23               **(6)** *A discussion of the potential for each alter-*  
24 *native action referred to in paragraph (3) or (4) to*

1        *result in the elimination or a significant reduction in*  
2        *the need of such personnel for food stamps.*

3        *(c) Each potential alternative action included in the*  
4        *report under paragraph (3) or (4) of subsection (b) shall*  
5        *meet the following requirements:*

6            *(1) Apply only to persons referred to in para-*  
7            *graph (1) of such subsection.*

8            *(2) Be limited in cost to the lowest amount fea-*  
9            *sible to achieve the objectives.*

10        *(d) In this section:*

11            *(1) The term “fiscal year 2000 budget” means*  
12        *the budget for fiscal year 2000 that the President sub-*  
13        *mits to Congress under section 1105(a) of title 31,*  
14        *United States Code.*

15            *(2) The term “food stamps” means assistance*  
16        *under the Food Stamp Act of 1977 (7 U.S.C. 2011 et*  
17        *seq.).*

18        *SEC. 8110. (a) The Comptroller General shall carry*  
19        *out a study of issues relating to family life, morale, and*  
20        *retention of members of the Armed Forces and, not later*  
21        *than June 25, 1999, submit the results of the study to the*  
22        *Committees on Appropriations of the Senate and the House*  
23        *of Representatives. The Comptroller General may submit to*  
24        *the committees an interim report on the matters described*

1 *in paragraphs (1) and (2) of subsection (c). Any such in-*  
2 *terim report shall be submitted by February 12, 1999.*

3 *(b) In carrying out the study, the Comptroller General*  
4 *shall consult with experts on the subjects of the study who*  
5 *are independent of the Department of Defense.*

6 *(c) The study shall include the following matters:*

7 *(1) The conditions of the family lives of members*  
8 *of the Armed Forces and the members' needs regard-*  
9 *ing their family lives, including a discussion of each*  
10 *of the following:*

11 *(A) How leaders of the Department of De-*  
12 *fense and leaders of each of the Armed Forces—*

13 *(i) collect, organize, validate, and as-*  
14 *sess information to determine those condi-*  
15 *tions and needs;*

16 *(ii) determine consistency and vari-*  
17 *ations among the assessments and assessed*  
18 *information for each of the Armed Forces;*  
19 *and*

20 *(iii) use the information and assess-*  
21 *ments to address those conditions and needs.*

22 *(B) How the information on those condi-*  
23 *tions and needs compares with any correspond-*  
24 *ing information that is available on the condi-*  
25 *tions of the family lives of civilians in the*

1            *United States and the needs of such civilians re-*  
2            *garding their family lives.*

3            *(C) How the conditions of the family lives*  
4            *of members of each of the Armed Forces and the*  
5            *members' needs regarding their family lives com-*  
6            *pare with those of the members of each of the*  
7            *other Armed Forces.*

8            *(D) How the conditions and needs of the*  
9            *members compare or vary among members in re-*  
10           *lation to the pay grades of the members.*

11           *(E) How the conditions and needs of the*  
12           *members compare or vary among members in re-*  
13           *lation to the occupational specialties of the mem-*  
14           *bers.*

15           *(F) What, if any, effects high operating*  
16           *tempos of the Armed Forces have had on the*  
17           *family lives of members, including effects on the*  
18           *incidence of substance abuse, physical or emo-*  
19           *tional abuse of family members, and divorce.*

20           *(G) The extent to which family lives of*  
21           *members of the Armed Forces prevent members*  
22           *from being deployed.*

23           *(2) The rates of retention of members of the*  
24           *Armed Forces, including the following:*

1           (A) *The rates based on the latest informa-*  
2           *tion available when the report is prepared.*

3           (B) *Projected rates for future periods for*  
4           *which reasonably reliable projections can be*  
5           *made.*

6           (C) *An analysis of the rates under subpara-*  
7           *graphs (A) and (B) for each of the Armed Forces,*  
8           *each pay grade, and each major occupational*  
9           *specialty.*

10          (3) *The relationships among the quality of the*  
11          *family lives of members of the Armed Forces, high op-*  
12          *erating tempos of the Armed Forces, and retention of*  
13          *the members in the Armed Forces, analyzed for each*  
14          *of the Armed Forces, each pay grade, and each occu-*  
15          *pational specialty, including, to the extent ascertain-*  
16          *able and relevant to the analysis of the relationships,*  
17          *the reasons expressed by members of the Armed Forces*  
18          *for separating from the Armed Forces and the reasons*  
19          *expressed by the members of the Armed Forces for re-*  
20          *maining in the Armed Forces.*

21          (4) *The programs and policies of the Department*  
22          *of Defense (including programs and policies specifi-*  
23          *cally directed at quality of life) that have tended to*  
24          *improve, and those that have tended to degrade, the*  
25          *morale of members of the Armed Forces and members*

1        *of their families, the retention of members of the*  
2        *Armed Forces, and the perceptions of members of the*  
3        *Armed Forces and members of their families regard-*  
4        *ing the quality of their lives.*

5        *(d) In this section, the term “major occupational spe-*  
6        *cialty” means the aircraft pilot specialty and each other*  
7        *occupational specialty that the Comptroller General consid-*  
8        *ers a major occupational specialty of the Armed Forces.*

9        *SEC. 8111. (a) Notwithstanding any other provision*  
10       *of law, no funds appropriated or otherwise made available*  
11       *by this Act may be used to carry out any conveyance of*  
12       *land at the former Fort Sheridan, Illinois, unless such con-*  
13       *veyance is consistent with a regional agreement among the*  
14       *communities and jurisdictions in the vicinity of Fort Sheri-*  
15       *dan and in accordance with section 2862 of the Military*  
16       *Construction Authorization Act for Fiscal Year 1996 (divi-*  
17       *sion B of Public Law 104–106; 110 Stat. 573).*

18       *(b) The land referred to in subsection (a) is a parcel*  
19       *of real property including any improvements thereon, lo-*  
20       *cated at the former Fort Sheridan, Illinois, consisting of*  
21       *approximately 14 acres, and known as the northern Army*  
22       *Reserve enclave area, that is covered by the authority in*  
23       *section 2862 of the Military Construction Authorization Act*  
24       *for Fiscal Year 1996 and has not been conveyed pursuant*  
25       *to that authority as of the date of enactment of this Act.*

1        *SEC. 8112. (a) CONVEYANCE REQUIRED.—The Sec-*  
2 *retary of the Air Force shall convey, without consideration,*  
3 *to the Town of Newington, New Hampshire, all right, title,*  
4 *and interest of the United States in and to a parcel of real*  
5 *property, together with improvements thereon, consisting of*  
6 *approximately 1.3 acres located at former Pease Air Force*  
7 *Base, New Hampshire, and known as the site of the old*  
8 *Stone School.*

9        *(b) EXCEPTION FROM SCREENING REQUIREMENT.—*  
10 *The Secretary shall make the conveyance under subsection*  
11 *(a) without regard to the requirement under section 2696*  
12 *of title 10, United States Code, that the property be screened*  
13 *for further Federal use in accordance with the Federal*  
14 *Property and Administrative Services Act of 1949 (40*  
15 *U.S.C. 471 et seq.).*

16        *(c) DESCRIPTION OF PROPERTY.—The exact acreage*  
17 *and legal description of the real property to be conveyed*  
18 *under subsection (a) shall be determined by a survey satis-*  
19 *factory to the Secretary. The cost of the survey shall be borne*  
20 *by the Secretary.*

21        *(d) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*  
22 *retary may require such additional terms and conditions*  
23 *in connection with the conveyance under subsection (a) as*  
24 *the Secretary considers appropriate to protect the interest*  
25 *of the United States.*

1        *SEC. 8113. Of the amounts appropriated or otherwise*  
2 *made available for the Department of Defense by this Act,*  
3 *up to \$10,000,000 may be available for the Department of*  
4 *Defense share of environmental remediation and restoration*  
5 *activities at Defense Logistics Agency inventory location*  
6 *429 (Macalloy site) in Charleston, South Carolina.*

7        *SEC. 8114. Of the funds provided under title IV of this*  
8 *Act under the heading “RESEARCH, DEVELOPMENT, TEST*  
9 *AND EVALUATION, DEFENSE-WIDE”, for Materials and*  
10 *Electronics Technology, \$2,000,000 shall be made available*  
11 *only for the Strategic Materials Manufacturing Facility*  
12 *project.*

13        *SEC. 8115. (a) Chapter 157 of title 10, United States*  
14 *Code, is amended by inserting after section 2641 the follow-*  
15 *ing:*

16        **“§2641a. Transportation of American Samoa veterans**  
17                            **on Department of Defense aircraft for cer-**  
18                            **tain medical care in Hawaii**

19        *“(a) TRANSPORTATION AUTHORIZED.—The Secretary*  
20 *of Defense may provide transportation on Department of*  
21 *Defense aircraft for the purpose of transporting any veteran*  
22 *specified in subsection (b) between American Samoa and*  
23 *the State of Hawaii if such transportation is required in*  
24 *order to provide hospital care to such veteran as described*  
25 *in that subsection.*

1       “(b) *VETERANS ELIGIBLE FOR TRANSPORT.*—A vet-  
2 *eran eligible for transport under subsection (a) is any vet-*  
3 *eran who—*

4             “(1) *resides in and is located in American*  
5 *Samoa; and*

6             “(2) *as determined by an official of the Depart-*  
7 *ment of Veterans Affairs designated for that purpose*  
8 *by the Secretary of Veterans Affairs, must be trans-*  
9 *ported to the State of Hawaii in order to receive hos-*  
10 *pital care to which such veteran is entitled under*  
11 *chapter 17 of title 38 in facilities of such Department*  
12 *in the State of Hawaii.*

13       “(c) *ADMINISTRATION.*—(1) *Transportation may be*  
14 *provided to veterans under this section only on a space-*  
15 *available basis.*

16             “(2) *A charge may not be imposed on a veteran for*  
17 *transportation provided to the veteran under this section.*

18       “(d) *DEFINITIONS.*—*In this section:*

19             “(1) *The term ‘veteran’ has the meaning given*  
20 *that term in section 101(2) of title 38.*

21             “(2) *The term ‘hospital care’ has the meaning*  
22 *given that term in section 1701(5) of title 38.”.*

23       (b) *The table of sections at the beginning of chapter*  
24 *157 of such title is amended by inserting after the item re-*  
25 *lating to section 2641 the following new item:*

*“2641a. Transportation of American Samoa veterans on Department of Defense aircraft for certain medical care in Hawaii.”.*

1       *SEC. 8116. Not later than December 1, 1998, the Sec-*  
2 *retary of Defense shall submit to the President and the Con-*  
3 *gressional Defense Committees a report regarding the poten-*  
4 *tial for development of Ford Island within the Pearl Harbor*  
5 *Naval Complex, Oahu, Hawaii through an integrated*  
6 *resourcing plan incorporating both appropriated funds and*  
7 *one or more public-private ventures. This report shall con-*  
8 *sider innovative resource development measures, including*  
9 *but not limited to, an enhanced-use leasing program simi-*  
10 *lar to that of the Department of Veterans Affairs as well*  
11 *as the sale or other disposal of land in Hawaii under the*  
12 *control of the Navy as part of an overall program for Ford*  
13 *Island development. The report shall include proposed legis-*  
14 *lation for carrying out the measures recommended therein.*

15       *SEC. 8117. Within the amounts appropriated under*  
16 *title IV of this Act under the heading “RESEARCH, DEVEL-*  
17 *OPMENT, TEST AND EVALUATION, NAVY”, the amount avail-*  
18 *able for S-3 Weapon System Improvement is hereby re-*  
19 *duced by \$8,000,000: Provided, That within the amounts*  
20 *appropriated under title IV of this Act under the heading*  
21 *“RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*  
22 *FORCE”, the amount available for a cyber-security program*  
23 *is hereby increased by \$8,000,000: Provided further, That*  
24 *the funds are made available for the cyber-security program*

1 *to conduct research and development on issues relating to*  
2 *security information assurance and to facilitate the transi-*  
3 *tion of information assurance technology to the defense com-*  
4 *munity.*

5 *SEC. 8118. ADDITIONAL FUNDING FOR KOREAN WAR*  
6 *VETERANS MEMORIAL. Section 3 of Public Law 99-572 (40*  
7 *U.S.C. 1003 note) is amended by adding at the end the fol-*  
8 *lowing:*

9 *“(c) ADDITIONAL FUNDING.—*

10 *“(1) IN GENERAL.—In addition to amounts*  
11 *made available under subsections (a) and (b), the Sec-*  
12 *retary of the Army may expend, from any funds*  
13 *available to the Secretary on the date of enactment of*  
14 *this paragraph, \$2,000,000 for repair of the memo-*  
15 *rial.*

16 *“(2) DISPOSITION OF FUNDS RECEIVED FROM*  
17 *CLAIMS.—Any funds received by the Secretary of the*  
18 *Army as a result of any claim against a contractor*  
19 *in connection with construction of the memorial shall*  
20 *be deposited in the general fund of the Treasury.”.*

21 *SEC. 8119. Of the funds available under title VI for*  
22 *chemical agents and munitions destruction, Defense, for re-*  
23 *search and design, \$18,000,000 shall be made available for*  
24 *the program manager for the Assembled Chemical Weapons*  
25 *Assessment (under section 8065 of the Department of De-*

1 *fense Appropriations Act, 1997) for demonstrations of tech-*  
2 *nologies under the Assembled Chemical Weapons Assess-*  
3 *ment, for planning and preparation to proceed from dem-*  
4 *onstration of an alternative technology immediately into*  
5 *the development of a pilot-scale facility for the technology,*  
6 *and for the design, construction, and operation of a pilot*  
7 *facility for the technology.*

8       *SEC. 8120. (a) The Secretary of the Navy may lease*  
9 *to the University of Central Florida (in this section referred*  
10 *to as the “University”), or a representative or agent of the*  
11 *University designated by the University, such portion of the*  
12 *property known as the Naval Air Warfare Center, Training*  
13 *Systems Division, Orlando, Florida, as the Secretary con-*  
14 *siders appropriate as a location for the establishment of a*  
15 *center for research in the fields of law enforcement, public*  
16 *safety, civil defense, and national defense.*

17       *(b) Notwithstanding any other provision of law, the*  
18 *term of the lease under subsection (a) may not exceed 50*  
19 *years.*

20       *(c) As consideration for the lease under subsection (a),*  
21 *the University shall—*

22               *(1) undertake and incur the cost of the planning,*  
23               *design, and construction required to establish the cen-*  
24               *ter referred to in that subsection; and*

1           (2) *during the term of the lease, provide the Sec-*  
2           *retary such space in the center for activities of the*  
3           *Navy as the Secretary and the University jointly con-*  
4           *sider appropriate.*

5           (d) *The Secretary may require such additional terms*  
6           *and conditions in connection with the lease authorized by*  
7           *subsection (a) as the Secretary considers appropriate to*  
8           *protect the interest of the United States.*

9           SEC. 8121. *Funds appropriated under O&M Navy are*  
10          *available for a vessel scrapping pilot program which the*  
11          *Secretary of the Navy may carry out during fiscal year*  
12          *1999 and (notwithstanding the expiration of authority to*  
13          *obligate funds appropriated under this heading) fiscal year*  
14          *2000, and for which the Secretary may define the program*  
15          *scope as that which the Secretary determines sufficient for*  
16          *gathering data on the cost of scrapping Government vessels*  
17          *and for demonstrating cost effective technologies and tech-*  
18          *niques to scrap such vessels in a manner that is protective*  
19          *of worker safety and health and the environment.*

20          SEC. 8122. *The Department of Defense shall, in allo-*  
21          *cating funds for the Next Generation Internet (NGI) initia-*  
22          *tive, give full consideration to the allocation of funds to the*  
23          *regional partnerships that will best leverage Department in-*  
24          *vestments in the Department of Defense Major Shared Re-*  
25          *source Centers and centers with supercomputers purchased*

1 *using Department of Defense RDT&E funds, including the*  
2 *high performance networks associated with such centers.*

3 *SEC. 8123. From within the funds provided, with the*  
4 *heading “OPERATIONS AND MAINTENANCE, ARMY”, up to*  
5 *\$500,000 shall be available for paying subcontractors and*  
6 *suppliers for work performed at Fort Wainwright, Alaska,*  
7 *in 1994, under Army services contract number DACA85–*  
8 *93–C–0065.*

9 *SEC. 8124. Of the funds provided under title IV of this*  
10 *Act under the heading “RESEARCH, DEVELOPMENT, TEST*  
11 *AND EVALUATION, ARMY”, for Industrial Preparedness,*  
12 *\$2,000,000 shall be made available only for the Electronic*  
13 *Circuit Board Manufacturing Development Center.*

14 *SEC. 8125. COMMISSION TO ASSESS THE ORGANIZA-*  
15 *TION OF THE FEDERAL GOVERNMENT TO COMBAT THE*  
16 *PROLIFERATION OF WEAPONS OF MASS DESTRUCTION. The*  
17 *Combatting Proliferation of Weapons of Mass Destruction*  
18 *Act of 1996 (as contained in Public Law 104–293) is*  
19 *amended—*

20 *(1) in section 711(b), in the text above para-*  
21 *graph (1), by striking “eight” and inserting “twelve”;*

22 *(2) in section 711(b)(2), by striking “one” and*  
23 *inserting “three”;*

24 *(3) in section 711(b)(4), by striking “one” and*  
25 *inserting “three”;*

1           (4) in section 711(e), by striking “on which all  
2           members of the Commission have been appointed”  
3           and inserting “on which the Department of Defense  
4           Appropriations Act, 1999, is enacted, regardless of  
5           whether all members of the Commission have been ap-  
6           pointed”; and

7           (5) in section 712(c), by striking “Not later than  
8           18 months after the date of enactment of this Act,”  
9           and inserting “Not later than June 15, 1999,”.

10          SEC. 8126. Of the funds provided under title III of  
11 this Act under the heading “OTHER PROCUREMENT,  
12 ARMY”, for Training Devices, \$4,000,000 shall be made  
13 available only for procurement of Multiple Integrated Laser  
14 Engagement System (MILES) equipment to support De-  
15 partment of Defense Cope Thunder exercises.

16          SEC. 8127. Within the amounts appropriated under  
17 title IV of this Act under the heading “RESEARCH, DEVEL-  
18 OPMENT, TEST AND EVALUATION, ARMY”, the amount  
19 available for Joint Tactical Radio is hereby reduced by  
20 \$10,981,000, and the amount available for Army Data Dis-  
21 tribution System development is hereby increased by  
22 \$10,981,000.

23          SEC. 8128. Of the funds provided under title IV of this  
24 Act under the heading “RESEARCH, DEVELOPMENT, TEST  
25 AND EVALUATION, ARMY”, for Digitization, \$2,000,000

1 *shall be made available only for the Digital Intelligence Sit-*  
2 *uation Mapboard (DISM).*

3 *SEC. 8129. Of the funds available for the Navy for re-*  
4 *search, development, test, and evaluation under title IV,*  
5 *\$5,000,000 shall be available for the Shortstop Electronic*  
6 *Protection System.*

7 *SEC. 8130. (a) Subsection (a)(3) of section 112 of title*  
8 *32, United States Code, is amended by striking out “and*  
9 *leasing of equipment” and inserting in lieu thereof “and*  
10 *equipment, and the leasing of equipment,”.*

11 *(b) Subsection (b)(2) of such section is amended to read*  
12 *as follows:*

13 *“(2)(A) A member of the National Guard serving on*  
14 *full-time National Guard duty under orders authorized*  
15 *under paragraph (1) shall participate in the training re-*  
16 *quired under section 502(a) of this title in addition to the*  
17 *duty performed for the purpose authorized under that para-*  
18 *graph. The pay, allowances, and other benefits of the mem-*  
19 *ber while participating in the training shall be the same*  
20 *as those to which the member is entitled while performing*  
21 *duty for the purpose of carrying out drug interdiction and*  
22 *counter-drug activities.*

23 *“(B) Appropriations available for the Department of*  
24 *Defense for drug interdiction and counter-drug activities*  
25 *may be used for paying costs associated with a member’s*

1 *participation in training described in subparagraph (A).*  
2 *The appropriation shall be reimbursed in full, out of appro-*  
3 *priations available for paying those costs, for the amounts*  
4 *paid. Appropriations available for paying those costs shall*  
5 *be available for making the reimbursements.”.*

6 *(c) Subsection (b)(3) of such section is amended to read*  
7 *as follows:*

8 *“(2) A unit or member of the National Guard of a*  
9 *State may be used, pursuant to a State drug interdiction*  
10 *and counter-drug activities plan approved by the Secretary*  
11 *of Defense under this section, to provide services or other*  
12 *assistance (other than air transportation) to an organiza-*  
13 *tion eligible to receive services under section 508 of this title*  
14 *if—*

15 *“(A) the State drug interdiction and counter-*  
16 *drug activities plan specifically recognizes the organi-*  
17 *zation as being eligible to receive the services or as-*  
18 *sistance;*

19 *“(B) in the case of services, the provision of the*  
20 *services meets the requirements of paragraphs (1) and*  
21 *(2) of subsection (a) of section 508 of this title; and*

22 *“(C) the services or assistance is authorized*  
23 *under subsection (b) or (c) of such section or in the*  
24 *State drug interdiction and counter-drug activities*  
25 *plan.”.*

1           (d) Subsection (i)(1) of such section is amended by in-  
2   serting after “drug interdiction and counter-drug law en-  
3   forcement activities” the following: “, including drug de-  
4   mand reduction activities,”.

5           SEC. 8131. Of the amounts appropriated by title IV  
6   of this Act under the heading “RESEARCH, DEVELOPMENT,  
7   TEST AND EVALUATION, ARMY”, \$3,000,000 shall be avail-  
8   able for advanced research relating to solid state dye lasers.

9           SEC. 8132. (a) The Secretary of the Air Force may  
10   enter into an agreement to lease from the City of Phoenix,  
11   Arizona, the parcel of real property described in subsection  
12   (b), together with improvements on the property, in consid-  
13   eration of annual rent not in excess of one dollar.

14          (b) The real property referred to in subsection (a) is  
15   a parcel, known as Auxiliary Field 3, that is located ap-  
16   proximately 12 miles north of Luke Air Force Base, Ari-  
17   zona, in section 4 of township 3 north, range 1 west of the  
18   Gila and Salt River Base and Meridian, Maricopa County,  
19   Arizona, is bounded on the north by Bell Road, on the east  
20   by Litchfield Road, on the south by Greenway Road, and  
21   on the west by agricultural land, and is composed of ap-  
22   proximately 638 acres, more or less, the same property that  
23   was formerly an Air Force training and emergency field  
24   developed during World War II.

1           (c) *The Secretary may require such additional terms*  
2 *and conditions in connection with the lease under sub-*  
3 *section (a) as the Secretary considers appropriate to protect*  
4 *the interests of the United States.*

5           *SEC. 8133. Of the funds provided under title IV of this*  
6 *Act under the heading “RESEARCH, DEVELOPMENT, TEST*  
7 *AND EVALUATION, ARMY”, up to \$1,300,000 may be made*  
8 *available only to integrate and evaluate enhanced, active*  
9 *and passive, passenger safety system for heavy tactical*  
10 *trucks.*

11           *SEC. 8134. Effective on June 30, 1999, section 8106(a)*  
12 *of the Department of Defense Appropriations Act, 1997 (ti-*  
13 *ties I through VIII of the matter under section 101(b) of*  
14 *Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113*  
15 *note), is amended—*

16                   (1) *by striking out “not later than June 30,*  
17 *1997,” and inserting in lieu thereof “not later than*  
18 *June 30, 1999,”; and*

19                   (2) *by striking out “\$1,000,000” and inserting*  
20 *in lieu thereof “\$500,000”.*

21           *SEC. 8135. Of the total amount appropriated under*  
22 *title IV for research, development, test and evaluation, De-*  
23 *fense-wide, for basic research, \$29,646,000 is available for*  
24 *research and development relating to Persian Gulf illnesses.*

1        *SEC. 8136. Within the amounts appropriated under*  
2 *title IV of this Act under the heading “RESEARCH, DEVEL-*  
3 *OPMENT, TEST AND EVALUATION, NAVY”, the amount avail-*  
4 *able for Hard and Deeply Buried Target Defeat System is*  
5 *hereby reduced by \$9,827,000, and the amount available for*  
6 *Consolidated Training Systems Development is hereby in-*  
7 *creased by \$9,827,000.*

8        *SEC. 8137. (a) Not later than six months after the date*  
9 *of enactment of this Act, the Comptroller General shall sub-*  
10 *mit to Congress a report containing a comprehensive assess-*  
11 *ment of the TRICARE program.*

12        *(b) The assessment under subsection (a) shall include*  
13 *the following:*

14            *(1) A comparison of the health care benefits*  
15 *available under the health care options of the*  
16 *TRICARE program known as TRICARE Standard,*  
17 *TRICARE Prime, and TRICARE Extra with the*  
18 *health care benefits available under the health care*  
19 *plan of the Federal Employees Health Benefits pro-*  
20 *gram most similar to each such option that has the*  
21 *most subscribers as of the date of enactment of this*  
22 *Act, including—*

23                    *(A) the types of health care services offered*  
24                    *by each option and plan under comparison;*

1           (B) the ceilings, if any, imposed on the  
2 amounts paid for covered services under each op-  
3 tion and plan under comparison; and

4           (C) the timeliness of payments to physi-  
5 cians providing services under each option and  
6 plan under comparison.

7           (2) An assessment of the effect on the subscrip-  
8 tion choices made by potential subscribers to the  
9 TRICARE program of the Department of Defense pol-  
10 icy to grant priority in the provision of health care  
11 services to subscribers to a particular option.

12           (3) An assessment whether or not the implemen-  
13 tation of the TRICARE program has discouraged  
14 medicare-eligible individuals from obtaining health  
15 care services from military treatment facilities, in-  
16 cluding—

17           (A) an estimate of the number of such indi-  
18 viduals discouraged from obtaining health care  
19 services from such facilities during the two-year  
20 period ending with the commencement of the im-  
21 plementation of the TRICARE program; and

22           (B) an estimate of the number of such indi-  
23 viduals discouraged from obtaining health care  
24 services from such facilities during the two-year

1           *period following the commencement of the imple-*  
2           *mentation of the TRICARE program.*

3           *(4) An assessment of any other matters that the*  
4           *Comptroller General considers appropriate for pur-*  
5           *poses of this section.*

6           *(c) In this section:*

7           *(1) The term “Federal Employees Health Bene-*  
8           *fits program” means the health benefits program*  
9           *under chapter 89 of title 5, United States Code.*

10          *(2) The term “TRICARE program” has the*  
11          *meaning given that term in section 1072(7) of title*  
12          *10, United States Code.*

13          *SEC. 8138. (a) The Secretary of the Army and the Sec-*  
14          *retary of the Air Force may each enter into one or more*  
15          *multiyear leases of nontactical firefighting equipment, non-*  
16          *tactical crash rescue equipment, or nontactical snow re-*  
17          *moval equipment. The period of a lease entered into under*  
18          *this section shall be for any period not in excess of 10 years.*  
19          *Any such lease shall provide that performance under the*  
20          *lease during the second and subsequent years of the contract*  
21          *is contingent upon the appropriation of funds and shall*  
22          *provide for a cancellation payment to be made to the lessor*  
23          *if such appropriations are not made.*

1       (b) *Lease payments made under subsection (a) shall*  
2 *be made from amounts provided in this or future appro-*  
3 *priations Acts.*

4       (c) *This section is effective for all fiscal years begin-*  
5 *ning after September 30, 1998.*

6       SEC. 8139. *Of the amounts appropriated in this Act*  
7 *for the Defense Threat Reduction and Treaty Compliance*  
8 *Agency and for Operations and Maintenance, National*  
9 *Guard, \$1,500,000 shall be available to develop training*  
10 *materials and a curriculum for a Domestic Preparedness*  
11 *Sustainment Training Center at Pine Bluff Arsenal, Ar-*  
12 *kansas.*

13       SEC. 8140. *Of the funds provided under title IV of this*  
14 *Act under the heading “RESEARCH, DEVELOPMENT, TEST*  
15 *AND EVALUATION, ARMY”, up to \$10,000,000 may be made*  
16 *available only for the efforts associated with building and*  
17 *demonstrating a deployable mobile large aerostat system*  
18 *platform.*

19       SEC. 8141. *That of the amounts available under this*  
20 *heading, \$150,000 shall be made available to the Bear Paw*  
21 *Development Council, Montana, for the management and*  
22 *conversion of the Havre Air Force Base and Training Site,*  
23 *Montana, for public benefit purposes, including public*  
24 *schools, housing for the homeless, and economic develop-*  
25 *ment.*

1        *SEC. 8142. (a) Section 4344(b) of title 10, United*  
2 *States Code, is amended—*

3            *(1) in the second sentence of paragraph (2), by*  
4 *striking out “, except that the reimbursement rates*  
5 *may not be less than the cost to the United States of*  
6 *providing such instruction, including pay, allow-*  
7 *ances, and emoluments, to a cadet appointed from the*  
8 *United States”;* and

9            *(2) by striking out paragraph (3).*

10        *(b) Section 6957(b) of such title is amended—*

11            *(1) in the second sentence of paragraph (2), by*  
12 *striking out “, except that the reimbursement rates*  
13 *may not be less than the cost to the United States of*  
14 *providing such instruction, including pay, allow-*  
15 *ances, and emoluments, to a midshipman appointed*  
16 *from the United States”;* and

17            *(2) by striking out paragraph (3).*

18        *(c) Section 9344(b) of such title is amended—*

19            *(1) in the second sentence of paragraph (2), by*  
20 *striking out “, except that the reimbursement rates*  
21 *may not be less than the cost to the United States of*  
22 *providing such instruction, including pay, allow-*  
23 *ances, and emoluments, to a cadet appointed from the*  
24 *United States”;* and

25            *(2) by striking out paragraph (3).*

1        *SEC. 8143. Out of the funds available for the Depart-*  
2 *ment of Defense under title VI of this Act for chemical*  
3 *agents and munitions, Defense, or the unobligated balances*  
4 *of funds available for chemical agents and munitions de-*  
5 *struction, Defense, under any other Act making appropria-*  
6 *tions for military functions administered by the Depart-*  
7 *ment of Defense for any fiscal year, the Secretary of Defense*  
8 *may use not more than \$25,000,000 for the Assembled*  
9 *Chemical Weapons Assessment to complete the demonstra-*  
10 *tion of alternatives to baseline incineration for the destruc-*  
11 *tion of chemical agents and munitions and to carry out*  
12 *the pilot program under section 8065 of the Department*  
13 *of Defense Appropriations Act, 1997 (section 101(b) of Pub-*  
14 *lic Law 104–208; 110 Stat. 3009–101; 50 U.S.C. 1521*  
15 *note). The amount specified in the preceding sentence is in*  
16 *addition to any other amount that is made available under*  
17 *title VI of this Act to complete the demonstration of the al-*  
18 *ternatives and to carry out the pilot program: Provided,*  
19 *That none of these funds shall be taken from any ongoing*  
20 *operational chemical munitions destruction programs.*

21        *SEC. 8144. (a) FINDINGS.—The Senate finds that—*

22            *(1) child experts estimate that as many as*  
23            *250,000 children under the age of 18 are currently*  
24            *serving in armed forces or armed groups in more*  
25            *than 30 countries around the world;*

1           (2) *contemporary armed conflict has caused the*  
2 *deaths of 2,000,000 minors in the last decade alone,*  
3 *and has left an estimated 6,000,000 children seriously*  
4 *injured or permanently disabled;*

5           (3) *children are uniquely vulnerable to military*  
6 *recruitment because of their emotional and physical*  
7 *immaturity, are easily manipulated, and can be*  
8 *drawn into violence that they are too young to resist*  
9 *or understand;*

10          (4) *children are most likely to become child sol-*  
11 *diers if they are poor, separated from their families,*  
12 *displaced from their homes, living in a combat zone,*  
13 *or have limited access to education;*

14          (5) *orphans and refugees are particularly vulner-*  
15 *able to recruitment;*

16          (6) *one of the most egregious examples of the use*  
17 *of child soldiers is the abduction of some 10,000 chil-*  
18 *dren, some as young as 8 years of age, by the Lord's*  
19 *Resistance Army (in this section referred to as the*  
20 *"LRA") in northern Uganda;*

21          (7) *the Department of State's Country Reports*  
22 *on Human Rights Practices for 1997 reports that in*  
23 *Uganda the LRA kills, maims, and rapes large num-*  
24 *bers of civilians, and forces abducted children into*  
25 *"virtual slavery as guards, concubines, and soldiers";*

1           (8) *children abducted by the LRA are forced to*  
2           *raid and loot villages, fight in the front line of battle*  
3           *against the Ugandan army and the Sudan People's*  
4           *Liberation Army (SPLA), serve as sexual slaves to*  
5           *rebel commanders, and participate in the killing of*  
6           *other children who try to escape;*

7           (9) *former LRA child captives report witnessing*  
8           *Sudanese government soldiers delivering food sup-*  
9           *plies, vehicles, ammunition, and arms to LRA base*  
10          *camps in government-controlled southern Sudan;*

11          (10) *children who manage to escape from LRA*  
12          *captivity have little access to trauma care and reha-*  
13          *ilitation programs, and many find their families*  
14          *displaced, unlocatable, dead, or fearful of having their*  
15          *children return home;*

16          (11) *Graca Machel, the former United Nations*  
17          *expert on the impact of armed conflict on children,*  
18          *identified the immediate demobilization of all child*  
19          *soldiers as an urgent priority, and recommended the*  
20          *establishment through an optional protocol to the*  
21          *Convention on the Rights of the Child of 18 as the*  
22          *minimum age for recruitment and participation in*  
23          *armed forces; and*

24          (12) *the International Committee of the Red*  
25          *Cross, the United Nations Children's Fund*

1       *(UNICEF), the United Nations High Commission on*  
2       *Refugees, and the United Nations High Commissioner*  
3       *on Human Rights, as well as many nongovernmental*  
4       *organizations, also support the establishment of 18 as*  
5       *the minimum age for military recruitment and par-*  
6       *ticipation in armed conflict.*

7       *(b) IN GENERAL.—The Senate hereby—*

8             *(1) deplores the global use of child soldiers and*  
9             *supports their immediate demobilization;*

10            *(2) condemns the abduction of Ugandan children*  
11            *by the LRA;*

12            *(3) calls on the Government of Sudan to use its*  
13            *influence with the LRA to secure the release of ab-*  
14            *ducted children and to halt further abductions; and*

15            *(4) encourages the United States delegation not*  
16            *to block the drafting of an optional protocol to the*  
17            *Convention on the Rights of the Child that would es-*  
18            *tablish 18 as the minimum age for participation in*  
19            *armed conflict.*

20        *(c) SENSE OF THE SENATE.—It is the sense of the Sen-*  
21        *ate that the President and the Secretary of State should—*

22            *(1) support efforts to end the abduction of chil-*  
23            *dren by the LRA, secure their release, and facilitate*  
24            *their rehabilitation and reintegration into society;*

1           (2) *not block efforts to establish 18 as the mini-*  
2           *imum age for participation in conflict through an op-*  
3           *tional protocol to the Convention on the Rights of the*  
4           *Child; and*

5           (3) *provide greater support to United Nations*  
6           *agencies and nongovernmental organizations working*  
7           *for the rehabilitation and reintegration of former*  
8           *child soldiers into society.*

9           SEC. 8145. *Notwithstanding any other provision of*  
10          *law, the Secretary of Defense shall obligate the funds pro-*  
11          *vided for Counterterror Technical Support in the Depart-*  
12          *ment of Defense Appropriations Act, 1998 (under title IV*  
13          *of Public Law 105–56) for the projects and in the amounts*  
14          *provided for in House Report 105–265 of the House of Rep-*  
15          *resentatives, One Hundred Fifth Congress, First Session:*  
16          *Provided, That the funds available for the Pulsed Fast Neu-*  
17          *tron Analysis Project should be executed through coopera-*  
18          *tion with the Office of National Drug Control Policy.*

19          SEC. 8146. *Of the funds provided under title IV of this*  
20          *Act under the heading “RESEARCH, DEVELOPMENT, TEST*  
21          *AND EVALUATION, NAVY”, up to \$1,000,000 may be made*  
22          *available only for the development and testing of alternate*  
23          *turbine engines for missiles.*

24          SEC. 8147. *VOTING RIGHTS OF MILITARY PERSONNEL.*

25          (a) *GUARANTEE OF RESIDENCY.—Article VII of the Sol-*

1 *diers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 590*  
 2 *et seq.) is amended by adding at the end the following:*

3       “SEC. 704. (a) *For purposes of voting for an office of*  
 4 *the United States or of a State, a person who is absent from*  
 5 *a State in compliance with military or naval orders shall*  
 6 *not, solely by reason of that absence—*

7               “(1) *be deemed to have lost a residence or domi-*  
 8 *cile in that State;*

9               “(2) *be deemed to have acquired a residence or*  
 10 *domicile in any other State; or*

11               “(3) *be deemed to have become resident in or a*  
 12 *resident of any other State.*

13       “(b) *in this section, the term ‘State’ includes a terri-*  
 14 *tory or possession of the United States, a political subdivi-*  
 15 *sion of a State, territory, or possession, and the District*  
 16 *of Columbia.”.*

17       (b) *STATE RESPONSIBILITY TO GUARANTEE MILITARY*  
 18 *VOTING RIGHTS.—(1) REGISTRATION AND BALLOTING.—*  
 19 *Section 102 of the Uniformed and Overseas Absentee Voting*  
 20 *Act (42 U.S.C. 1973ff-1) is amended—*

21               (A) *by inserting “(a) ELECTIONS FOR FEDERAL*  
 22 *OFFICES.—” before “Each State shall—”; and*

23               (B) *by adding at the end the following:*

24       “(b) *ELECTIONS FOR STATE AND LOCAL OFFICES.—*  
 25 *Each State shall—*

1           “(1) permit absent uniformed services voters to  
2           use absentee registration procedures and to vote by  
3           absentee ballot in general, special, primary, and run-  
4           off elections for State and local offices; and

5           “(2) accept and process, with respect to any elec-  
6           tion described in paragraph (1), any otherwise valid  
7           voter registration application from an absent uni-  
8           formed services voter if the application is received by  
9           the appropriate State election official not less than 30  
10          days before the election.”.

11          (2) *CONFORMING AMENDMENT.*—*The heading for title*  
12 *I of such Act is amended by striking out “**FOR FED-***  
13 ***ERAL OFFICE**”.*

14          *SEC. 8148. From amounts made available by this Act,*  
15 *up to \$10,000,000 may be available to convert the Eighth*  
16 *Regiment National Guard Armory into a Chicago Military*  
17 *Academy: Provided, That the Academy shall provide a 4*  
18 *year college preparatory curriculum combined with a manda-*  
19 *tory JROTC instruction program.*

20          *SEC. 8149. (a) The Air National Guard shall, during*  
21 *the period beginning on April 15, 1999, and ending on Oc-*  
22 *tober 15, 1999, provide support at the Francis S. Gabreski*  
23 *Airport, Hampton, New York, for seasonal search and res-*  
24 *cue mission requirements of the Coast Guard in the vicinity*  
25 *of Hampton, New York.*

1       (b) *The support provided under subsection (a) shall in-*  
2 *clude access to and use of appropriate facilities at Francis*  
3 *S. Gabreski Airport, including runways, hangars, the oper-*  
4 *ations center, and aircraft berthing and maintenance*  
5 *spaces.*

6       (c)(1) *The adjutant general of the National Guard of*  
7 *the State of New York and the Commandant of the Coast*  
8 *Guard shall enter into a memorandum of understanding*  
9 *regarding the support to be provided under subsection (a).*

10       (2) *Not later than December 1, 1998, the adjutant gen-*  
11 *eral and the Commandant shall jointly submit to the Com-*  
12 *mittee on Appropriations of the Senate and the Committee*  
13 *on Appropriations of the House of Representatives a copy*  
14 *of the memorandum of understanding entered into under*  
15 *paragraph (1).*

16       SEC. 8150. (a) *The Secretary of Defense, in coordina-*  
17 *tion with the Secretary of Health and Human Services,*  
18 *may carry out a program to distribute surplus dental*  
19 *equipment of the Department of Defense, at no cost to the*  
20 *Department of Defense, Indian health service facilities and*  
21 *to federally-qualified health centers (within the meaning of*  
22 *section 1905(l)(2)(B) of the Social Security Act (42 U.S.C.*  
23 *1396d(l)(2)(B))).*

1           (b) Not later than March 15, 1999, the Secretary of  
2 Defense shall submit to Congress a report on the program,  
3 including the actions taken under the program.

4           SEC. 8151. (a) Not later than March 15, 1999, the Sec-  
5 retary of Defense shall submit to the Committees on Appro-  
6 priations and on Armed Services of the Senate and the  
7 Committees on Appropriations and on National Security  
8 of the House of Representatives a report on the policies,  
9 practices, and experience of the uniformed services pertain-  
10 ing to the furnishing of dental care to dependents of mem-  
11 bers of the uniformed services on active duty who are 18  
12 years of age and younger.

13           (b) The report shall include (1) the rates of usage of  
14 various types of dental services under the health care system  
15 of the uniformed services by the dependents, set forth in cat-  
16 egories defined by the age and the gender of the dependents  
17 and by the rank of the members of the uniformed services  
18 who are the sponsors for those dependents, (2) an assessment  
19 of the feasibility of providing the dependents with dental  
20 benefits (including initial dental visits for children) that  
21 conform with the guidelines of the American Academy of  
22 Pediatric Dentistry regarding infant oral health care, and  
23 (3) an evaluation of the feasibility and potential effects of  
24 offering general anesthesia as a dental health care benefit  
25 available under TRICARE to the dependents.

1        *SEC. 8152. (a) Of the total amount appropriated for*  
2 *the Army, the Army Reserve, and the Army National Guard*  
3 *under title I, \$1,700,000 may be available for taking the*  
4 *actions required under this section to eliminate the backlog*  
5 *of unpaid retired pay and to submit a report.*

6        *(b) The Secretary of the Army may take such actions*  
7 *as are necessary to eliminate, by December 31, 1998, the*  
8 *backlog of unpaid retired pay for members and former*  
9 *members of the Army (including members and former mem-*  
10 *bers of the Army Reserve and the Army National Guard).*

11        *(c) Not later than 30 days after the date of the enact-*  
12 *ment of this Act, the Secretary of the Army shall submit*  
13 *to Congress a report on the backlog of unpaid retired pay.*  
14 *The report shall include the following:*

15            *(1) The actions taken under subsection (b).*

16            *(2) The extent of the remaining backlog.*

17            *(3) A discussion of any additional actions that*  
18 *are necessary to ensure that retired pay is paid in a*  
19 *timely manner.*

20        *SEC. 8153. (a) The Secretary of Defense may take such*  
21 *actions as are necessary to ensure the elimination of the*  
22 *backlog of incomplete actions on requests of former members*  
23 *of the Armed Forces for replacement medals and replace-*  
24 *ments for other decorations that such personnel have earned*  
25 *in the military service of the United States.*

1           **(b)(1)** *The actions taken under subsection (a) may in-*  
2 *clude, except as provided in paragraph (2), allocations of*  
3 *additional resources to improve relevant staffing levels at*  
4 *the Army Reserve Personnel Command, the Bureau of*  
5 *Naval Personnel, and the Air Force Personnel Center, allo-*  
6 *cations of Department of Defense resources to the National*  
7 *Archives and Records Administration, and any additional*  
8 *allocations of resources that the Secretary considers nec-*  
9 *essary to carry out subsection (a).*

10           **(2)** *An allocation of resources may be made under*  
11 *paragraph (1) only if and to the extent that the allocation*  
12 *does not detract from the performance of other personnel*  
13 *service and personnel support activities within the Depart-*  
14 *ment of Defense.*

15           **SEC. 8154.** *Beginning no later than 60 days after en-*  
16 *actment, effective tobacco cessation products and counseling*  
17 *may be provided for members of the Armed Forces (includ-*  
18 *ing retired members), former members of the Armed Forces*  
19 *entitled to retired or retainer pay, and dependents of such*  
20 *members and former members, who are identified as likely*  
21 *to benefit from such assistance in a manner that does not*  
22 *impose costs upon the individual.*

23           **SEC. 8155. (a)** *Of the amounts appropriated by title*  
24 *II of this Act under the heading “OPERATION AND MAINTEN-*

1 NANCE, MARINE CORPS”, \$5,000,000 may be available for  
2 procurement of lightweight maintenance enclosures (LME).

3 (b) Of the amounts appropriated by title III of this  
4 Act under the heading “OTHER PROCUREMENT, ARMY”,  
5 \$2,000,000 may be available for procurement of lightweight  
6 maintenance enclosures (LME).

7 SEC. 8156. Of the funds available for Drug Interdic-  
8 tion, up to \$8,500,000 may be made available to support  
9 restoration of enhanced counter-narcotics operations around  
10 the island of Hispaniola, for operation and maintenance  
11 for establishment of ground-based radar coverage at Guan-  
12 tanamo Bay Naval Base, Cuba, for procurement of 2  
13 Schweizer observation/spray aircraft, and for upgrades for  
14 3 UH-1H helicopters for Colombia.

15 SEC. 8157. (a) The Secretary of Defense shall study  
16 the policies, procedures, and practices of the military de-  
17 partments for protecting the confidentiality of communica-  
18 tions between—

19 (1) a dependent of a member of the Armed  
20 Forces who—

21 (A) is a victim of sexual harassment, sexual  
22 assault, or intrafamily abuse; or

23 (B) has engaged in such misconduct; and

1           (2) *a therapist, counselor, advocate, or other pro-*  
2           *fessional from whom the victim seeks professional*  
3           *services in connection with effects of such misconduct.*

4           **(b)(1)** *The Secretary of Defense shall prescribe in regu-*  
5           *lations the policies and procedures that the Secretary con-*  
6           *siders necessary to provide the maximum possible protec-*  
7           *tions for the confidentiality of communications described in*  
8           *subsection (a) relating to misconduct described in that sub-*  
9           *section.*

10          **(2)** *The regulations shall provide the following:*

11           **(A)** *Complete confidentiality of the records of the*  
12           *communications of dependents of members of the*  
13           *Armed Forces.*

14           **(B)** *Characterization of the records under family*  
15           *advocacy programs of the Department of Defense as*  
16           *primary medical records for purposes of the protec-*  
17           *tions from disclosure that are associated with pri-*  
18           *mary medical records.*

19           **(C)** *Facilitated transfer of records under family*  
20           *advocacy programs in conjunction with changes of*  
21           *duty stations of persons to whom the records relate in*  
22           *order to provide for continuity in the furnishing of*  
23           *professional services.*

1           (D) *Adoption of standards of confidentiality and*  
2           *ethical standards that are consistent with standards*  
3           *issued by relevant professional associations.*

4           (3) *In prescribing the regulations, the Secretary shall*  
5           *consider the following:*

6           (A) *Any risk that the goals of advocacy and*  
7           *counseling programs for helping victims recover from*  
8           *adverse effects of misconduct will not be attained if*  
9           *there is no assurance that the records of the commu-*  
10           *nications (including records of counseling sessions)*  
11           *will be kept confidential.*

12           (B) *The extent, if any, to which a victim's safety*  
13           *and privacy should be factors in determinations re-*  
14           *garding—*

15                   (i) *disclosure of the victim's identity to the*  
16                   *public or the chain of command of a member of*  
17                   *the Armed Forces alleged to have engaged in the*  
18                   *misconduct toward the victim; or*

19                   (ii) *any other action that facilitates such a*  
20                   *disclosure without the consent of the victim.*

21           (C) *The eligibility for care and treatment in*  
22           *medical facilities of the uniformed services for any*  
23           *person having a uniformed services identification*  
24           *card (including a card indicating the status of a per-*

1       son as a dependent of a member of the uniformed  
2       services) that is valid for that person.

3               (D) The appropriateness of requiring that so-  
4       called Privacy Act statements be presented as a condi-  
5       tion for proceeding with the furnishing of treatment  
6       or other services by professionals referred to in sub-  
7       section (a).

8               (E) The appropriateness of adopting the same  
9       standards of confidentiality and ethical standards  
10       that have been issued by such professional associa-  
11       tions as the American Psychiatric Association and  
12       the National Association of Social Workers.

13       (4) The regulations may not prohibit the disclosure of  
14       information to a Federal or State agency for a law enforce-  
15       ment or other governmental purpose.

16       (c) The Secretary of Defense shall consult with the At-  
17       torney General in carrying out this section.

18       (d) Not later than 90 days after the date of the enact-  
19       ment of this Act, the Secretary of Defense shall submit to  
20       Congress a report on the actions taken under this section.  
21       The report shall include a discussion of the results of the  
22       study under subsection (a) and the comprehensive discus-  
23       sion of the regulations prescribed under subsection (b).

24       SEC. 8158. (a) FINDINGS.—The Senate finds that—

1           (1) *on the third of February a United States*  
2 *Marine Corps jet aircraft, flying a low-level training*  
3 *mission out of Aviano, Italy, flew below its prescribed*  
4 *altitude and severed the cables supporting a gondola*  
5 *at the Italian ski resort near Cavalese, resulting in*  
6 *the death of twenty civilians;*

7           (2) *the crew of the aircraft, facing criminal*  
8 *charges, is entitled to a speedy trial and is being pro-*  
9 *vided that and all the other protections and advan-*  
10 *tages of the United States system of justice;*

11           (3) *the United States, to maintain its credibility*  
12 *and honor amongst its allies and all nations of the*  
13 *world, should make prompt reparations for an acci-*  
14 *dent clearly caused by a United States military air-*  
15 *craft;*

16           (4) *a high-level delegation, including the United*  
17 *States Ambassador to Italy, recently visited Cavalese*  
18 *and, as a result, \$20,000,000 was promised to the*  
19 *people in Cavalese for their property damage and*  
20 *business losses;*

21           (5) *without our prompt action, these families*  
22 *continue to suffer financial agonies, our credibility in*  
23 *the European community continues to suffer, and our*  
24 *own citizens remain puzzled and angered by our lack*  
25 *of accountability;*

1           (6) *under the current arrangement we have with*  
2 *Italy in the context of our Status of Forces Agreement*  
3 *(SOFA), civil claims arising from the accident at*  
4 *Cavalese must be brought against the Government of*  
5 *Italy, in accordance with the laws and regulations of*  
6 *Italy, as if the armed forces of Italy had been respon-*  
7 *sible for the accident;*

8           (7) *under Italian law, every claimant for prop-*  
9 *erty damage, personal injury or wrongful death must*  
10 *file initially an administrative claim for damages*  
11 *with the Ministry of Defense in Rome which is ex-*  
12 *pected to take 12–18 months, and, if the Ministry’s*  
13 *offer in settlement is not acceptable, which it is not*  
14 *likely to be, the claimant must thereafter resort to the*  
15 *Italian court system, where civil cases for wrongful*  
16 *death are reported to take up to ten years to resolve;*

17           (8) *while under the SOFA process, the United*  
18 *States—as the “sending state”—will be responsible*  
19 *for 75 percent of any damages awarded, and the Gov-*  
20 *ernment of Italy—as the “receiving state”—will be*  
21 *responsible for 25 percent, the United States has*  
22 *agreed to pay all damages awarded in this case.*

23           (b) *SENSE OF CONGRESS.—It is the sense of the Con-*  
24 *gress that the United States should resolve the claims of the*  
25 *victims of the February 8, 1998 United States Marine*

1 *Corps aircraft incident in Cavalese, Italy as quickly and*  
2 *fairly as possible.*

3       *SEC. 8159. TRAINING AND OTHER PROGRAMS. (a)*  
4 *PROHIBITION.—None of the funds made available by this*  
5 *Act may be used to support any training program involv-*  
6 *ing a unit of the security forces of a foreign country if the*  
7 *Secretary of Defense has received credible information from*  
8 *the Department of State that a member of such unit has*  
9 *committed a gross violation of human rights, unless all nec-*  
10 *essary corrective steps have been taken.*

11       *(b) MONITORING.—Not more than 90 days after enact-*  
12 *ment of this Act, the Secretary of Defense, in consultation*  
13 *with the Secretary of State, shall establish procedures to en-*  
14 *sure that prior to a decision to conduct any training pro-*  
15 *gram referred to in subsection (a), full consideration is*  
16 *given to all information available to the Department of*  
17 *State relating to human rights violations by foreign secu-*  
18 *rity forces.*

19       *(c) WAIVER.—The Secretary of Defense, after consulta-*  
20 *tion with the Secretary of State, may waive the prohibition*  
21 *in subsection (a) if he determines that such waiver is re-*  
22 *quired by extraordinary circumstances.*

23       *(d) REPORT.—Not more than 15 days after the exercise*  
24 *of any waiver under subsection (c), the Secretary of Defense*  
25 *shall submit a report to the congressional defense commit-*

1 *tees describing the extraordinary circumstances, the purpose*  
2 *and duration of the training program, the United States*  
3 *forces and the foreign security forces involved in the train-*  
4 *ing program, and the information relating to human rights*  
5 *violations that necessitates the waiver.*

6       *SEC. 8160. (a) FINDINGS.—Congress makes the follow-*  
7 *ing findings:*

8           *(1) Since 1989—*

9                   *(A) the national defense budget has been cut*  
10 *in half as a percentage of the gross domestic*  
11 *product;*

12                   *(B) the national defense budget has been cut*  
13 *by over \$120,000,000,000 in real terms;*

14                   *(C) the United States military force struc-*  
15 *ture has been reduced by more than 30 percent;*

16                   *(D) the Department of Defense's operations*  
17 *and maintenance accounts have been reduced by*  
18 *40 percent;*

19                   *(E) the Department of Defense's procure-*  
20 *ment funding has declined by more than 50 per-*  
21 *cent;*

22                   *(F) United States military operational*  
23 *commitments have increased fourfold;*

24                   *(G) the Army has reduced its ranks by over*  
25 *630,000 soldiers and civilians, closed over 700*

1           *installations at home and overseas, and cut 10*  
2           *divisions from its force structure;*

3           *(H) the Army has reduced its presence in*  
4           *Europe from 215,000 to 65,000 personnel;*

5           *(I) the Army has averaged 14 deployments*  
6           *ever four years, increased significantly from the*  
7           *Cold War trend of one deployment ever four*  
8           *years;*

9           *(J) the Air Force has downsized by nearly*  
10          *40 percent, while experiencing a fourfold in-*  
11          *crease in operational commitments.*

12          *(2) In 1992, 37 percent of the Navy's fleet was*  
13          *deployed at any given time. Today that number is 57*  
14          *percent; at its present rate, it will climb to 62 percent*  
15          *by 2005.*

16          *(3) The Navy Surface Warfare Officer commu-*  
17          *nity will fall short of its needs of a 40 percent in-*  
18          *crease in retention to meet requirements.*

19          *(4) The Air Force is 18 percent short of its reten-*  
20          *tion goal for second-term airmen.*

21          *(5) The Air Force is more than 800 pilots short,*  
22          *and more than 70 percent eligible for retention bo-*  
23          *nuses have turned them down in favor of separation.*

24          *(6) The Army faces critical personnel shortages*  
25          *in combat units, forcing unit commanders to borrow*

1       *troops from other units just to participate in training*  
2       *exercises.*

3               *(7) An Air Force F-16 squadron commander tes-*  
4       *tified before the House National Security Committee*  
5       *that his unit was forced to borrow three aircraft and*  
6       *use cannibalized parts from four other F-16's in*  
7       *order to deploy to Southwest Asia.*

8               *(8) In 1997, the Army averaged 31,000 soldiers*  
9       *deployed away from their home station in support of*  
10       *military operations in 70 countries with the average*  
11       *deployment lasting 125 days.*

12               *(9) Critical shortfalls in meeting recruiting and*  
13       *retention goals is seriously affecting the ability of the*  
14       *Army to train and deploy. The Army reduced its re-*  
15       *cruiting goal for 1998 by 12,000 personnel.*

16               *(10) In fiscal year 1997, the Army fell short of*  
17       *its recruiting goal for critical infantry soldiers by al-*  
18       *most 5,000. As of February 15, 1998, Army-wide*  
19       *shortages existed for 28 Army specialties. Many posi-*  
20       *tions in squads and crews are left unfilled or mini-*  
21       *mally filled because personnel are diverted to work in*  
22       *key positions elsewhere.*

23               *(11) The Navy reports it will fall short of en-*  
24       *listed sailor recruitment for 1998 by 10,000.*

1           (12) *One in ten Air Force front-line units are*  
2           *not combat ready.*

3           (13) *Ten Air Force technical specialties, rep-*  
4           *resenting thousands of airmen, deployed away from*  
5           *their home station for longer than the Air Force*  
6           *standard 120-day mark in 1997.*

7           (14) *The Air Force fell short of its reenlistment*  
8           *rate for mid-career enlisted personnel by an average*  
9           *of six percent, with key war fighting career fields ex-*  
10          *periencing even larger drops in reenlistments.*

11          (15) *In 1997, United States Marines in the oper-*  
12          *ating forces have deployed on more than 200 exercises,*  
13          *rotational deployments, or actual contingencies.*

14          (16) *United States Marine Corps maintenance*  
15          *forces are only able to maintain 92 percent ground*  
16          *equipment and 77 percent aviation equipment readi-*  
17          *ness rates due to excessive deployments of troops and*  
18          *equipment.*

19          (17) *The National Security Strategy of the*  
20          *United States assumes the ability of the United States*  
21          *Armed Forces to prevail in two major regional con-*  
22          *licts nearly simultaneously.*

23          (18) *To execute the National Security of the*  
24          *United States, the United States Army's five later-de-*  
25          *ploying divisions, which constitute almost half of the*

1 *Army's active combat forces, are critical to the success*  
2 *of specific war plans.*

3 *(19) According to commanders in these divisions,*  
4 *the practice of under staffing squads and crews that*  
5 *are responsible for training, and assigning personnel*  
6 *to other units as fillers for exercises and operations,*  
7 *has become common and is degrading unit capability*  
8 *and readiness.*

9 *(20) In the aggregate, the Army's later-deploying*  
10 *divisions were assigned 93 percent of their authorized*  
11 *personnel at the beginning of fiscal year 1998. In one*  
12 *specific case, the 1st Armored Division was staffed at*  
13 *94 percent in the aggregate; however, its combat sup-*  
14 *port and service support specialties were filled at*  
15 *below 85 percent, and captains and majors were filled*  
16 *at 73 percent.*

17 *(21) At the 10th Infantry Division, only 138 of*  
18 *162 infantry squads were fully or minimally filled,*  
19 *and 36 of the filled squads were unqualified. At the*  
20 *1st Brigade of the 1st Infantry Division, only 56 per-*  
21 *cent of the authorized infantry soldiers for its Bradley*  
22 *Fighting Vehicles were assigned, and in the 2nd Bri-*  
23 *gade, 21 of 48 infantry squads had no personnel as-*  
24 *signed.*

1           (22) *At the 3rd Brigade of the 1st Armored Divi-*  
2           *sion, only 16 of 116 M1A1 tanks had full crews and*  
3           *were qualified, and in one of the Brigade's two armor*  
4           *battalions, 14 of 58 tanks had no crewmembers as-*  
5           *signed because the personnel were deployed to Bosnia.*

6           (23) *At the beginning of fiscal year 1998, the five*  
7           *later-deploying divisions critical to the execution of*  
8           *the United States National Security Strategy were*  
9           *short nearly 1,900 of the total 25,357 Non-Commis-*  
10          *sioned Officers authorized, and as of February 15,*  
11          *1998, this shortage had grown to almost 2,200.*

12          (24) *Rotation of units to Bosnia is having a di-*  
13          *rect and negative impact on the ability of later-de-*  
14          *ploying divisions to maintain the training and readi-*  
15          *ness levels needed to execute their mission in a major*  
16          *regional conflict. Indications of this include:*

17                 (A) *The reassignment by the Commander of*  
18                 *the 3rd Brigade Combat Team of 63 soldiers*  
19                 *within the brigade to serve in infantry squads of*  
20                 *a deploying unit of 800 troops, stripping non-*  
21                 *deploying infantry and armor units of mainte-*  
22                 *nance personnel, and reassigning Non-Commis-*  
23                 *sioned Officers and support personnel to the task*  
24                 *force from throughout the brigade.*

1           (B) *Cancellation of gunnery exercises for at*  
2           *least two armor battalions in later-deploying di-*  
3           *visions, causing 43 of 116 tank crews to lose*  
4           *their qualifications on the weapon system.*

5           (C) *Hiring of outside contract personnel by*  
6           *1st Armored and 1st Infantry later-deploying di-*  
7           *visions to perform routine maintenance.*

8           (25) *National Guard budget shortfalls com-*  
9           *promise the Guard's readiness levels, capabilities,*  
10          *force structure, and end strength, putting the Guard's*  
11          *personnel, schools, training, full-time support, reten-*  
12          *tion and recruitment, and morale at risk.*

13          (26) *The President's budget requests for the Na-*  
14          *tional Guard have been insufficient, notwithstanding*  
15          *the frequent calls on the Guard to handle wide-rang-*  
16          *ing tasks, including deployments in Bosnia, Iraq,*  
17          *Haiti, and Somalia.*

18          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
19          *that—*

20                 (1) *the readiness of United States military forces*  
21                 *to execute the National Security Strategy of the*  
22                 *United States is being eroded from a combination of*  
23                 *declining defense budgets and expanded missions;*

24                 (2) *the ongoing, open-ended commitment of*  
25                 *United States forces to the peacekeeping mission in*

1 *Bosnia is causing assigned and supporting units to*  
2 *compromise their principle wartime assignments;*

3 *(3) defense appropriations are not keeping pace*  
4 *with the expanding needs of the Armed Forces.*

5 *(c) REPORT REQUIREMENT.—Not later than June 1,*  
6 *1999, the President shall submit to the Committee on Armed*  
7 *Services of the Senate and the Committee on National Secu-*  
8 *rity of the House of Representatives, and to the Committees*  
9 *on Appropriations in both Houses, a report on the military*  
10 *readiness of the Armed Forces of the United States. The*  
11 *President shall include in the report a detailed discussion*  
12 *of the competition for resources service-by-service caused by*  
13 *the ongoing commitment to the peacekeeping operation in*  
14 *Bosnia, including in those units that are supporting but*  
15 *not directly deployed to Bosnia. The President shall specifi-*  
16 *cally include in the report the following—*

17 *(1) an assessment of current force structure and*  
18 *its sufficiency to execute the National Security Strat-*  
19 *egy of the United States;*

20 *(2) an outline of the service-by-service force*  
21 *structure expected to be committed to a major re-*  
22 *gional contingency as envisioned in the National Se-*  
23 *curity Strategy of the United States;*

24 *(3) a comparison of the force structures outlined*  
25 *in paragraph (2) with the service-by-service order of*

1 *battle in Operation Desert Shield/Desert Storm, as a*  
2 *representative and recent major regional conflict;*

3 *(4) the force structure and defense appropriation*  
4 *increases that are necessary to execute the National*  
5 *Security Strategy of the United States assuming cur-*  
6 *rent projected ground force levels assigned to the*  
7 *peacekeeping mission in Bosnia are unchanged;*

8 *(5) a discussion of the United States ground*  
9 *force level in Bosnia that can be sustained without*  
10 *impacting the ability of the Armed Forces to execute*  
11 *the National Security Strategy of the United States,*  
12 *assuming no increases in force structure and defense*  
13 *appropriations during the period in which ground*  
14 *forces are assigned to Bosnia.*

15 *SEC. 8161. SENSE OF THE SENATE REGARDING PAY-*  
16 *ROLL TAX RELIEF. (a) FINDINGS.—The Senate finds the*  
17 *following:*

18 *(1) The payroll tax under the Federal Insurance*  
19 *Contributions Act (FICA) is the biggest, most regres-*  
20 *sive tax paid by working families.*

21 *(2) The payroll tax constitutes a 15.3 percent tax*  
22 *burden on the wages and self-employment income of*  
23 *each American, with 12.4 percent of the payroll tax*  
24 *used to pay social security benefits to current bene-*

1        *ficiaries and 2.9 percent used to pay the medicare*  
2        *benefits of current beneficiaries.*

3            (3) *The amount of wages and self-employment*  
4        *income subject to the social security portion of the*  
5        *payroll tax is capped at \$68,400. Therefore, the lower*  
6        *a family's income, the more they pay in payroll tax*  
7        *as a percentage of income. The Congressional Budget*  
8        *Office has estimated that for those families who pay*  
9        *payroll taxes, 80 percent pay more in payroll taxes*  
10       *than in income taxes.*

11           (4) *In 1996, the median household income was*  
12       *\$35,492, and a family earning that amount and tak-*  
13       *ing standard deductions and exemptions paid \$2,719*  
14       *in Federal income tax, but lost \$5,430 in income to*  
15       *the payroll tax.*

16           (5) *Ownership of wealth is essential for everyone*  
17       *to have a shot at the American dream, but the payroll*  
18       *tax is the principal burden to savings and wealth cre-*  
19       *ation for working families.*

20           (6) *Since 1983, the payroll tax has been higher*  
21       *than necessary to pay current benefits.*

22           (7) *Since most of the payroll tax receipts are de-*  
23       *posited in the social security trust funds, which masks*  
24       *the real amount of Government borrowing, those*  
25       *whom the payroll tax hits hardest, working families,*

1       *have shouldered a disproportionate share of the Fed-*  
2       *eral budget deficit reduction and, therefore, a dis-*  
3       *proportionate share of the creation of the Federal*  
4       *budget surplus.*

5               *(8) Over the next 10 years, the Federal Govern-*  
6       *ment will generate a budget surplus of*  
7       *\$1,550,000,000,000, and all but \$32,000,000,000 of*  
8       *that surplus will be generated by excess payroll taxes.*

9       *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
10       *ate that—*

11               *(1) if Congress decides to provide tax relief, re-*  
12       *ducing the burden of payroll taxes should be a top*  
13       *priority; and*

14               *(2) Congress and the President should work to*  
15       *reduce this payroll tax burden on American families.*

16       *TITLE IX —MONITORING OF HUMAN RIGHTS*

17                       *ABUSES IN CHINA*

18       *SEC. 9001. SHORT TITLE. This title may be cited as*  
19       *the “Political Freedom in China Act of 1998”.*

20       *SEC. 9002. FINDINGS. Congress makes the following*  
21       *findings:*

22               *(1) Congress concurs in the following conclusions*  
23       *of the United States State Department on human*  
24       *rights in the People’s Republic of China in 1996:*

1           (A) *The People’s Republic of China is “an*  
2 *authoritarian state” in which “citizens lack the*  
3 *freedom to peacefully express opposition to the*  
4 *party-led political system and the right to*  
5 *change their national leaders or form of govern-*  
6 *ment”.*

7           (B) *The Government of the People’s Repub-*  
8 *lic of China has “continued to commit wide-*  
9 *spread and well-documented human rights*  
10 *abuses, in violation of internationally accepted*  
11 *norms, stemming from the authorities’ intoler-*  
12 *ance of dissent, fear of unrest, and the absence*  
13 *of inadequacy of laws protecting basic freedoms”.*

14           (C) *“abuses include torture and mistreat-*  
15 *ment of prisoners, forced confessions, and arbi-*  
16 *trary and incommunicado detention”.*

17           (D) *“prison conditions remained harsh and*  
18 *the Government continued severe restrictions on*  
19 *freedom of speech, the press, assembly, associa-*  
20 *tion, religion, privacy, and worker rights”.*

21           (E) *“although the Government denies that it*  
22 *holds political prisoners, the number of persons*  
23 *detained or serving sentences for*  
24 *‘counterrevolutionary crimes’ or ‘crimes against*  
25 *the state’, or for peaceful political or religious*

1           *activities are believed to number in the thou-*  
2           *sands”.*

3           (F) *“nonapproved religious groups, includ-*  
4           *ing Protestant and Catholic*  
5           *groups . . . experienced intensified repression”.*

6           (G) *“serious human rights abuses persist in*  
7           *minority areas, including Tibet, Xinjiang, and*  
8           *Inner Mongolia, and controls on religion and on*  
9           *other fundamental freedoms in these areas have*  
10          *also intensified”.*

11          (H) *“overall in 1996, the authorities*  
12          *stepped up efforts to cut off expressions of protest*  
13          *or criticism. All public dissent against the party*  
14          *and government was effectively silenced by in-*  
15          *timidation, exile, the imposition of prison terms,*  
16          *administrative detention, or house arrest. No dis-*  
17          *sidents were known to be active at year’s end.”.*

18          (2) *In addition to the State Department, credible*  
19          *independent human rights organizations have docu-*  
20          *mented an increase in repression in China during*  
21          *1995, and effective destruction of the dissident move-*  
22          *ment through the arrest and sentencing of the few re-*  
23          *maining pro-democracy and human rights activists*  
24          *not already in prison or exile.*

1           (3) Among those were Li Hai, sentenced to 9  
2           years in prison on December 18, 1996, for gathering  
3           information on the victims of the 1989 crackdown,  
4           which according to the court’s verdict constituted  
5           “state secrets”; Liu Nianchun, an independent labor  
6           organizer, sentenced to 3 years of “re-education  
7           through labor” on July 4, 1996, due to his activities  
8           in connection with a petition campaign calling for  
9           human rights reforms; and Ngodrup Phuntsog, a Ti-  
10          betan national, who was arrested in Tibet in 1987  
11          immediately after he returned from a 2-year trip to  
12          India, where the Tibetan government in exile is lo-  
13          cated, and following a secret trial was convicted by  
14          the Government of the People’s Republic of China of  
15          espionage on behalf of the “Ministry of Security of the  
16          Dalai clique”.

17          (4) Many political prisoners are suffering from  
18          poor conditions and ill-treatment leading to serious  
19          medical and health problems, including—

20                 (A) Gao Yu, a journalist sentenced to 6  
21                 years in prison in November 1994 and honored  
22                 by UNESCO in May 1997, has a heart condi-  
23                 tion; and

24                 (B) Chen Longde, a leading human rights  
25                 advocate now serving a 3-year re-education

1           *through labor sentence imposed without trial in*  
2           *August 1995, has reportedly been subject to re-*  
3           *peated beatings and electric shocks at a labor*  
4           *camp for refusing to confess his guilt.*

5           *(5) The People’s Republic of China, as a member*  
6           *of the United Nations, is expected to abide by the pro-*  
7           *visions of the Universal Declaration of Human*  
8           *Rights.*

9           *(6) The People’s Republic of China is a party to*  
10          *numerous international human rights conventions,*  
11          *including the Convention Against Torture and Other*  
12          *Cruel, Inhuman or Degrading Treatment or Punish-*  
13          *ment.*

14          *SEC. 9003. CONDUCT OF FOREIGN RELATIONS. (a) RE-*  
15          *LEASE OF PRISONERS.—The Secretary of State, in all offi-*  
16          *cial meetings with the Government of the People’s Republic*  
17          *of China, should request the immediate and unconditional*  
18          *release of Ngodrup Phuntsog and other prisoners of con-*  
19          *science in Tibet, as well as in the People’s Republic of*  
20          *China.*

21          *(b) ACCESS TO PRISONS.—The Secretary of State*  
22          *should seek access for international humanitarian organiza-*  
23          *tions to Drapchi prison and other prisons in Tibet, as well*  
24          *as in the People’s Republic of China, to ensure that pris-*

1 *oners are not being mistreated and are receiving necessary*  
2 *medical treatment.*

3 *(c) DIALOGUE ON FUTURE OF TIBET.—The Secretary*  
4 *of State, in all official meetings with the Government of*  
5 *the People’s Republic of China, should call on that country*  
6 *to begin serious discussions with the Dalai Lama or his*  
7 *representatives, without preconditions, on the future of*  
8 *Tibet.*

9 *SEC. 9004. AUTHORIZATION OF APPROPRIATIONS FOR*  
10 *ADDITIONAL PERSONNEL AT DIPLOMATIC POSTS TO MON-*  
11 *ITOR HUMAN RIGHTS IN THE PEOPLE’S REPUBLIC OF*  
12 *CHINA. There are authorized to be appropriated to support*  
13 *personnel to monitor political repression in the People’s Re-*  
14 *public of China in the United States Embassies in Beijing*  
15 *and Kathmandu, as well as the American consulates in*  
16 *Guangzhou, Shanghai, Shenyang, Chengdu, and Hong*  
17 *Kong, \$2,200,000 for fiscal year 1999 and \$2,200,000 for*  
18 *fiscal year 2000.*

19 *SEC. 9005. DEMOCRACY BUILDING IN CHINA. (a) AU-*  
20 *THORIZATION OF APPROPRIATIONS FOR NED.—In addition*  
21 *to such sums as are otherwise authorized to be appropriated*  
22 *for the “National Endowment for Democracy” for fiscal*  
23 *years 1999 and 2000, there are authorized to be appro-*  
24 *priated for the “National Endowment for Democracy”*  
25 *\$4,000,000 for fiscal year 1999 and \$4,000,000 for fiscal*

1 year 2000, which shall be available to promote democracy,  
2 civil society, and the development of the rule of law in  
3 China.

4 (b) *EAST ASIA-PACIFIC REGIONAL DEMOCRACY*  
5 *FUND.*—The Secretary of State shall use funds available in  
6 the East Asia-Pacific Regional Democracy Fund to provide  
7 grants to nongovernmental organizations to promote democ-  
8 racy, civil society, and the development of the rule of law  
9 in China.

10 *SEC. 9006. HUMAN RIGHTS IN CHINA. (a) RE-*  
11 *PORTS.*—Not later than March 30, 1999, and each subse-  
12 quent year thereafter, the Secretary of State shall submit  
13 to the International Relations Committee of the House of  
14 Representatives and the Foreign Relations Committee of the  
15 Senate an annual report on human rights in China, includ-  
16 ing religious persecution, the development of democratic in-  
17 stitutions, and the rule of law. Reports shall provide infor-  
18 mation on each region of China.

19 (b) *PRISONER INFORMATION REGISTRY.*—The Sec-  
20 retary of State shall establish a Prisoner Information Reg-  
21 istry for China which shall provide information on all po-  
22 litical prisoners, prisoners of conscience, and prisoners of  
23 faith in China. Such information shall include the charges,  
24 judicial processes, administrative actions, use of forced  
25 labor, incidences of torture, length of imprisonment, phys-

1 *ical and health conditions, and other matters related to the*  
2 *incarceration of such prisoners in China. The Secretary of*  
3 *State is authorized to make funds available to nongovern-*  
4 *mental organizations presently engaged in monitoring ac-*  
5 *tivities regarding Chinese political prisoners to assist in the*  
6 *creation and maintenance of the registry.*

7       *SEC. 9007. SENSE OF CONGRESS CONCERNING ESTAB-*  
8 *LISHMENT OF A COMMISSION ON SECURITY AND COOPERA-*  
9 *TION IN ASIA. It is the sense of Congress that Congress, the*  
10 *President, and the Secretary of State should work with the*  
11 *governments of other countries to establish a Commission*  
12 *on Security and Cooperation in Asia which would be mod-*  
13 *eled after the Commission on Security and Cooperation in*  
14 *Europe.*

15       *SEC. 9008. SENSE OF CONGRESS REGARDING DEMOC-*  
16 *RACY IN HONG KONG. It is the sense of Congress that the*  
17 *people of Hong Kong should continue to have the right and*  
18 *ability to freely elect their legislative representatives, and*  
19 *that the procedure for the conduct of the elections of the*  
20 *legislature of the Hong Kong Special Administrative Re-*  
21 *gion should be determined by the people of Hong Kong*  
22 *through an election law convention, a referendum, or both.*

23       *SEC. 9009. SENSE OF CONGRESS RELATING TO ORGAN*  
24 *HARVESTING AND TRANSPLANTING IN THE PEOPLE'S RE-*  
25 *PUBLIC OF CHINA. It is the sense of Congress that—*



1       *SEC. 10002. Congress makes the following findings:*

2               *(1) Forced abortion was rightly denounced as a*  
3       *crime against humanity by the Nuremberg War*  
4       *Crimes Tribunal.*

5               *(2) For over 15 years there have been frequent*  
6       *and credible reports of forced abortion and forced ster-*  
7       *ilization in connection with the population control*  
8       *policies of the People's Republic of China. These re-*  
9       *ports indicate the following:*

10               *(A) Although it is the stated position of the*  
11               *politburo of the Chinese Communist Party that*  
12               *forced abortion and forced sterilization have no*  
13               *role in the population control program, in fact*  
14               *the Communist Chinese Government encourages*  
15               *both forced abortion and forced sterilization*  
16               *through a combination of strictly enforced birth*  
17               *quotas and immunity for local population con-*  
18               *trol officials who engage in coercion. Officials ac-*  
19               *knowledge that there have been instances of*  
20               *forced abortions and sterilization, and no evi-*  
21               *dence has been made available to suggest that the*  
22               *perpetrators have been punished.*

23               *(B) People's Republic of China population*  
24               *control officials, in cooperation with employers*  
25               *and works unit officials, routinely monitor wom-*

1            *en's menstrual cycles and subject women who*  
2            *conceive without government authorization to ex-*  
3            *treme psychological pressure, to harsh economic*  
4            *sanctions, including unpayable fines and loss of*  
5            *employment, and often to physical force.*

6            *(C) Official sanctions for giving birth to*  
7            *unauthorized children include fines in amounts*  
8            *several times larger than the per capita annual*  
9            *incomes of residents of the People's Republic of*  
10           *China. In Fujian, for example, the average fine*  
11           *is estimated to be twice a family's gross annual*  
12           *income. Families which cannot pay the fine may*  
13           *be subject to confiscation and destruction of their*  
14           *homes and personal property.*

15           *(D) Especially harsh punishments have*  
16           *been inflicted on those whose resistance is moti-*  
17           *vated by religion. For example, according to a*  
18           *1995 Amnesty International report, the Catholic*  
19           *inhabitants of 2 villages in Hebei Province were*  
20           *subjected to population control under the slogan*  
21           *"better to have more graves than one more*  
22           *child". Enforcement measures included torture,*  
23           *sexual abuse, and the detention of resisters' rel-*  
24           *atives as hostages.*

1           (E) *Forced abortions in Communist China*  
2           *often have taken place in the very late stages of*  
3           *pregnancy.*

4           (F) *Since 1994 forced abortion and steri-*  
5           *lization have been used in Communist China not*  
6           *only to regulate the number of children, but also*  
7           *to eliminate those who are regarded as defective*  
8           *in accordance with the official eugenic policy*  
9           *known as the “Natal and Health Care Law”.*

10        SEC. 10003. (a) *Notwithstanding any other provision*  
11 *of law, the Secretary of State may not utilize any funds*  
12 *appropriated or otherwise available for the Department of*  
13 *State for fiscal year 1999 to issue any visa to any official*  
14 *of any country (except the head of state, the head of govern-*  
15 *ment, and cabinet level ministers) who the Secretary finds,*  
16 *based on credible and specific information, has been directly*  
17 *involved in the establishment or enforcement of population*  
18 *control policies forcing a woman to undergo an abortion*  
19 *against her free choice, or forcing a man or woman to un-*  
20 *dergo sterilization against his or her free choice or policies*  
21 *condoning the practice of genital mutilation.*

22        (b) *Notwithstanding any other provision of law, the*  
23 *Attorney General may not utilize any funds appropriated*  
24 *or otherwise available for the Department of Justice for fis-*

1 *cal year 1999 to admit to the United States any national*  
2 *covered by subsection (a).*

3 *(c) The President may waive the prohibition in sub-*  
4 *section (a) or (b) if the President—*

5 *(1) determines that it is in the national interest*  
6 *of the United States to do so; and*

7 *(2) provides written notification to Congress con-*  
8 *taining a justification for the waiver.*

9 *Subtitle B—Freedom on Religion in China*

10 *SEC. 10011. (a) It is the sense of Congress that the*  
11 *President should make freedom of religion one of the major*  
12 *objectives of United States foreign policy with respect to*  
13 *China.*

14 *(b) As part of this policy, the Department of State*  
15 *should raise in every relevant bilateral and multilateral*  
16 *forum the issue of individuals imprisoned, detained, con-*  
17 *fined, or otherwise harassed by the Chinese Government on*  
18 *religious grounds.*

19 *(c) In its communications with the Chinese Govern-*  
20 *ment, the Department of State should provide specific*  
21 *names of individuals of concern and request a complete and*  
22 *timely response from the Chinese Government regarding the*  
23 *individuals' whereabouts and condition, the charges against*  
24 *them, and sentence imposed.*

1       (d) *The goal of these official communications should*  
2 *be the expeditious release of all religious prisoners in China*  
3 *and Tibet and the end of the Chinese Government's policy*  
4 *and practice of harassing and repressing religious believers.*

5       SEC. 10012. (a) *Notwithstanding any other provision*  
6 *of law, the Secretary of State may not utilize any funds*  
7 *appropriated or otherwise available for the Department of*  
8 *State for fiscal year 1999 to issue a visa to any official*  
9 *of any country (except the head of state, the head of govern-*  
10 *ment, and cabinet level ministers) who the Secretary of*  
11 *State finds, based on credible and specific information, has*  
12 *been directly involved in the establishment or enforcement*  
13 *of policies or practices designed to restrict religious freedom.*

14       (b) *Notwithstanding any other provision of law, the*  
15 *Attorney General may not utilize any funds appropriated*  
16 *or otherwise available for the Department of Justice for fis-*  
17 *cal year 1999 to admit to the United States any national*  
18 *covered by subsection (a).*

19       (c) *The President may waive the prohibition in sub-*  
20 *section (a) or (b) with respect to an individual described*  
21 *in such subsection if the President—*

22               (1) *determines that it is vital to the national in-*  
23 *terest to do so; and*

